

RE: FORMULATION OF PEC DECISION, AUG.12th,2019

To: the Members of the Planning & Environmental Commission

I am impressed by the amount of time, effort, and dedication this commission devotes to its daunting tasks, particularly when so many major projects are in the pipeline for Town of Vail. Thank you! Your decisions will leave our town and community changed forever. I urge you to keep your eyes on the mission on the Council wall and the Priority Statements in the 2019 Community Report. A big decision lies ahead today.

The joint report of Aug. 5th by the Town's 3 Consulting Wildlife Biologists Byrne, Kahn, and Woolever, clearly states that given "the already limited winter and transitional range for bighorn sheep and the relatively small number of sheep in this herd,... that finding another location for this development would offer the **best** mitigation for this sheep herd." They go on to state that "most wildlife mitigation efforts do not provide the intended...result." They cannot say with certainty "that even with these measures, that this herd will be able to sustain itself considering the human disturbance-associated impacts related to this development." In other words, mitigation **and** development will not preserve this herd--- for you it is an either/or choice. If you permit this development, only the most wishful thinking can do so believing the herd will survive this disturbance and constriction at the east side of the critical habitat for ewes and lambs.

But given what most of the public has discovered in the past week, namely the Town's Public Works Phase 1 Plan for even larger development and encroachment in and below the Bighorn rams' wintering habitat on the west side of their historic critical range, already green-lighted preliminarily by PEC April 22nd this year, the threat to the herd is much greater than most of us realized. The wildlife biologists and common sense tell us that their survival depends as much on the health of the males as of the females!

Before this redevelopment planned to start this fall and continue through the winter goes any farther, an Environmental Impact Study must be undertaken, not just of wildlife impacts which include the likely death-knell of our Bighorns but also for our obligation to preserve the natural values of the area in which we live. What is the environmental impact of a 7acre installation of utility-grade solar panels on the steep hillside above the Yards and of rooftop panels wherever they can be supported there? What is the impact of up to 140 employee rental units crammed into that area wherever they can be attached, behind existing housing, above the administration building to be built?

First, say a loud "No" to Triumph, then delay implementation of Public Works Phase1 redevelopment until further studies are completed, especially an E.I.S., and the public has adequate time to review the massive plan. Next, ask Council and staff identify other sites where workforce housing can be expanded or constructed. Urge them to bring the same level of talent and creativity to this task as to these two development projects I cite today. Please!

Anne Esson

Chris Neubecker

From: Shelley Bellm
Sent: Thursday, August 1, 2019 12:58 PM
To: PEC
Subject: FW: Eagle County Workforce Housing in East Vail

From: Jennifer Abramson [mailto:JAbramson@vailresorts.com]
Sent: Thursday, August 1, 2019 12:06 PM
To: CommDev; Council Dist List
Subject: Eagle County Workforce Housing in East Vail

August 1, 2019

Sent on behalf of the Beaver Creek Economic Advisory Council

Submitted via email:
commdev@vailgov.com
towncouncil@vailgov.com

Dear Members of the Vail Planning & Environmental Commission and the Vail Town Council:

The Beaver Creek Economic Advisory Council is comprised of mountain resort, residential property, lodging and commercial owners/operators within the Beaver Creek community. As you will note from the names below, several of us operate local businesses in both Beaver Creek and the Town of Vail.

With economic development our obvious focus, several years ago we decided to incorporate a dialogue within our monthly meetings around the severe workforce housing shortage we are undergoing throughout Eagle County. We have stayed informed with presentations from Eagle County and the Vail Valley Partnership.

In reviewing the plans currently before you for Triumph Development's proposed locals' housing project in East Vail, we would like to lend our support and emphasize that in light of the severe shortage of housing for our workforce, the East Vail development offers a pragmatic, locals' housing solution in offering rental units as well as deed-restricted for-sale townhomes.

We have discussed our alarming disappointment to the "not in my backyard" protest to this project. Beaver Creek and Bachelor Gulch have for many years included workforce housing as part of our neighborhood with buildings (about 800 beds) at our entry point. We're proud that many of our employees are able to live adjacent to their employment. Living at this location allows employees to utilize village transportation both to and from their jobs and minimizes their commute time. The units are affordable and have transit options. We also all co-exist with our valued wildlife. There is zero awareness of any negative effect to property values in Beaver Creek or Bachelor Gulch due to embracing workforce housing in our neighborhood.

According to the Vail Valley Partnership's 2017-18 Workforce Survey Report, 78 percent of businesses said in 2017-18 that housing had a negative effect on the ability to attract, hire and retain employees, declining substantially from the previous year and was also at an all-time low. Specific comments from the survey include:

This is a problem for new employees. Many times we are able to retain them when they are in our employee housing but then we lose them if they need to move out. It is a desire of many employees to live closer to where they work and to live in the community they work.

For those who have lived here long enough to have stable housing, it is not an easy. For those who have recently moved here, rent, or have changes in housing circumstances, housing is a major source of frustration that ultimately forces employees to ask if they really belong here and want to belong here. We are losing one person that experienced housing frustrations and may be losing a second because the options aren't great and what people are asking for rentals is ridiculous.

Current housing prices are difficult for young associates to purchase. Rentals were difficult for associates to find in the middle of peak season.

The short answer is no, they can't. Most can usually find it (often couch surfing or room sharing), but it diminishes their quality of life because of the cost and environment. We do lose some employees due to lack of decent available housing.

Moving way out side of work areas to find affordable. Or living with multiple people to survive. The conditions that some people are renting out are hidden and inexcusable.

Causes other major costs with vehicle expenses.

We offer a very progressive and comprehensive housing program to help employees find long term solutions for housing. That being said, it is still very difficult for employees to find affordable housing on the free market if they are looking to own.

We have a very young workforce that are primarily renters. They need to find multiple roommates that they potentially have never met just to stay in this area.

Thus, in this time of great need for housing, please approve the very thorough and carefully planned Booth Heights project, as well as the reasonable wildlife mitigation plan. Beaver Creek values our workforce, and we know Vail does, too.

Sincerely,

The Beaver Creek Economic Advisory Council:

Bob Boselli, Brian Nolan, Jeff Luker, Nadia Guerriero, Jen Brown, John Shipp,
Phil Metz, Peter Dann, Bill MacFarlane, Don Bird, Jeff Forbes, Mike Friery,
Steven Janicek, Jim Fraser, Duncan Horner, Mike Trueblood, Herb Rackliff

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Chris Neubecker

From: Chris Romer <cromer@vailvalleypartnership.com>
Sent: Thursday, August 8, 2019 3:15 PM
To: PEC
Cc: George Ruther; Matt Gennett
Subject: Business community feedback re: the need for housing
Attachments: BRE_SummaryReport_v3.pdf; 2019 Workforce Survey Report_Final.pdf

We encourage you to take a brief moment to review the attached research projects.

Specifically:

1. Business Retention & Expansion Study
 - a. When considering the weaknesses, barriers to growth, and reasons the community might not be considered for future expansion, several common themes emerged. The lack of affordable housing, high cost of living and the impact this has on local workforce quality and worker availability were discussed relatively frequently.
 - b. 82% indicate housing has a negative impact on ability to attract, hire, and retail employees
 - c. Top weakness for our community as a place to do business: workforce housing
 - d. Top barriers to business growth in the community: transient workforce and workforce housing
 - e. Reasons business will not expand here: limited workforce
2. Workforce Study
 - a. 39% of businesses have unfilled jobs, up 25% from last year
 - b. 69% of businesses plan to add new jobs this year
 - c. 72% of businesses indicate housing has a negative impact on hiring and retaining employees
 - d. Please read the open-ended comments regarding barriers to business growth in Eagle County
 - e. Frustration with housing continues to be a major issue. Negative opinions continue to run at an all-time high. Nearly 3 out 4 businesses feel that the housing situation negatively impacts their ability to hire and retain employees and this issue was mentioned frequently when asked about barriers to growing their business in the community.

Please utilize this data – and underlying zoning – and not emotional arguments when considering the Booth Heights decision.

--



Chris Romer, IOM
President & CEO

Vail Valley Partnership

[D] 970.477.4016 | [O] 970.476.1000

97 Main Street, Ste. E-201, Edwards, CO 81632

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Vail Planning and Environmental Commission
c/o Vail Town Council
75 S. Frontage Road
Vail, CO 81657

Dear PEC members,

“There goes our small town...” It’s a yarn that has been spun for years in towns across America and is currently percolating (again) in Eagle County. Consider:

- Highway engineer Charles Vail routed Highway 6 through the Eagle Valley over what is now Vail Pass in 1940. Inhabitants at the time surely cried “there goes our small town.”
- Pete Siebert and Earl Eaton, along with others from the 10th Mountain Division, returned to Colorado after World War II and bought the ranch that existed at what is now the base of Vail Mountain. They opened Vail Mountain in December 1962. Valley residents and other ranchers at the time surely felt as if their small-town life was threatened.
- Vail Village quickly grew and housing expanded to East Vail and West Vail; lodging and base operations spread into Lionshead Village. By the late 60’s and early 70’s, Vail was the most popular ski resort in Colorado. Also by this point in time, some who had been here from the beginning surely felt their small town life was over.
- In November 1972, the state's voters weighed in on whether they would authorize a \$5 million bond issue to help finance the Olympic Games. Residents at the time overwhelmingly rejected this by a 60-40 margin, in fear that hosting the Olympics would surely lead to growth and crowds, and citizens around the state celebrated that they most certainly did their part to save small town life in rustic Colorado.
- Beaver Creek Resort opened for business in 1981 and purchased neighboring Arrowhead four years later. Critics claimed that Colorado and Eagle County didn’t need another ski resort; what might this unfettered growth do to our small-town lifestyle?
- The World Alpine Ski Championships were recruited to Eagle County and hosted in 1989, as Vail and Beaver Creek were squarely on the world map and among the most popular and recognized ski resorts in the world. This event – hosted again in 1999 and 2015 – surely led to nostalgia among those who missed small town life that existed earlier.
- Eagle County Regional Airport began receiving mainline jet service by early 1994 with service from American, Delta, Northwest, and United Airlines from cities around the country. 36 jet flights a week being operated by these airlines into the airport during the



winter ski season early in 1994. Air service into Eagle County led some residents to decry the noise from planes and feeling as though our small-town life would never be the same.

Yet thanks to the foresight and leadership of our community leaders throughout the years, Eagle County has grown into a modern, successful community. We enjoy access to Denver via I-70, powder days on Vail and Beaver Creek mountains, mountain resort villages that are vibrant and lively, world-class events throughout the summer and winter seasons, air service from 15 markets, a vibrant college system, and medical facilities that are best in class for any community our size.

We never did land the Olympic Games, but that hasn't stopped Colorado from growing into a cosmopolitan state with a vibrant mix of communities.

We've come a long way, yet at each step there are those who mourned the death of our small-town lifestyle. Today, opposition to housing projects such as Reserve at Hockett Gulch in Eagle and Booth Heights in East Vail is led by voices claiming that we are losing our small-town charm.

To that we say nonsense. Our small-town charm isn't based on building heights, in-fill density, or allowable zoning use on private lands. Our small-town charm is based on friendly people enjoying our recreational amenities and lifestyle; it is based on locals taking care of each other; it is based on community. It certainly isn't based on having workforce housing at the entry to the community (Beaver Creek and Aspen both have large scale workforce and employee housing at their entry points which are additive to their communities). Community is driven by the sense of belonging.

What is "killing" our small-town atmosphere and our community is the inability to retain those who want to stay in this place. Providing housing for those who desire to make a life here supports our small-town atmosphere and is additive to our community. You have the data and the facts; you know the allowable zoning; we encourage you to support Booth Heights to help maintain Vail and Eagle County's small-town charm by investing in Vail's people.

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

Chris Neubecker

From: cbartmd@aol.com
Sent: Sunday, August 4, 2019 6:48 PM
To: PEC; bfinley@denverpost.com
Subject: Booth Heights sustainability

To All PEC members,

I am writing to take issue with Triumph's comment under the heading of Economic Sustainability that says their development will reduce driving trips to Vail. In fact, this location (3700 N Frontage Rd) has a walkability score so low that it deems all errands by residents will need to be done by car (please see www.walkability.com). The development of this property will absolutely increase the number of errands by car, as underscored by the facts corroborated by the lowest walkability score. Why is Triumph, yet again trying to mislead the town, the PEC and the residents?

Today I read a real estate ad from a prominent Vail company who is selling a house in East Vail. The ad started by saying....East Vail has the unique characteristic of being the first glimpse of Vail... Booth Heights threatens the viability of this statement by becoming the first glimpse of Vail, for those coming to town, and the last image, before leaving our otherwise beautiful valley. Take a drive up or down Vail pass and see for yourself.

As you already know, the Denver Post has written an article concerning the potential Booth Heights proposal. They will certainly be interested in the sad fact that Vail associates, who should be a guardian of sustainability, and a protector of our unique wildlife heritage, is preparing to sell this property to Triumph for financial gain. The facts surrounding the discovery that they were unwitting owners of a property long thought to be under conservation easement, and are willingly selling it for financial gain, will unmask a poorly formulated business decision and one which has long term repercussions, for our community and certainly for the sheep. For a company as large as Vail Associates, why not do the right thing and place the property under a conservation easement? It would be a win/win for all involved. The sheep win, east vail is not saddled with a development out of character with the neighborhood, the traffic generated by the development would be avoided, reworking the underpass might be avoided (which I guess would be very costly), and Vail Associates would reap huge dividends in national and local public opinion. If they are truly compelled to improve the housing options for potential employees, they could donate the proceeds of the sale of the conservation easement, and reap yet additional accolades!

Christopher Bartlett
Vail

P.S. I have also forwarded this email to the author of the article in the Denver Post, who wrote about the proposed Booth Heights development.

Chris Neubecker

From: JAMES LIPPERT <conlip@sbcglobal.net>
Sent: Wednesday, August 7, 2019 12:29 PM
To: PEC
Subject: Booth Heights

To the Planning and Environmental Commission:

This letter is written to add my voice to those opposing the Booth Heights development in East Vail. For many years East Vail has been a mix of low end condos and high end homes in a peaceful Alpine setting. The proposed development goes against this tradition, destroying habitat for wild life and threatening future erosion, mud slides and long term damage to the area.

I envision traffic increases, parking problems, barking dogs chasing sheep—and it will be ugly! Is this the first step toward continuous development along I-70 from East Vail to Vail? Once it is done, it can't be undone.

The beautification of the East Vail entrance and the thoughtful, careful restoration work on Gore Creek are examples of positive environmental impact. Ironically, across the highway plans are underway to scrape the mountainside, building "cliff dwellings" which will have a negative effect on the environment.

Let's retain the beauty of our mountains by placing needed employee housing in the areas of the valley that are already developed and are appropriate to this usage. There are many negative aspects to this proposal and I can't find a single positive aspect. Please consider the long-term negative effects and vote no.

Most sincerely,
Connie Lippert
East Vail
and St. Louis

.
-Connie

Chris Neubecker

From: Suzanne Silverthorn
Sent: Tuesday, July 30, 2019 7:24 PM
To: PEC
Subject: Fwd: Bighorn sheep

Public comment

Suzanne Silverthorn, APR
Director of Communications
Town of Vail
970-479-2115
970-471-1361 (cell)

Begin forwarded message:

From: <info@vailgov.com>
Date: July 30, 2019 at 6:00:23 PM MDT
To: <info@vailgov.com>
Subject: Bighorn sheep
Reply-To: <anndehart@icloud.com>

Save the bighorn sheep by giving them a habitat so they can thrive. Developers in Vail should take into consideration these wonderful animals, and not destroy their habitat.

Submitted By:
Name:: Ann DeHart
Telephone:: 3034267521
Email:: anndehart@icloud.com

Submitted From:
<https://www.vailgov.com/contact>

Chris Neubecker

From: cbartmd@aol.com
Sent: Wednesday, July 24, 2019 7:00 AM
To: PEC
Subject: Fwd: Monday's meeting

-----Original Message-----

From: cbartmd <cbartmd@aol.com>
To: pec <pec@aol.com>
Sent: Wed, Jul 24, 2019 08:57 AM
Subject: Monday's meeting

Unfortunately, I was not able to make Monday's meeting and therefore unable to ask the questions that I have regarding Booth Heights. I am not sure how to get them answered but here are the questions:

1. Why is the East Vail underpass different than the others (West Vail, Simba Run, Vail village and the underpasses at Vail Valley drive and near Bald mountain bus stop)? All of those underpasses have pedestrian safety features such as the most basic— SEPARATION of people and vehicles. Now, a very large high density proposed development puts "work force" young people at risk- Will preventative measures be considered? This is NOT a NIMBY issue!!!!
2. Who bears the liability consequences for any pedestrian/ vehicle encounters if the underpass is not up to the standards set by the other underpasses in town? Is it the town or the developer who should be liable for any untoward events?
3. On July 8, Mr. O'Connor made a comment about wanting this development approved in August. Is that the fast track time frame? If so, why so soon? This is a huge decision on sooo many levels— wildlife extinction,safety, increased green house gas emission and the first look at our town as seen by travellers coming down Vail pass. Just to name a few concerns!

Donna Mumma MD



7/13/19

Ellen Colrick <ecolrick@yahoo.com>

To: letters@vaildaily.com letters@vaildaily.com

East Vail Parcel

Vail has numerous employee housing, Pitkin Creek, Meadow Creek, Timber Ridge, Solar Vail, Chamonix, and others, and NEARLY EVERY OLDER COMPLEX IN EAST AND WEST VAIL ARE RENTED OR OWNED BY EMPLOYEES, NOT TO MENTION THE ADJACENT AREAS OF AVON, MINTURN, EAGLE- VAIL AND OTHER SURROUNDING TOWNS.

The money and power of Vail Resorts has influenced or intimidated people from running for office and their decisions once in office. Vail Resorts did not pay taxes on the property for approximately 50 years despite claiming they owned it. Now they were given a variance to build a huge complex regardless of the impact on neighbors and the last herd of bighorn sheep and other wild life, elk, bears, mountain lions, coyotes, foxes etc. remaining in the area.

Ellen Colrick

Vail

Recorded at 9:05 o'clock A. M., Jan. 26, 1962 3/7/03
 Reception No. 95680 Thomas F. McBreen Recorder.

RECORDER'S STAMP

THIS DEED, Made this 15th day of July
 in the year of our Lord, one thousand nine hundred and Sixty-one
 between THE TRANSMONTANE COMPANY, a general
 partnership
~~KRMPC~~ duly organized and existing under and by virtue of the laws
 of the State of Colorado
 of the first part, and VAIL ASSOCIATES, LTD.,
 a limited partnership

~~KRMPC~~ duly organized and existing under and by virtue of the laws of the State of Colorado, of the
 second part;

WITNESSETH, That the said party of the first part, for and in consideration of the sum of
 Ten and no/100 (\$10.00)-----DOLLARS

to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby
 confessed and acknowledged, hath granted, bargained, sold and conveyed, and by these presents does grant, bargain,
 sell, convey and confirm, unto the said party of the second part, its successors and assigns forever, all the following
 described tracts or parcels of land, situate, lying and being in the County of Eagle
 and State of Colorado, to-wit:

TRACT I

Township 5 South, Range 80 West, 6th P. M.

Sec. 6: That part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying north of U. S. Highway 6;
 SW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; Lots 1 and 2, but excepting from such
 Lots 1 and 2 the tracts conveyed to The Fleming Lumber
 and Mercantile Company by Warranty Deed recorded in
 Book 126 at Page 583 for 4.4410 acres, more or less, and
 by Warranty Deed recorded in Book 126 at Page 486 for
 6.3088 acres, more or less.

Sec. 7: Lot 1; NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$

together with all water, ditch and reservoir rights, and water
 easements, belonging to or in any manner connected with or apper-
 taining to the above-described lands which are now or may be here-
 after used on such lands for irrigation or domestic uses, excepting
 all easements and rights-of-way of record and subject to the options
 to purchase described below, containing 300 acres, more or less.

TRACT II

Township 5 South, Range 80 West, 6th P. M.

Sec. 2: SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ except a parcel of land described as
 follows:

Commencing at the southeast corner of SE $\frac{1}{4}$ of Section 2,
 thence north along the east line of Section 2 a distance
 of 400 feet, more or less, to a point, thence north 60°
 west 420 feet, more or less, to a point, thence west a dis-
 tance of 1050 feet, more or less, to a point on the north
 boundary of the right-of-way of U. S. Highway No. 6, thence
 in a northwesterly direction along the north boundary of
 right-of-way of U. S. Highway No. 6 a distance of 660 feet,
 thence south a distance unknown to a point on the south
 line of Section 2, thence east along the south line of
 Section 2 to the point of beginning.

Sec. 3: SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$



7.67
 UNDER S. B. No. 22
 IS PAID UNDER PROTEST



Chelsea Horn <chelsea.horn@eaglecounty.us>

Response to your inquiry East Vail Parcel owned by Vail Resorts 23 plus acres north of East Vail interchange contracted to Triumph Development

2 messages

'Ellen Colrick' via #www Treasurer <treasurer@eaglecounty.us>

Thu, Jul 18, 2019 at 2:08 PM

Reply-To: "ecolrick@yahoo.com" <ecolrick@yahoo.com>

To: "treasurer@eaglecounty.us" <treasurer@eaglecounty.us>

Please tell me who has paid the taxes on this parcel since the 1960's. I need this information asap.

Thank you.
Ellen Colrick

Sent from Yahoo Mail on Android

Chelsea Horn <chelsea.horn@eaglecounty.us>

Thu, Jul 18, 2019 at 2:41 PM

Draft To: "ecolrick@yahoo.com" <ecolrick@yahoo.com>

Cc: treasurer@eaglecounty.us

Bcc: Elaine Wolf <Elaine.Wolf@eaglecounty.us>

Good Afternoon Ellen,

Thank you for your email. Based on the information you have provided, I am including tax information for accounts R066589, R066786, and R066787 which are known as East Vail Workforce Housing Subdivision Lot: 1 and East Vail Workforce Housing Subdivision Tract: A.

Our records show that we received a payment from Vail Resorts on 10/6/17 in the amount of \$33,097.64 for omitted 2015 and 2016 property taxes. Of that, \$15,561.47 was for the 2015 taxes and \$17,536.17 was for the 2016 taxes. This account was then deactivated and split into R066786 and R066787 for 2017 and forward.

Let me know if you have any questions or if there was something else you were looking for.

[Quoted text hidden]

--
Chelsea Horn

Fiscal Technician

970-328-8860 (o)

970-328-8865 (d)

970-328-8879 (f)

www.eaglecounty.us



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Chris Neubecker

From: Grace Poganski <pogansg@bellsouth.net>
Sent: Monday, August 5, 2019 12:04 PM
To: PEC; Council Dist List; Nate Peterson; letters@vaildaily.com
Subject: Who are we?
Attachments: Proposed East Vail entrance to the Vail Valley.png; East Vail entrance Aug 5 2019.jpg

If Aspen can set designate a beautiful nature reserve at the east entrance to their town, why can't Vail?

Northstar Reserve at the east entrance to Aspen. What you see as you enter from Independence Pass.
<https://goo.gl/maps/XumgpZ3wPkn6TKK86>

Att. 1 - Proposed East Vail entrance to the Vail Valley (subtract all those aspens and add the huge berm scar that will exist behind the development).

Att. 2 -The East Vail entrance now.

What do you want our guests to see as they enter the Vail Valley from Vail Pass?





Chris Neubecker

From: Greg Kissler <gkissler@summitnet.com>
Sent: Monday, July 22, 2019 6:28 PM
To: PEC
Subject: East Vail Development Plan

Dear PEC Commissioners,

At first glance I thought that development in East Vail was positive for the community. We desperately need more housing for those that work in Vail and the site is on the bus route after all. However upon further investigation this site has some enormous problems. First and foremost is the sheep heard for which knowledgeable experts have clearly stated that the development is likely to destroy the heard. I don't subscribe to the developer's so called expert with a ridiculous 7 month observation and subsequent assertions that the sheep will adapt. I put my trust and faith in unbiased experts with years of experience and knowledge of the sheep heard over someone paid by the developer.

Secondary issues that make this site less than ideal include the lack of pedestrian access to the recreation trail and Sims Market. I've walked the underpass at East Vail in the winter and it's very unsafe. The small shoulder gets buried under the snowbank and traffic is sight limited. At the very least there should be a study and subsequent plan to allow safe pedestrian passage as is the case in the other three Vail underpasses.

I applaud the TOV for the emphasis on workforce housing and making it more feasible to live here in particular with the deed restriction program. This project however goes against The Town of Vail core values, first the trust and integrity of experts regarding the future of the sheep and second the Environmental Stewardship to protect our environment from undue harm.

I'm certainly not opposed to building workforce housing in Vail, quite the contrary. I would welcome workforce housing in my neighborhood of West Vail which I believe is a much better location with excellent bus service, nearby grocery shopping, restaurants and other businesses as well as easy access to trails and parks. I envision a future Vail where the old Roost hotel, a redeveloped Timber Ridge and other properties are examples of innovative and collaborative developments that are consistent with the TOV core values.

This project seems to be contrary to the TOV mission, especially in preserving our surrounding natural environment. There are other sites that would be better suited for development to grow our community that are consistent with both the TOV mission and core values.

Greg Kissler and Annegret Kessler

2653 Cortina Ln, 5A, Vail CO

Chris Neubecker

From: STEVE J CLARK <sjclark81657@msn.com>
Sent: Tuesday, August 6, 2019 11:55 AM
To: PEC
Subject: Booth Heights

Dear Members of the Vail PEC,

Please decide not to go forward with the Booth Heights development.

In our future, driving past the beautiful parcel of land in East Vail and watching Bighorn Sheep in their environment will still be a welcome pleasure, as it has been for my 30 plus years of living in East Vail.

A NO decision will create no regrets.

Thank you.

Sincerely,

Jackie Clark
East Vail

Chris Neubecker

From: J Joyce <ppljbj@msn.com>
Sent: Wednesday, August 7, 2019 1:28 PM
To: PEC
Subject: Booth Heights Housing

Hi PEC Members,

I would like to add my name in support of the Booth Heights housing project.

I am aware that the neighbors opposed to this project are very vocal and have disparaged this project from the start.

I would like to address some of their points.

1. They have said there is not enough parking. I find the parking situation more than adequate. The vast majority of students coming to work for a season do not own a car and in fact most do not even have a driver's license. There is no question that if the choice was housing and no car or car and no housing, the students will choose housing everytime.
2. They have said it is too far to travel to citymarket without a car. Maybe they don't remember what it is like to be 19. Very few will be having dinner parties.
3. They say the housing will impact wildlife. Every single home in that neighborhood is in wildlife habitat. Every single home in that neighborhood impacts the wildlife. Yet even knowing that their home impacts the wildlife I have heard of not one homeowner willing to tear their house down for the sake of the wildlife. No they just want to stop someone else from building their property just as they did. I can't think of anything less fair.
4. They say it will impact our bus system. That is laughable, if we have to many bus riders we can increase bus service.
5. They say there are other sites that can be built. Well that may or may not be true. I sure hope it is true as we need thousands more beds than this project will provide. We need this and many more.
6. They say the TOV did not do all they could to maximize the available building on the Timber Ridge site. Frankly this one is baffling. I do not understand how a developer is held responsible for something a government entity does.
7. They say it should be left open space. Yet for some reason they don't think their home should be returned to open space.
8. They say the project will be ugly and presents a bad image for guests entering Vail. How arrogant can someone be. Maybe this person thinks that only mansion's should be seen and all other housing should be hidden from public view. Frankly I think this person is misguided. This is not Palm Beach, we value every citizen and every person's contribution to our society.

The citizens against this housing have thrown every piece of mud they could muster. I think we need some compassion for the students who come here to work in our resorts. As it is now we have students living four and five to a hotel room in Eagle, commuting to Vail for work. The impact of that commute everyday has more effect on the environment than the housing.

Please show compassion and allow these students the dignity of a place to sleep at night.

Sincerely,

Joseph Joyce
Vail

Chris Neubecker

From: kbenysh@vail.net
Sent: Friday, August 9, 2019 8:44 AM
To: PEC
Subject: Booth Heights input for PEC

To the members of the Planning and Environmental Commission,

In a recent Vail Daily article, I found it surprising that the representatives of the Eagle County Land Trust and the Town of Vail were lamenting the lack of available land to purchase and dedicate as protected open space in the upper valley when a large parcel is right on our front doorstep, in plain sight. I am referring to the Booth Heights parcel. The Trust and the Town have a unique opportunity to positively impact our community by partnering to purchase this large, irreplaceable parcel.

I would like to see the Town and the Eagle Valley Land Trust purchase the Booth Heights property from Vail Resorts and zone it as permanent open space.

Ideally, the money from the sale would be used to construct employee housing at other less vulnerable sites such as the abandoned Roost property, the Ever Vail property, the yard and warehouse land, the mountain employee parking lot, the Val das Schon rebuild, etc. Some of the units in the new development could be offered to local small businesses for purchase, perhaps subsidized or at a very low interest rate, similar to what was done for residents at the Chamonix and Vail Commons projects.

Local small businesses must shoulder some responsibility for housing their employees.

Constructing a large project like Booth Heights on such a visible and vulnerable site is not in the best interests of our community, and I urge you to reject the project.

Thank you,

Kathryn Benysh, 44-year East Vail resident

Chris Neubecker

From: Patty McKenny
Sent: Sunday, August 4, 2019 7:35 PM
To: Chris Neubecker
Cc: Tammy Nagel
Subject: FW: East Vail Housing Project

I didn't see anywhere this email was sent to you guys!

Patty McKenny
Interim Town Manager
Town of Vail
pmckenny@vailgov.com
970-479-2113

From: Kit Wimmiams [<mailto:kitcwms@aol.com>]
Sent: Tuesday, July 30, 2019 6:00 PM
To: Council Dist List; Kit Wimmiams
Subject: East Vail Housing Project

Stop this!! Never allow any project of this scale to ever be built here.
The damage to the environment
The size and scope
Taxing bus service
Lack of parking
The greed

I'll repeat: Stop this now!!

Kit Williams
2925 Booth Creek Drive
Vail, CO 81657
970-376-0909
Resident September 1977

Sent from [Mail](#) for Windows 10

To: Planning & Environmental Commission, Town Council

Date: 7/28/19

Re: Additional comments from July 22nd meeting

I want to apologize for my nervous speech and not having my thoughts written down, so here they are:

As an environmental commission should you be concerned with unhealthy noise levels. As I stated in the meeting, after living 7 years just a little west of the development site, the traffic noise was terrible. That was 20 years ago and with the increase in traffic, I am sure the noise level is worse. A majority of the neighborhood has earthen berms built as sound barriers located on both the north and south sides of I70. That is a good indication that the noise levels in that area are extreme.

When the revised traffic study is done, should you also do a noise study for the development site. If a sound barrier is required would that prohibit the height of the project and who would be responsible for building a sound barrier? Would the developer, the Town of Vail, or CDOT be responsible for building the sound barrier?

Also my comments that a wildlife fence should be built around the entire property to keep the people and dogs just on the site still would not help. Dogs barking on the site would scare the bighorn sheep from the area even if they are hidden. This project should not allow any animals.

Thank you for your time,

Liz Schramm

East Vail Owner

Chris Neubecker

From: Louise Hoversten <lbhoversten@gmail.com>
Sent: Monday, July 22, 2019 8:15 PM
To: PEC
Subject: "Booth Heights" Development

Dear Brian, Ludwig, Rollie, Pam, Karen, John and Brian,

Thank you all for serving on this board and for facing this big decision. I attended the PEC meeting today, July 22, 2019 and strongly object to the location of the project. Environmental and Traffic studies have not been thorough enough to assess the project's impact on the town and the environment. I support the need to have affordable housing but I urge you to carefully study the damage to the herd of Bighorn Sheep, the possible traffic congestion, rockfall and avalanche danger, lack of parking, safety issues and lack of adequate facilities in East Vail to support this project.

For the first time, today I saw a rendering of the project. It is large, unattractive and does not fit in the neighborhood. Not the first thing visitors to Vail getting off I-70 at the East Vail exit want to see! I have been in Vail for 18 years and live on Booth Creek Drive so am very aware of the traffic congestion that already exists when students at the Mountain School are being dropped off and picked up. I previously lived in Aspen in affordable housing and know how important garages, guest parking and adequate storage are to the residents and to anyone who sees the housing. Does this project offer these?? If not the parking lot can become pretty unsightly. Especially one so visible from I-70 and the frontage road. I recognize the need for housing but please, please work with the developer and town to find a more suitable location.

Sincerely,
Louise Hoversten
970-948-9111

Chris Neubecker

From: Shelley Bellm
Sent: Wednesday, August 7, 2019 9:31 AM
To: PEC
Subject: FW: East Vail Housing

From: mica lynch [<mailto:lynch.valdez@gmail.com>]
Sent: Wednesday, August 7, 2019 9:27 AM
To: CommDev
Subject: East Vail Housing

Dear Town of Vail,

As a Vail Resort Employee, I understand how desperately we need more housing. Please let this project happen.

Kindly,
Mica

Chris Neubecker

From: pamelas <pamelas@vail.net>
Sent: Monday, July 29, 2019 2:22 PM
To: PEC
Cc: Chris Neubecker; Matt Gennett
Subject: East Vail / Triumph Application

Dear Commissioners:

At the July 22 PEC meeting Triumph Development presented renderings of the proposed project. During the presentation Michael O'Connor mentioned that the renderings were not to scale. It was also pointed out that the proposed berm was not shown in the renderings. Further, some of the renderings were created from a vantage point somewhere east on I-70 through large evergreen trees, hinting that these trees will shelter the project from view. As a result of these omissions, no one gets a clear picture of the mass and scale of the project.

We know that architects and engineers create accurate renderings to scale every day; can the PEC insist that Triumph submit drawings to scale showing the berm before going any further? As one of the people who spoke during Public Comment stated, accurate renderings of the project should have been presented at the start of the process, not delayed as if Triumph was attempting to downplay the scope of what they are proposing to build.

Thank you,

Pam Stenmark

Pamela Stenmark
pamelas@vail.net
(c) 970-376-1124

Chris Neubecker

From: pamelas <pamelas@vail.net>
Sent: Monday, July 29, 2019 2:22 PM
To: PEC
Cc: Chris Neubecker; Matt Gennett
Subject: East Vail / Triumph Application

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Thank you,

Pam Stenmark

Pamela Stenmark
pamelas@vail.net
(c) 970-376-1124

Chris Neubecker

From: Pati Marsh <captpati@gmail.com>
Sent: Friday, August 9, 2019 9:55 AM
To: PEC
Subject: East Vail Housing Project

I'm writing to you about the proposed East Vail housing project. As a homeowner since 1991, I've become aware of the pressing need for affordable housing for Vail's employees. I fully support efforts to remedy this growing problem our community faces.

That being said, after careful review of the current East Vail proposal, as well as independent biologist reports, It's s clearly apparent this project incurs risks that will likely be devastating for Vail's only herd of Bighorn Sheep. In the absence of truly testing mitigation efforts to prove they will be successful in advance of construction, you risk wiping these creatures off the landscape.

The most recent independent round table report from biologists includes the following statement:
"Due to the already limited winter and transitional range for bighorn sheep and the relatively small number of sheep in this herd, our collective view is that finding another location for this development would offer the best mitigation for this sheep herd."

Do you really want your legacy as servers of the community to include the demise of these iconic animals? I certainly hope not. Rest assured, the citizens you serve will not forget who was at the helm if this happens.

Again, I wholeheartedly support efforts to solve the employee housing crisis Vail faces, but real solutions to the problem should not cause irreversible harm to our treasured wildlife. As you know, there are other location options that can help solve this dilemma and ensure your legacy as faithful stewards of our beautiful town.

Patricia Marsh
3011 Booth Falls Rd

Chris Neubecker

From: Patricia Langmaid <patti.langmaid@gmail.com>
Sent: Wednesday, July 31, 2019 10:21 AM
To: PEC
Subject: One more thing

Dear PEC members,

In the Denver Post front page article, (July 27) George Reuther says "Without worker housing we aren't nearly as competitive as we are with it". I think having Bighorn sheep in a beautiful environment makes Vail more competitive. It's about the money, isn't it?

Patti Langmaid

Sent from my iPad

Chris Neubecker

From: Patricia Langmaid <patti.langmaid@gmail.com>
Sent: Thursday, August 8, 2019 7:38 PM
To: PEC
Subject: July 12th meeting

Dear Members of the PEC,
Charlie and I live in Hood River, OR from June to October so we will not be at the July 12th meeting. We have been fiercely in favor of NO development because we believe it will lead to the demise of the sheep. On Monday, count us in, please, with all the advocates for the sheep.
Thank you,
Patti and Charlie Langmaid

Sent from my iPad

Chris Neubecker

From: Patricia Langmaid <patti.langmaid@gmail.com>
Sent: Wednesday, July 31, 2019 9:42 AM
To: PEC
Cc: Council Dist List
Subject: Your legacy

Dear Chairman Stockmar and members of the PEC, Please consider the fact that when the sun sets on your term as Commissioner and they are writing your story of the good and bad decisions you made, the thing you will be remembered for is whether in this moment, you had the courage to stand up and vote NO (a complete and resounding NO) to the East Vail housing development that will most certainly destroy a sheep herd and a beautiful landscape. (Words paraphrased from Pete Buttigieg's remarks last night in Presidential debate)

Respectfully,
Patti Langmaid

Sent from my iPad



Chris Neubecker

From: Rebecca Horst <rahorst23@gmail.com>
Sent: Thursday, August 1, 2019 7:54 PM
To: PEC
Subject: Booth Heights comment

Hello,

Thank you for asking for comments in the Vail Daily. I hope that I have submitted this in time to be considered. I am very busy with two businesses, and family, but want to enter a comment as a lifelong resident of Colorado and a person who loves the mountains and wildlife. I have watched the progress and discussion of the Booth Heights proposal with interest and hope the process will reach a decision based on long term interests as well as short term housing needs.

I can't help but think that the project as presented is severely underestimating the reality of interaction of the human population (and their pets) with the bighorn sheep.

How, exactly, will you keep people from hiking, or letting a pet out and running in this area? A big fence would surely be a negative impact on the sheep. Signage and Rules will be largely ineffective, especially with a transient population that may care less about this particular environment and as evidenced by many visitors at popular National Parks. As a property manager for 20+ years, I know tenants ignore rules, sneak pets out to relieve themselves in the dark and don't pick up, not to mention the common party attitude and noise of some people. Inadequate parking is also a glaring problem with this project. I doubt the plan is for 1.33 people per unit, so how can it only allow 1.33 spaces per unit? If this is supposed to be employee housing, it is more likely that each person will have arrived with their own vehicle than come without a vehicle. Where are those vehicles going to be parked in a town that already has parking issues? Housing is certainly a problem in the valley, but this is not a good solution in this scale, in this area. Perhaps if the total number of units were greatly reduced and clustered, but it will still affect the bighorn sheep.

Another huge issue that is not being discussed is the pay scale! Why is there so little, if any, discussion about paying local employees enough to afford to live here? Why don't Vail Resorts, Vail Health and other major employers pay better starting wages?!? I see articles about large shortages of employees, but little about the fact people can't afford to live on the average service industry wage. Please open discussion about raising wages so more employees can afford to stay here year round and provide a more stable employee base and year round tax base. Raise wages through natural business consequences, aka capitalism, not through legislation. If they can't attract employees at a feeble wage, they will have to raise the incentive!

Many more issues, but regardless, this particular development is very likely to be the end of the bighorn sheep in Vail if completed as stated. Please consider alternatives.

Thank you!

Rebecca Horst
Eagle, CO

MAIL HOMEOWNERS ASSOCIATION

August 8, 2019

Town of Vail
Planning and Environmental Commission
75 South Frontage Road
Vail, CO 81657

RE: Booth Heights proposed development
Wildlife Mitigation/Parking and Related Matters.

Dear Chairman and Commission Members:

We write to comment on certain aspects of the mitigation suggestions of the independent wildlife experts (dated Aug. 5th). While generally the VHA supports all of the suggested measures, especially the first suggestion that the best mitigation would be for the project to be rejected, the situation is direr than the experts realize. That is because the area of concern is not just a winter foraging area but is used by the sheep year-round.

It is understandable that the experts did not address the critical summer months, since they did not independently study this herd and were only reviewing Triumph's plan which was based on the assumption that the sheep only use the area during the "winter." What is not understandable is why Triumph's biologist proceeded on that assumption and did not survey the herd for at least an entire year. (Triumph's biologist's "study" was only from 10/13/17 to 6/14/18; it did not include the summer months). That may reflect a basic misunderstanding of the sheep and their activities (he was, after all, the proponent of the erroneous foraging "under the cover of darkness" theory), but had he consulted the CPW he would have learned that the CPW considers the area as year-round sheep habitat.

Resident observations over this summer validate the CPW conclusion. On July 10, July 27, August 1 and August 2, bighorn sheep were observed foraging in the smooth brome to the east of the project site (on one occasion in the area just above the smooth brome). Since these were serendipitous observations, it's probable that the sheep used the area more frequently. And, while these were not scientifically documented observations, they are the same kind of observations that Triumph's biologist used in his study.¹ Therefore, using the same "observational methodology," these observations support the CPW conclusion that the area is a year-round range for the sheep.

That conclusion has huge implications for the proposed project. No longer is the impact of this project just a matter of the "winter period" but rather a matter of year-round concern. That means

¹ Triumph's biologist has admitted, his "study" was not a "research study" and was based on an observational methodology that drew conclusions from limited trail camera locations and personal observations from only 15 days (just 16% of the study period).

restricting heavy construction to the summer months, as the experts recommend, may not provide sufficient protection for the sheep (with only minor exception, Triumph's plans is for full-scale building during the winter months when disruption of the sheep could be catastrophic), and it underscores the need for the comprehensive scientifically-based sheep use and movement study, the experts recommend, to understand how the entire herd uses the area. (Such a study should also include the ram population which would inform needed mitigation for the bus maintenance facility project which will shortly be before the PEC for approval of Phase I construction).²

Beyond those matters, the experts' suggestions undermine Triumph's mitigation plan. That plan relies on (1) improving the NAP property (the experts state that might help elk and deer but not the sheep since they won't move there because it is too forested and too far from the sheep's escape routes), (2) the false claim that even if scared away the sheep will return "under cover of darkness" to forage (sheep are not nocturnal animals, and Triumph's biologist finally admitted that he was wrong about that) and (3) housing policies and area closures that the testimony at prior meetings shows have never worked before. As the experts' report makes clear, it is only habitat enhancement in the right locations that can save the bighorn sheep. That is not part of Triumph's mitigation plan and, even if it were a last-minute addition, the experts make clear that mitigation of the sheep's habitat requires continual maintenance. That is also not part of Triumph's plan. It should now be clear that Triumph's entire EIS needs to be rewritten.

The experts' report also underscores the uncertainty of success from any mitigation attempts. That makes it even more important that before any project approval is considered, mitigation should first take place and be demonstrated effective. That such work might delay this project should not be a consideration; Triumph and VR had over two years to address that issue but instead tried to skate through by relying on a now discredited pseudo-scientific plan.

The VHA concurs with the experts' recommendations that if the project is to be built, protection of the sheep should be maximized by moving the bus stop and pedestrian access to the east end of the project and that year-round area closure of the adjacent property should be mandated. In the end, those steps may not save the sheep (due to the overall impact of the project), but they would at least be a step in the right direction.

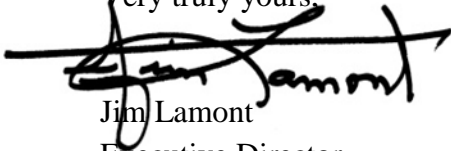
The VHA also concurs with the experts' recommendation that if the project were to be built, with the exception of ADA service dogs, all other dogs should be ban from the project. In that respect, it is important to distinguish between true service dogs and emotional support dogs. Service dogs are specially trained to perform work or assist persons with a disability. On the other hand, emotional support animals receive no training and can be "certified" for a relatively few dollars through a multiple of internet sites. Everyday thousands of completely well people board airlines in the U.S. with certified comfort animals. The ban on dogs should include so-called "emotional support" or "comfort" dogs.

² Triumph's biologist's study is also of questionable value since it was done in a mild winter. Winter is a time of starvation for bighorn sheep, and a study of habitat use in a mild winter is not predictable of how the sheep might have to use the area in harsh winters when the snow is deeper and foraging is more difficult.

Beyond these environmental concerns, there are many other reasons to deny the current proposal. For example: (1) The mass of this project, including large four-story elements, is incompatible with East Vail. The buildings and the rock fall berm, which cannot be screened or blended into the surrounding landscape, would stand out like a sore thumb at the gateway to Vail. (2) The scale of this project is way too much for the site. Trying to squeeze 270 to 350 people into this site, without any services for them (except for one small store), is like trying to force a square peg into a round hole. There is nothing in East Vail even remotely similar. (3) There has not been a legitimate traffic impact study (Triumph's study was done on December 30th when VMS was not in session and ski passes were blacked out), but it seems clear that the project would overwhelm the transportation infrastructure and create a potentially deadly situation at the I-70 East Vail underpass. (4) There has not been a proper evaluation of whether the planned massive excavation on the site could trigger a land or mud slide nor is the proposed rock fall berm adequate. (5) And having only 60 parking spaces for the 168 to 254 apartment residents, 30 % less than required, is woefully inadequate.

Finally, and separately, if this project is to be built, the VHA urges the PEC to pass a resolution asking the Town Council to approve the installation of a raised sidewalk under the I-70 East Vail interchange and to direct the Public Works department to immediately begin the process to construct such a sidewalk.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jim Lamont", with a long horizontal line extending to the left and a vertical line extending upwards from the end of the signature.

Jim Lamont

Executive Director

Vail Homeowners Association

Post Office Box 238 Vail, Colorado 81658

Telephone: (970) 827-5680 E-mail: vha@vail.net Web Site: www.vailhomeowners.com

Chris Neubecker

From: Jim Lamont <JFLamont@vail.net>
Sent: Thursday, August 1, 2019 1:14 PM
To: PEC
Cc: Chris Neubecker; Shelley Bellm
Subject: VHA/JFL/TOV/PEC: Please review - Updates On: The East Vail Booth Heights Housing Project and The Secret Golf Course Housing Project

If you are unable, please let us know. Thank you. Jim Lamont

Vail Homeowners Association



**Updates On
The East Vail Booth Heights Housing Project
The Secret Golf Course Housing Project
August 1, 2019**

The East Vail Booth Heights Housing Project

Latest PEC hearing results. On July 22nd, the PEC held another hearing on the Booth Heights housing project, this time mainly to hear public comments. Kudos to the PEC and Chairman Stockmar for scheduling this hearing (it was not on the original schedule) and for not imposing any time limits on the public comments. Many viewpoints were presented with all of the speakers being opposed to the project; no one spoke in favor of it. There was even a petition in opposition presented which had over a 1000 signatures.

Renderings shocking. At the beginning of the hearing, Triumph presented renderings of how the project would appear. Even though the renderings didn't show the large rock fall berm that would have to be constructed on the up-hill side of the project, the massiveness of the project was shocking.



Is this the future of East Vail?

This rendering, as well as the other ones, should have been part of the original application. They only came about because of questions raised by the PEC. The renderings, nonetheless, make it clear that it will be impossible to screen this project or make it blend into the surrounding landscape.

Even worse, the renderings do not show the large rock fall berm that will have to be built uphill of the project. We are told it will be similar to the Booth Falls berm. That berm was built in 1989/90 (and modified in 1997), and this is what it looks like today.



As is apparent, despite over two decades of growing seasons, that berm still has been unable to generate any screening or softening landscape cover, and it remains a huge scar on the land. If the Booth Heights project is built, both the buildings and the uphill rock fall berm will stand out like a sore thumb on the landscape, forever marring the view, especially for those descending from Vail Pass. Several speakers eloquently described the feeling on descending the pass and making the turn into the valley and being greeted by a pristine landscape which would be lost forever if this project were to be built.

The renderings also make it clear that this project is way too big for the site; that they are only now being made available speaks volumes about the incompatibility of this project in East Vail. There is nothing in East Vail that is even remotely as big as this project and trying to squeeze 270 to 350 people into this site, without any services for them (except for one small store), is like trying to force a square peg into a round hole. Furthermore, notwithstanding the inadequacy of Triumph's traffic study which was done on December 30, 2017, when VMS was not in session and ski passes were blacked out, it is clear that the project would overwhelm the transportation infrastructure and create a potentially deadly situation at the I-70 East Vail underpass. And providing only 60 parking spaces for the 168 to 254 apartment residents is woefully inadequate.

That is why the VHA has been calling for a substantial downsizing of the project. Downsizing would not only lower the visual impact, eliminate the four-story elements and probably allow for more landscape screening, but it would have the additional beneficial effects of reducing the potential impact on the bighorn sheep, reducing the traffic infrastructure impacts and allow more on-site parking.

Very few revisions. Despite two long hearings and hundreds of pages of comments, Triumph has so far made very few changes in the project. It has added 15 parking spaces to bring the total for the apartment units up to 60 (still short of the Town required 84), and it has agreed to retain the few trees on the south side that are outside the property boundaries, but no other specific changes have yet been agreed to.

Wildlife mitigation. Wildlife mitigation remains the big issue. As Bill Andre, the leading local expert with decades of experience with bighorn sheep, noted at the July 22nd hearing, housing has the greatest impact (two times more than any other activity or factor) on bighorn sheep. The TOV's independent experts have continued to work on the environmental impacts and more reports are due, but one thing is already clear; Triumph's proposed mitigation on the NAP site will do nothing to help the sheep. The proposal will require mitigation work on the north and west sides of the project and that such work might delay this project should not be a consideration. Triumph and VR had over two years to address that issue but instead tried to skate through by relying on a pseudo-scientific plan that has now been thoroughly discredited (as has been its author).

It is also futile to try to mitigate human impacts with housing policies or trail or area closures. As Bill Andre also stated at the hearing, the valley is littered with unenforced, failed housing policies and closures which only deter a small percentage of people. In the end, if this project is to be built, it is only habitat enhancement in the right locations that can save the bighorn sheep. So far, that is not part of the mitigation plan for this project. And the only way to ensure a positive outcome is to complete the mitigation work and see it demonstrated effective before approving any construction. As one Commissioner noted, “this is a potential extinction event for the bighorn sheep” and the PEC can’t afford to guess on the outcome.

Many questions remain. At the conclusion of the hearing, the Commission made it clear that many questions still remain to be resolved. The Commissioners raised questions about the inadequacy of the parking [Triumph has tried to gloss over that issue by combining the Town House parking into a single ratio and pointing to core town properties], the adequacy of the geological studies, allowing dogs on the site, short-term rentals [some suggested that the allowance of short-term rentals in the TOV, whereby owners can make more by renting to tourists than employees, has greatly exacerbated the employee housing situation], the inadequacy of the traffic study and the ability to prevent residents from using the sheep winter range. Several suggested that wildlife mitigation should be completed before any construction begins, that there should be no winter construction on the west end of the project and that the bus stops should be at the east end of the project. How these issues will be resolved remains to be seen.

Which do you prefer? Here is a comparison of what’s at stake with the Booth Heights project—leave the site as is, as shown below,



or bulldoze it and replace it with this housing project?



Concept for the Booth Heights development.

If this is an issue that concerns you, mark your calendar for August 12 at 1 pm and make your views known to the PEC. This will be one of the most consequential decisions that the PEC ever makes and it should have the benefit of your views before it makes that decision.

Even more problems for the bighorn sheep. As though the problems for the bighorn sheep raised by the Booth heights project were not enough, the TOV is moving forward with plans to redevelop and expand the public works/bus maintenance facility and Buzzard Park. The project includes not only expanded maintenance facilities but a proposal to take seven acres of hillside for a solar panel farm (the staff preferred alternative to roof-top installations) and building 144 housing units on the site. This will squeeze the bighorn sheep's range from the west at the same time as the Booth Height's project squeezes it from the east; the bighorn rams' winter habitat is directly uphill from that facility.

Bighorn sheep herds are generally only together during mating season. The rest of the year rams and ewes and their lambs live separately. In East Vail, during the winter periods, the ewes and lambs use the range that involves the Booth Heights project site and adjacent land to the north and west. The rams use the land further west that is uphill from the bus maintenance facility. The survival of the herd depends not only on the health of the ewes and lambs but also on the health of the rams.

The solar panel farm and workforce housing components of the planned redevelopment in particular raise serious issues for the bighorn rams, issues that have not yet received any public airing. That does not have to be the case for the solar panel farm. It does not need to be sited on the hillside above the project where it will directly impact the bighorns and cause a massive amount of reflective light impact on residences across the valley. The Town could achieve the same green environmental credits by locating that facility in a remote area or by purchasing solar power from other providers (similar to what VR is doing).

The timetable for bus maintenance facility project will begin as soon as the next few months when the Phase I application is filed with the PEC. The plan for Phase I envisions construction this coming fall of a large retaining wall along the north side of the property with building construction to start in March 2020. That timetable may also include construction of the solar panel farm and employee housing units, leaving little time for public comment and input concerning the impact of this project on the environment and the bighorn sheep.

Where is the Environmental Impact Study? Although this project will potentially cause a massive disruption to the bighorn rams' winter foraging habitat—it raises all the issues involved in the Booth Height's project—it appears that, so far, no steps have been taken by the TOV to prepare an EIS for the project. The only reference to an EIS has been in connection with the proposed solar panel farm, even though the zone of influence of the rest of the project will clearly impact the rams. Even just the construction of the north side retaining wall, with related excavation and heavy equipment activity over the coming winter months, will potentially have a negative impact on the rams.

Why no EIS is being prepared is unknown. Even though the TOV is the owner/developer of this project, it is subject to the same requirements as any other developer which in this case should require an EIS. The TOV has already retained three wildlife experts for the Booth Heights project, and they could be readily tasked with preparing an EIS for the public works/bus maintenance facility and Buzzard Park expansion and developing appropriate mitigation measures to offset the negative impacts from the project. It would seem that this is a necessary prerequisite to any approvals for any construction for that project.

This shouldn't be done piecemeal. Because of the impact on the rams' winter habitat, the CPW and local experts are urging that the cumulative impacts on the overall sheep herd of the Booth Heights and bus maintenance redevelopment projects be considered through a "comprehensive impact lens." As the CPW noted, that type of comprehensive consideration would serve to better inform decisions on each of the projects so that the impacts are not piecemeal and the PEC has the whole picture before it as it considers these projects. The VHA, therefore, urges the TOV to immediately begin an EIS for this project and to instruct its wildlife experts to include a comprehensive assessment of the overall impact on the herd of both of these projects. The VHA further urges that, in so far as the bighorn sheep are concerned, the PEC consider these two projects in tandem and that doing so might cause some delay should be beside the point. As more than one Commissioner noted, from an environmental perspective, the Booth Heights project (and by extension the TOV bus maintenance facility expansion) is one of the biggest decisions that the PEC has ever faced, and they should take all the time necessary to get it right; i.e., there should be no rush to a decision.

Responsibility of the PEC. In approving or rejecting proposed projects, the PEC has the responsibility to fulfill the stewardship role for the TOV mission to "preserve our surrounding natural environment." That was a foundational principle of the Town and it has remained a key element of the Town's mission ever since. It would seem that insofar as the Booth Heights and bus maintenance facility projects are concerned that means no project approvals are warranted unless the developer can assure that all environmental impacts will be completely mitigated, no

lingering doubts and no guessing. Stated another way, disturbing the natural environment (and by extension, endangering the bighorn sheep) is a matter that should only be considered if there is no other alternative course of action. Fortunately, that should not be a decision the PEC has to face on the Booth Heights project because there are other workforce housing alternatives, both within the TOV and down valley. And, while it is still too early to assess impacts from the redevelopment and expansion of the bus maintenance facility (an application has not yet been filed), the PEC should be cognizant of the upcoming issues that project will most likely raise.

What's next? The next (and currently, last scheduled) PEC meeting on the Booth Heights project is set for August 12th at 1 p.m. We have been told that prior to that meeting a revised wildlife mitigation plan will be submitted. There has also been some reference to the possibility of some revisions to the development plan. It is unclear, in that regard, what Triumph will do to respond to the PEC's questions or whether it will simply ask for an up/down vote on the current proposal. If the latter, the VHA urges that the PEC vote "No" on the current proposal.

If there are substantial changes or revisions to either the wildlife mitigation or development plan, the PEC and the public will have scant notice of them before the next meeting since PEC agendas are not usually published until the Friday before the meeting. And if there are substantial changes, the public should have a reasonable opportunity to review and comment on those changes. Therefore, if changes are forthcoming, it does not seem feasible that the PEC would be in a position to vote on this project at the August 12th meeting and at least one more meeting will be necessary. That also raises the possibility that an application for the bus maintenance facility will have been filed so the two projects could be considered in tandem.

Because the August 12th meeting could be the last meeting on the Booth Heights project, the VHA urges that you make plans to attend. This could be the most consequential environmental meeting in the history of Vail, one that will set the course for years to come.

The Secret Golf Course Housing Project

It now appears that the secret efforts to convert the 12th fairway and hole of the Vail Golf Course into a housing project, first brought to light by the VHA a month ago, have been abandoned (at least for now). According to the director of the VLHA, the "conceptual idea was rejected before any meaningful discussion amongst the community could occur." Unfortunately, because of the secret ways in which the LVHA operates, it is never clear what is really going on. The VHA will continue to monitor this and other LVHA activities and bring them to your attention as warranted.

Tell the PEC and Town Council what you think.

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