

Rio Grande County Planning & Zoning Commission  
Tuesday, November 18th, 2008

Members present: Chairman Dwight Freeman; Vern McCallister, Janice Slade, Pam Bricker, Gary Seger, Craig Franke and Rose Vanderpool, Land Use Administrator

Members absent:

Others present: Wesley Harrison, Dusty Hicks, Andrew Dodgen, Sam Brown, Robert Hagedorn, Dennis Murphy, Doug Davie, Pauline Washburn, Cristi Larsen, Kevin Off and Henry Jacobsen.

At 1:30 p.m. Chairman Freeman called the meeting to order.

Chairman Freeman called for acceptance of the October 21st, 2008 minutes; Vern McCallister moves to accept the minutes; Gary Seger seconds motion; motion carried unanimously.

First item on the agenda: Wesley Harrison (Quartermore Farms) Conditional Use Application for placement of a single wide that would be located on the E½ corner of Section 16; Township 40M; Range 7E containing 317 acres m/l.

Mr. Harrison explained that this would be for his hired man and that he really doesn't want a singlewide, he would rather place a park model because the bigger the house the more potential of family members moving in. This location is off the 9 mile west of the Farmers Union Canal. Division of Water said that he could get water from an irrigation well located in this corner. There is historic access to the parcel along the west side of the quarter since 1950; Electricity is available from Xcel. I will need to place a septic system.

Chairman Freeman entertains a motion; Pam Bricker moves to approve placement of a park model/singlewide 1976 or newer; Janice Slade seconded motion; motion carried unanimously.

Second item; River Mountain Ranch pre-application review; presented by Dusty Hicks, Sam Brown and Andrew Dodgen for approximately 236 lots done in three phases. A detailed plan was submitted which contains a Floodplain, floodway and wetland area map and the phased development vision along with a geologic hazard evaluation and soil suitability done by Robert Kirkham.

Mr. Hicks explained that this 1556 acre development will have approximately 789 acres of open space. A future vision is to have a golf course, but at this point and time it is not part of the plan. The development will have a club house, 2-equestrian centers, fly fishing lodge, fitness/spa/restaurant "all private" and cabins for the members of this ranch. This will be a working cattle ranch; it will be a fee simple & membership for the amenities the ranch has to offer. The first phase consists of 94 lots, second phase 87 and the third phase 65 lots ranging from ½ ac to 4 -5 acres. Everyone shares the river, there will be a large

lake as an amenity, we will hold a couple of mock round ups for members, cabins can be used by members while constructing their homes and can be used for family members. There will not be much building in the floodway. There will be central sewer for areas in the flood plain and a central water system for the north side of the ranch. We have plenty of water to accommodate the needs of this development. Alternative energy is a great possibility, e.g. solar, underground thermal heating. These types of sources are being looked into. The impacts/capital investment will be a big factor in being able to do this. This is a private development it will not be open to the public.

HOA will own the open space once the development is 50-80 % sold. A property owner will own the unit not the land individually. Some lots will have building envelopes. We have designed this to protect the view corridors. We hope to start the project in early spring, but the economy will determine the project start.

We will have western theme for this ranch with buffalo and long horn. The buffalo will need to be contained obviously and fencing will be apart of the design for the individual parcels. The main access will be from Hwy 160, we have a ½ mile of hwy frontage; CDOT application is pending. Ed Ellis from the railroad will require an application process for approval, but is not a problem. CDOT with total build out will probably require right turn west bound and left turn east bound, there is secondary access from County Road 15 to the ranch; we will probably request that county road 16 which is just a short road be abandoned by the county. There is one bridge that crosses the river we are currently studying the weight capacity of the bridge, but we don't plan on using the bridge. We have spoken with the Fire District and the Hwy 160 access would be main access that they would use. DOW has also been contacted and is working on recommendations as far as wildlife friendly fencing. A Study on ESA is being done and we know of other migratory birds that exist in the riparian areas and will be protected in this development. Past irrigation in this area use the wetland area showed to be about 600 acres; during this development study it is down to 200 acres of wetlands. With that the Planning Commission commended the applicants of a well thought out planned development and will look forward to the official submittal.

Third item of business: Viero Wireless submitted a pre-application by Henry Jacobsen, PE. Mr. Jacobsen explained to the Board that the needs for alternative wireless communications are needed for better usage/coverage for the consumer. Viero is a partner with Verizon, they share data if one or the other over expends voice, data, messaging etc.; they reimburse each other. Viero offers T-Mobile and AT&T services. The main headquarters is out of Fort Morgan, Colorado. The areas of interest are Co. Rd 7N near the gravel pits in Del Norte and near the sewer lagoons in Monte Vista in Rio Grande County. Both towers will be 195 feet. The necessary negotiations with property owners in these locations are being worked out once those issues have been fulfilled an official application will be submitted in the coming months. A full pre-project plan has been submitted and is filed in the Planning Commission Minutes file.

Fourth item of business: Oil & Gas work session – The Planning Commission met on Monday, November 17<sup>th</sup>, 2008 at 2:00pm., with Josh Joswick of La Plata County. The

Planning Commission was very pleased with Monday's meeting with Josh Joswick and expressed their concerns with the Board of County Commissioners during the work session. The minutes are below from Monday's work session.

November 17<sup>th</sup>, 2008

Planning & Zoning Work Session – Members Present: Chairman Dwight Freeman, Pam Bricker, Janice Slade, Craig Franke, Vern McCallister, Gary Seger and Rose Vanderpool, Secretary.

Others Present: Josh Joswick, Charlie Burd, David Young, Donna Raney, Nancy & Dave Neal, Bill Green, Jack Hunt, Pauline Washburn, Terry Young, Randi Young, Jan H, Gayle Froelich, Dale Wiescamp, Charles Mertian, Cristi Larsen, Donna Cryer & Scott Soebel.

Chairman Freeman called the meeting/work session to order and opened the floor to Mr. Joswick from La Plata County. Mr. Joswick is currently the Energy Issues Organizer for the San Juan Citizens Alliance and is an ex-commissioner for La Plata County. Mr. Joswick was recommended to speak to the Planning Commission and other interested citizens of Rio Grande County his experiences and knowledge of Oil & Gas drilling by Mark Weems from the Colorado Oil and Gas Commission. Mr. Joswick explained what he feels should be of importance of adopting/writing good regulations;

- \* Air quality
- \* Road impacts
- \* Dust abatement
- \* Ground water
- \* Spacing
- \* Impact fees
- \* Emergency Preparedness Plan
- \* Chemical Disclosure
- \* Health, Safety & Welfare
- \* Weed control
- \* Surface Right Agreements
- \* Waste disposal
- \* Violation/Fines
- \* Underground utilities/generator
- \* Bond
- \* Reclamation
- \* Environmental Impact Statement (EIS)

Mr. Joswick recommended that we need control locally as much as possible.

Charlie Burd stated that today's operation for Oil & Gas is so much more advanced than it was, his son is in the Oil drilling industry and he has been around the industry himself and feels that the need for regulations are needed, but to be so restrictive that would result

in the county being liable for any enforcement action rather than letting the state do their job is taking on a huge responsibility that the county cannot afford.

Mr. Joswick stated that La Plata has been sued twice; by a company and the state of Colorado. The county won both, but one of the suits went as far as the Supreme Court. This occurred in the beginning stages of the Oil & Gas in La Plata County. Mr. Joswick also stated the revenues generated by the Oil & Gas industry, has been quite substantial, on the course of five or six years, the industry has brought in approximately six million dollars in revenues for La Plata County. The employees of this industry are family oriented people, they bring their families and create an economic impact to the community as well. Mr. Joswick stated that while locally you cannot stop the Oil & Gas Industry; you can create regulations to fit your needs and concerns.

A joint discussion was held with the audience. (Questions, answers and overall concerns were discussed.)

Meeting was adjourned at 5:00pm.

Respectfully Submitted,  
Rose Vanderpool, Land Use Administrator