

Planning Commission Hearing
May 20, 2014

I. CALL TO ORDER

Members Present: Chairman, Dwight Freeman, Gene Glover, Leonard Brown, Mike Mitchell, Wes O'Rourke, Grover Hathorn and Rose Vanderpool, Secretary.

Members absent:

Others Present: Louis Gallegos, Serje Bukhman, Igor Schiglik and Alex Notov (please see attached list for other interested parties)

Chairman Freeman called the meeting to order at 1:31pm. Chairman Freeman asks for acceptance of the Agenda as submitted; Gene Glover moves to approve the Agenda; Grover Hathorn seconds motion, motion carried unanimously; Grover Hathorn moves to approve the April minutes as corrected, Leonard Brown seconds motion; motion carried unanimously.

First item of Business: Public Meeting for an amendment to Conditional Use request submitted by Louis Gallegos of Colorado Recycling 1567 US Hwy 160 Monte Vista, CO 81144. Currently Mr. Gallegos recycles autos, tires, and scrap iron at this location. Mr. Gallegos would like to utilize an adjacent parcel (2.7 acres) he owns to the east, which would be a separate operation/business from the current recycling center. Mr. Gallegos stated that the vehicles would be stored for a limited amount of time and then removed (scrapped) the better condition autos would remain until the price goes up which typically is around December/January. Mr. Gallegos is in the process of buying the residential portion from Jerry Holfeltz and currently is living on site. This is a busy place and a lot of customers will call asking for a part here and there, it would be a viable business. Mr. Gallegos is in the process of placing a 7' to 9' foot fencing. The north (back portion) was just completed, and we will now focus on the front portion. The fence line from Gateway Motor's side (they are working together on the type of fencing, so that portion may end up with a different type of fencing. (brick wall) down the road.

The City of Monte Vista submitted a letter recommending denial and City Manager Mr. Neuerburg stated that a junk yard and a salvage yard are two different things the distance from a junk yard/salvage yard is 660 feet residential/rural residential. Other concerns from the City of Monte Vista are that this eastern portion is a gateway to the community/city and is not an economic development tool. Recycling is one thing/junk yard is another and the current use maybe is acceptable but to allow expansion should not be considered. We have eye sores and it's checker boardish throughout, yes, but to approve more is unacceptable.

Ron Mulhauser owns and operates the Health Athletic Club and he has had issues with burning as well as his customers. Mr. Mulhauser has addressed the concerns to the county but also has contacted Mr. Gallegos directly, and issues have been resolved, but I am not in support of expanding, and furthermore it's too much and does have an adverse impact on the surrounding neighborhood north/Sherman Ave.

Abe Heredia representative for the Assembly of God Church are trying to sell the property they own just abutting Colorado Recycling to the north. How is this going to affect value? That is a major concern for us. Mr. Heredia asked if the new scale Mr. Gallegos put in was certified. Mr. Gallegos responded yes, it is a certified scale. The church is not against the business but believe it will affect the value trying to sell it.

Mr. Gallegos stated that he has cut his hours from 8am to 5pm to 9am to 4pm Mon-Friday and Saturdays from 9am to 11:30 to help alleviate the noise/nuisance during the day. Mr. Gallegos stated that he has provided jobs, these employees spend their money in Monte Vista, customers spend their money in Monte Vista, there are beneficial aspects to this business - not all is bad.

Mr. Glover asked how the oil/gas are drained from the vehicles. Mr. Gallegos stated that most of the time the gasoline is drained before the customer brings the auto's in and the oil is drained and placed in containment. Rose Vanderpool has inspected and seen the containment. Will you need more equipment to operate this new venture? Mr. Gallegos stated no. CDOT has approved an amended access permit.

Chairman Freeman read the approval criteria for a conditional use. Mr. Hathorn stated that it's a junk yard, the location is a bad spot and we need to be mindful and considerate of our counter parts. Mr. Mitchell stated that continuing the operation as it is now and being fenced in, how does it make it anymore a junk yard, it is now and to allow this expanded business it is not going to change. It is already there. Chairman Freeman asked Mr. Gallegos is there definitive number of cars you will have, what is the high-low count? Mr. Gallegos stated that 250 would be high they would move slowly (Dec/Jan). Chairman Freeman explained to Mr. Gallegos that this is a Conditional Use request any violations is a review, if you expand you need to do it right. Can you stay on the right side of the Conditional Use.

Chairman Freeman entertains a motion with or without conditions; Mike Mitchell moves to table for further review to research the setback from a junk yard of 660-foot to a residence/rural residential zone districts; motion was seconded by Mr. Hathorn; motion carried unanimously. *As of Wednesday May 21, 2014 it was ascertained that the requested parts sales/salvage yard does not comply with our regulations that require 660-foot setback form residential/rural residential zoned parcels. Mr. Gallegos has withdrawn his application.

Second item of business: Three Guys Farm – Amendment of Zoning request (Hearing). The Applicants Alex, Serje and Igor gave a brief introductory of their perspective backgrounds.

Serje Bukhman moved here from Brooklyn New York. He is Ukrainian. He grew up on a farm and his aspirations are to combine the farming industry with his background in intelligence Services to develop learning tools for other to use.

Alex Notov – also is interested in working the land and utilizing his background in software technology/consulting to create software/hardware for others to use pertaining to state of the art greenhouse operations.

Igor Shciglik – Has a degree in Culinary Art and Resource Logistics and will be attending Trinidad Junior College Aqua-ponics program this fall.

Alex, stated that we may be wondering why they chose Monte Vista, CO. We looked at many places in the county, we chose Colorado because it is relatively a young state, which means more opportunity for us. If we had to go through this process in New York City or California the ease of doing business, the timeline to even get in to a setting such as this in the city would be months. Sun exposure in Colorado is very good for solar and we will utilize solar arrays for our business, we currently installed 30-panel array for our residence and we plan on doing the same for the first greenhouse. We are working with Excel over the past year and it's all good. Business is good neighbors are great, and we are eager students- we have learned from Chuck Bryant and Scott Schafer, we innovative problem solvers and we will continue with lessons learned.

We are for ourselves to achieve our goals but we want to give back. We have pursued the Amendment of Zoning rather than Conditional Use because rezoning will meet our goals. We are only asking for the front portion of the parcel to be rezoned. The first green house will be approximately 4000 square feet. We are going to start small but allow ourselves to expand and allow people to come to us to buy directly -Year round. We will research and diversify market-demand and build additional bays, as our demand grows, but right now, its one greenhouse no retail sales for probably a year. This will be a hydro-ponics system. Our future plan is to also have an aqua-ponic system utilizing the slough. The solar panels will be located on the NW portion of our parcel we will build more arrays as needed. The incentives for solar are diminishing. The price for a solar system is going down but the incentives are diminishing so we will see what happens there. Mike Mitchell asked if they are aware that there is a potato seed industry, and their concerns are insects-aphids that these greenhouse operations where there are no chemicals used, could you possibly contaminate the area farming. Alex stated that he could not answer that. Alex added that they would hire experts in areas we know nothing about-we want to learn and we will address this concern. Today's buzz word is "organic" Mike Mitchell said there are problems with organic.

Mr. Chuck Bryant spoke on behalf of the Applicants stating these three guys are great neighbors, they are educated and have great ideas, they will run into bumps but are resourceful enough to deal with it. We need businesses that provide jobs and help the economy.

Harvey Sullivan is concerned about water. Mr. Sullivan also has shares of the Anderson Ditch and they better augment something. Alex Notov noted that they do not plan to use their allocation of the Anderson Ditch. Mr. Sullivan stated that he doesn't care about the green house, "it's me I care about".

There is a shared easement 30' from HWY 285 and it ends at the gate. Mr. Sullivan per verbal agreement from previous owners was given pretty much free reign and is no longer the case. We are extending the easement to continue past the gate of approximately 30' and we will widen the easement to 30' as well, which will give Mr. Sullivan adequate access to his property. (We don't have to do this) but, we want to work and be good neighbors.

Abe Heredia was present on behalf of Manual Archuleta who was within 1500 feet of the notification requirements and has no comments for or against this request.

Mr. Rivale stated that water is unpredictable there has been times that we have not had water, and very adamant that no marijuana growing ever be allowed.

Alex Notov stated that it is not in their best interest to grow marijuana, there are too many loose ends with this new industry we don't want to get into. We want to be cutting edge for others to learn from us and do for themselves.

Mr. Glover asked how many jobs this could potentially create. If we have five greenhouses, we may employ five possible 2 people as well as ourselves but that is long way from now. We will construct one and depending on supply and demand, we will construct additional bays as needed, if needed. Trinidad Junior College is very interested in a internship program for both the hydro-ponic but especially the aqua-ponic system. This industry is pretty much manual labor, there will no high tech packaging or equipment. Bag sealer would be it. Yield/demand will determine the size of vehicle needed to transport our product. We are only asking to re-zone 9 acres maybe ten.

Chairman Freeman entertains a motion; Mike Mitchell moves to recommend approval of the Amendment to Re-zone (10 acres) of agricultural estate to commercial, it is compatible to the area and will not create adverse effects on neighboring properties; Gene Glover seconds motion; motion carried unanimously.

Respectfully submitted,

Rose Vanderpool, Secretary

V. Adjournment: Meeting adjourned at 3:30pm.

Secretary