

Planning Commission Minutes
For March 21, 2017

Members Present: Chairman Dwight Freeman, Grover Hathorn, Leonard Brown, Wesley O'Rourke, Ken VanIwaarden, and Dixie Diltz - Secretary.

Members Absent with notification: Mike Mitchell

Absent without notification:

Others Present: Lester Yoder, Edwin Hochstetler, Eli Mast, Paul Yutzy and Randy Kern.

Chairman Dwight Freeman called the meeting to order at 1:38pm.

Ken VanIwaarden made a motion to accept the Agenda as presented; Leonard Brown seconded, motion carried unanimously.

Leonard Brown made a motion to approve the minutes of the February 21, 2017 meeting as presented; Ken VanIwaarden seconded, motion carried unanimously.

First Item of Business: Conditional Use Application for a Laminated Post Manufacturing Business presented by Mr. Paul and Mrs. Helen Yutzy, and proposed to be located at 5590 St. Hwy 370, Monte Vista, CO 81144. Chairman Freeman verified that the applicants own the 72-acre parcel containing a residence and several outbuildings. The buildings were presumably built prior to the adoption of building codes. The land historically had been used for grazing and is zoned agricultural ranching. There are no known violations or outstanding permits. Access to the applicants' property is off Colorado State Highway 370 and requires a new CDOT access permit. Ken VanIwaarden asked if any response had been received from CDOT. Dixie Diltz states she corresponded with Jo Heinlein, Permit Program Manager with CDOT, on Monday the 20th. Jo confirmed that Mr. Yutzy had filed an application with CDOT and it is being processed. CDOT will send a contractor out to inspect the current access and may require some minor modifications to the existing access. Mr. Yutzy is aware of this possibility and will follow through with the requirements of CDOT. No other referral agencies were contacted.

Chairman Freeman inquired about expected traffic increase and type of vehicles that will be used to haul materials. Paul Yutzy states that most of the traffic will be pickup truck and trailers with an occasional semi-truck. Incoming lumber deliveries will probably be 18-wheeler size.

Ken VanIwaarden questioned if the material would be doug-fir and pressure treated material. Paul Yutzy responded that it will be mostly SPF grade and treated material. Ken VanIwaarden then asked if all the material to be used will be “stamped”, third party stamped. Paul Yutzy states that it will be stamped material. Ken VanIwaarden verifies that Mr. Yutzy is aware that he will need to charge sales tax on the finished product. Mr. Yutzy states he is aware of the sales tax requirements. MSDS (material safety data sheets) sheets were discussed, Mr. Yutzy is not aware of these informational sheets, and Ken VanIwaarden suggests that Mr. Yutzy acquire these from his suppliers.

Ken VanIwaarden quotes the Land Use Code page 72 in regards to a detailed - to scale site plan. The application packet contains a vicinity map on 8-1/2” x 11” paper. Ken VanIwaarden explains that the reason he is inquiring about the site plan is that it will clarify “where” on the 72 acres the Conditional Use would be allowed to operate. Will it be the entire 72 acres or will it be a portion of the 72 acres? Mr. Yutzy states that it will be primarily the 50’ x 90’ shop with some outdoor storage on the south side. Ken VanIwaarden explains the reasoning behind having a clear site plan with defined boundary lines and how that prevents the business from spreading beyond what the Planning Commission had envisioned it to be. Dwight Freeman clarifies that the application is for the 72 acres but that may be more than the Planning Commission would be comfortable with and the applicant was not intending to use the entire parcel. A legal survey will be needed to clarify the area to be used and if or if not the house would be included in the area to be used for the conditional use.

Dwight Freeman questions Randy Kern (Building Inspector) if there are any concerns with the buildings being built prior to building codes. Randy Kern explains that technically whenever there is a change in the ‘use’ of a building, the building codes state you are obligated to bring that building up to code for the new proposed use. Ken VanIwaarden clarifies that the buildings being considered were built as ag buildings and that the request for conditional use would create a change in the building classification to accommodate a manufacturing facility. Mr. Yutzy will need to work with the Building Department and an engineer/designer/surveyor to assure that the building is code compliant for the proposed new use. This report could be presented at the Board of County Commissioners meeting and it will be the B.O.C.C. decision to accept it or not.

Discussion as to what portion of the property should or should not be included in the area for conditional use, continues. The residence is discussed at length as to whether it should or should not be included.

Chairman Freeman states the Staff Report recommends approval. Dixie Diltz agrees that she did recommend approval of the application with the conditions that the area to be used be clarified and that Mr. Yutzy continue to work with CDOT and meet the requirements CDOT may have on the access.

Chairman Freeman questions if there are restroom facilities in the proposed building. Randy Kern state that that will also be part of the required updates. Mr. Yutzy state that there are restroom facilities in the building next to the shop. Ken VanIwaarden states that Mr. Yutzy needs to work with Randy Kern to determine if that will meet the code requirements.

Ken VanIwaarden makes a motion to recommend to the Board of County Commissioners approval of the application with the following conditions;

1. Legal survey defining the area to be included in the conditional use.
2. All requirements of CDOT on the access are met and CDOT approves the access permit application.
3. That the accessory Ag buildings are discussed with the Building Department and required changes be made to bring them to code standards for the proposed use.

Grover Hathorn 2nd, motion passed unanimously. Vote 5 aye, 0 nay.

Second Item of Business: Amendment of Zoning requesting zoning change from Agricultural Estate to Agricultural Ranching and a Conditional Use application for a Sawmill, presented by Mr. Eli & Mrs. Amanda Mast, to be located at 7883 S. Cnty. Rd 6 E, Monte Vista, CO., 81144. The sawmill application was first presented at the January 17, 2017 Planning Commission meeting and the February 22, 2017 Board of County Commissioner meeting. The first application for Sawmill was denied. (See meeting notes).

Chairman Dwight Freeman thanks the applicant for their efforts and willingness to work with the “board” to present a new application that more closely meets the requirements of the Land Use Code. At the first meeting with Planning Commission for the sawmill application it was the recommendation of the Planning Commission that Mr. Mast needed to acquire a minimum of 35 acres of land zoned Agricultural Ranching in order for a sawmill to be considered by conditional use, the Board of County Commissioners agreed with the recommendation of the PC Board.

Mr. Mast presented a new application, with a land purchase agreement, that would give him the required 35 acres. Dixie Diltz explains to the board that all the parcels surrounding Mr. Mast’s property are zoned agricultural ranching, and that a change in Mr. Mast’s zoning would unify the zoning in the area.

Chairman Freeman notes that the applicant did have the address corrected on his property as was recommended in his previous meeting.

Grover Hathorn makes a motion to recommend approval of the change of zoning from agricultural estate to agricultural ranching if Mr. Mast does purchase the additional 25 acres. Ken VanIwaarden seconds, the motion passes on a vote of 5 ayes to 0 nays.

Chairman Freeman begins the discussion on the conditional use application for a sawmill to be operated on the 35 acres agricultural ranching zone parcel. Mr. Mast presents a survey to the Planning Commission Board, which shows the location that the conditional use will be limited to on his larger parcel of land. The proposed area to be used is 5 acres along the south boundary of his land. The residence is not located within the area proposed for the conditional use. There are no structures included in the conditional use area. Mr. Mast states that it is a portable sawmill

and no buildings are desired at this time. If in the future Mr. Mast wishes to have a building, he will need to obtain permission to modify the conditional use. Chairman Freeman asked about the traffic expected and access. Mr. Mast explains that he has a “circle drive”, so the traffic will use the access either on the county line road or on the 8 south road. The logs will be brought in on 18- wheeler type semi-trailers and lumber move out mostly on gooseneck trailer units.

Ken VanIwaarden inquires as to the end product? How it will be used and if it will be third party inspected, who will be buying the products. Mr. Mast explains that his products will be more for timber frame, board siding and fence boards. Very little if any conventional “stamped” lumber will be produces. If Mr. Mast states that “if the lumber is for timber frame and required to have the stamp, I would have to have them inspected and stamped.” He does have contact with someone qualified to provide this service to him if needed. It is pretty much a “rough cut” lumber – hence the name “Crane Valley Rough Cut”.

Chairman Freeman asked if there were any changes in the application from the first submittal. Dixie Diltz states that only the clarification of the area to be used as depicted on the survey and the size and zoning of parcel were changed.

Ken VanIwaarden questions the sawdust and it is explained that it is stock piled and then hauled to livestock producers as bedding. Questions about OSHA requirements and other regulations are discussed. It is not the position of the board to make determinations based on other regulations.

Ken VanIwaarden makes motion to recommend approval of the Conditional Use for a Sawmill in the defined area on the attached site plan submitted by Summit Engineering. Leonard Brown seconds the motion. Motion passes by a vote of 5 ayes to 0 nays.

Next meeting of the Planning Commission will be April 18th, 2017.

With no further business meeting adjourned at 2:27pm.

Respectfully submitted,
Dixie Diltz
Secretary of the Board