

Planning Commission Meeting
January 17th, 2012

I. CALL TO ORDER

Chairman Dwight Freeman called the meeting to order at 1:30pm; other members present were, Grover Hathorn, Vernon McCallister, Pam Bricker, Mike Mitchell and Rose Vanderpool, Secretary.

Members absent: Leonard Brown

Others Present: See attached list.

II. Acceptance of Agenda: Pam Bricker moves to approve amended agenda; Vern McCallister seconds motion; motion carried unanimously.

III. Accept Minutes: A motion to approve the December 13th, 2011 minutes was offered by Pam Bricker and seconded by Mike Mitchell; motion carried unanimously.

IV. NEW BUSINESS: First item on the agenda; Eddie & Laura Miller - Minor subdivision exemption request. The application was reviewed and attachments thereto, Mr. Miller explained that he would like to sell this (6.10 acre) corner to his brother-in-law. There are existing structures on the property which include the residence. A survey was submitted and the setbacks are depicted on the survey; it was noted that the setback from the carriage house is 18' to the newly formed boundary line; it is short 7' of the required 25' setback. It was agreed upon that Mr. Miller would redraw the line to meet setbacks. Chairman Freeman entertains a motion; Vern McCallister moves to recommend approval pending survey and disclosure to the buyer regarding the buffer zone, the sprinkler end gun is 56' to the line and may spray onto structures; Mike Mitchell seconds motion, motion carried unanimously. 5 ayes; 0 nays; 1 absent

Second item on the agenda: Tom O'Rourke/Vern Rominger - Conditional Use application for mineral extraction/gravel/crushing. Chairman Freeman read the application and attachments thereto, a discussion as to the surrounding areas was held. The property is surrounded by existing gravel operations; Southway to the west, Rio Grande County to the east and ACI/Doug McDonald to the north. This will be a smaller operation but a needed operation to serve locally. The Planning Commission reviewed conditions of approval that was given by Rio Grande County for the Southway operation;

1. Water/dust abatement - water will be on site at all times for dust abatement on and around the pit;
2. Hours of operation- Monday-Friday limited to sunrise to sunset, closed on Thanksgiving, Christmas and New Years day – with option of requesting weekend hours if the need arises with 48 hours notice;
3. Applicant is responsible for the actions of any subcontractor accessing operation;
4. The applicant will consider the aesthetics of the operation to minimize the negative impact on surrounding property owners;

5. This permit is issued only to this applicant and is non-transferable to subsequent owner;
6. Rio Grande County will notify the applicant of any reasonable and/or legitimate complaints in writing, and the applicant agrees he will immediately cease and desist operations upon receipt of the complaint and not restart operations until the county and/or the operator resolve the complaint;
7. Failure to resolve any verified complaint within a timely and acceptable manner will result in the withdrawal of the conditional use permit.
8. The applicant shall apply for and receive the required State Mining permit and will comply with all requirements/regulations of that permit;
9. Buffer zone of 50' rear (north); 100' front (south); 25' side setback (east and west);
10. Area of conditional use shall be 10.45 acres; (See attached Exhibit (A) (B) (C) (D) (E) (F) and sketch plans;
11. Operation will be shut down on days when winds exceed 40 (forty) MPH;
12. Reclamation Plan.

Chairman Freeman entertains a motion; Mike Mitchell moves to recommend approval with the conditions stated above and required state permitting; Grover Hathorn seconds; motion carried unanimously.

5 ayes; 0 nays; 1 absent.

Third item; Louis Gallegos/Jerry Holfeltz - Conditional Use application for a Recycling Facility; located in a Fraction of the NE¼ of Section 5; Township 38N; Range 8E; (Meriwether Inc. aka Irrigation Engineering) 1567 US Hwy 160, Monte Vista, CO 81144. Mr. Gallegos explained that the primary business will be a towing service which is an allowable use in a commercial zone and would like to add this additional recycling service. The facility will take aluminum/cans and appliances (Freon removed) copper, metal, iron and autos. Roll off containers eight to ten feet in height and 26 long open top, which holds approximately 14 tons will hold these items. They will be moved off the site daily and/or as needed. No accumulation of any items, big or small. Automobiles will not be left on site. If the automobiles are not moved out the same day as brought in, they will be placed in the shop/garage located on sight. If vehicles that are towed are under investigation they will be moved to the State Patrol yard. Mr. Gallegos has the same type of business in La Jara, CO and it has worked out very well, there have been no complaints. The audience has concerns with unsightliness, blight, security, fencing, traffic and possible liability to surrounding properties. The audience is concerned that it could become like Sanner Brothers. Mr. Gallegos stated that the area will not become unsightly everything will be moved off or placed in the shop in a timely, daily manner. Mr. Holfeltz applied with CDOT for an access permit and has been approved. Currently on the property there is some fence (barbed wire and chain link) on the north boundary which some of the audience stated that curious kids may want to play in the area and suggested that a more secure fence is needed. Mr. Holfeltz and his wife live on the property they won't let it get out of hand or become unsightly.

Mr. Gallegos projects about twenty to thirty trips a day from people wanting to sell their aluminum cans and/or scrap. Mr. Gallegos stated that he can't pay as much as Pueblo, but he will serve the needs of the area.

Chairman Freeman entertains a motion; Grover Hathorn moves to recommend approval; with the following contingencies; 1. Safety fence; 2. No visual accumulation of anything; 3. Hours of operation – Monday – Friday - 9am to 4pm, and some Saturday's half days; 4. Total land area to be used fully defined. Vern McCallister seconds motion; motion carried unanimously. 5 ayes 0 nays 1 absent.

V. Old Business: None

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

Secretary

Chairman