

Planning Commission Minutes

For December 19, 2017

Members Present: Chairman Dwight Freeman, Mike Mitchell, Leonard Brown and Dixie Diltz – Secretary.

Members Absent with notification: Wesley O'Rourke, Grover Hathorn

Member Absent without notification:

Others Present: Larry & Jorie Scott, Brian Sawyer, .

Chairman Dwight Freeman Called the meeting to order at 1:35 pm.

Mike Mitchell made a motion to approve the Agenda. Leonard Brown seconds. Motion carried unanimously.

Mike Mitchell made a motion to approve the minutes of the Oct 17th , 2017 meeting; Dwight Freeman seconded, motion carried unanimously.

Secretary Diltz provide Mike Mitchell and Leonard Brown with copies of the Resolution signed by the Board of County Commissioner's appointing them to a new 3 year term.

First Item of Business: Exempt Division of Land application submitted by Larry Scott, Living Trust, to divide two corners from agricultural farm land for estate planning purposes. One parcel will be approximately 5.62 acres, containing a residence and accessory structures. The second parcel will be approximately 6.a09 acres, the remaining farm land to be approximately 142.63 acres.

Chairman Freeman reviews and asks for clarification of the proposed properties. Mike Mitchell clarifies the parcel requested is located across Highway 285 from the Scott's home residence. Dixie Diltz verifies that she received letters from both Heather Dutton with San Luis Valley Water Conservation District as well as from John Skinner from the Colorado Division of Water Resources and there does not appear to be any issues with water for the proposed division of land.

Mike Mitchell inquires if the regulations allow for only one corner to be divided off the mother parcel. Secretary Diltz reads from the RGC Codebook Article XX, C. 3. "Parcels of land created by an exempt division of land shall not be less than two acres and forming no more than two parcels of less than thirty-five acres each, and all parcels must have proof of water availability. "

After discussion of this statement, Lenard Brown questions that the application in front of them is creating 3 parcels. Mike Mitchell clarifies that only two of the proposed parcels are less than 35 acres. Dwight Freeman states that within the regulations, if this exempt division of land is approved, it may prevent the Scott's from being able to ever divide off the remaining two corners of the agricultural land.

President Freeman inquires if the neighboring properties were notified? Secretary Diltz responds that neighbors within 1500 feet were notified by mail and no comments have been received. Mike Mitchell verifies that the distance from the sprinkler end gun has been addressed on the survey.

Access points and identified and verified for each proposed parcel and no changes to traffic patterns are expected. With no further discussion Leonard Brown makes a motion to recommend to the Board of County commissioners, approval of the Exempt Division of Land as presented by Larry Scott, Living Trust. Mike Mitchell seconds and the motion passes by unanimous vote of the Board of Planning Commission.

Staff Item: Discussion with Bryan Sawyer and Kevin Hansen: Secretary Diltz advises Mr. Sawyer, Mr. Brown and the Board of Planning Commissioners' that this is a discussion item and no official business or decisions will be made.

Discussion continues regarding the RGC Regulations and Hemp oil production. Bryan Sawyer explained the process and equipment that would be use in such a business. The code book was reviewed and discussion about current codes and the possibility that some amendments or changes may need to be addressed.

Secretary Diltz presented the Board with a new "site plan" that has been provided by Brett and Cheryl McIntosh depicting changes to their Conditional Use. After reviewing the Code book it is agreed that the changes are considered "Major Changes" and a new Conditional Use application must be applied for.

With no further discussion the meeting was adjourned at 4:40 pm.