

Planning Commission Minutes

October 20, 2020

Member Present and seated as Board: Chairman Leonard Brown, Mike Mitchell, Charles Stillings, Russell Pratt, Cary Aloia, Jerry Gallegos and Dixie Diltz – Secretary.

Members Absent with notification: Rodney Reed

Others Present: Chris Miner, Michael Schaefer

Others Present via Zoom format:

Chairman Leonard Brown called the meeting to order at 1:35pm.

Roll Call is completed and Russell Pratt is seated in the chair vacated by Rodney Reed.

Mike Mitchell makes motion to accept the agenda as presented, Charles Stillings seconds the motion.

Charles Stillings makes a motion to accept the minutes as corrected Jerry Gallegos seconds, motion passes unanimously.

First Item of Business: Minor Subdivision Application from C&C Farms, Craig Miner and Chris Miner, 4 miles north on Highway 285 & 1 mile east of Monte Vista.

Chairman Brown opens the public hearing. Secretary Diltz presents staff report and the application to board; the application is a request to divide one 3.43 acre parcel containing a potato storage warehouse from the agricultural production land.

The application was received on June 28th and accepted as complete on August 4th, the public hearings were initially scheduled for September, however after comments were received from Division of Water Resources the hearings were rescheduled for October to give the applicants time to address some water issues. 9 notification letters were sent to property owners within 1,500 feet on August 18, 2020 and resent on September 8. Notice was published in the Monte Vista Journal on August 19, 2020. Request for comment was sent to the Forest Service, Colorado Parks & Wildlife, USDA, State Land Board, Water Conservation District, Division of Water Resources, RGC Road & Bridge, NRCS, RGC Attorney and Fish & Wildlife on August 11. Response was received from Division of Water Resources, Forest Service and State Land Board. RGC Road & Bridge responded by phone stating that he has no concerns with this division. No comments were received from public or surrounding property owners.

Planning Commission reviewed the survey and road access and easements are discussed. Chris Miner explains the reason they are wishing to divide the property is for future estate planning purposes and the continued farming operations. Secretary Diltz informs the Board that the Division of Water Resources has stated that C & C Farms is working with the Division to rectify any water issues. Cary Aloia mentions the zoning of the property and questions if the Board should try to remain consistent on how they zone these properties.

Mike Mitchell makes a motion to recommend approval of the minor division of land as proposed and approve the changing of the zoning to AE (agricultural estate) due to the nature of existing use of the property, Russell Pratt seconds the motion. Motion passes by unanimous vote.

Second Item of Business: Minor Subdivision presented Clear Water Farms, Craig Miner & Chris Miner, 5 miles north of Monte Vista on highway 285 and 1-1/2 miles west.

The Board reviews the survey and identifies the location of the proposed acres to be subdivided and briefly discusses the appropriate zoning that would apply.

Diltz presents staff report and the application to board; the application is a request to divide one 5.24 acre parcel and one 4.18 acre parcel from the agricultural production land.

The application was received on June 28th and accepted as complete on August 4th, the public hearings were initially scheduled for September, however after comments were received from Division of Water Resources the hearings were rescheduled for October to give the applicants time to address some water issues. 12 notification letters were sent to property owners within 1,500 feet on August 19, 2020 and resent on September 8. Notice was published in the Monte Vista Journal on August 18, 2020 Request for comment was sent to the Forest Service, Colorado Parks & Wildlife, USDA, State Land Board, Water Conservation District, Division of Water Resources, RGC Road & Bridge, NRCS, RGC Attorney and Fish & Wildlife. Response was received from Division of Water Resources. Forest Service and State Land Board responded with "no Comment". RGC Road & Bridge responded by phone stating that he has no concerns with this division. No comments were received from public or surrounding property owners.

Cary Aloia asked for clarification that the applicants are working with the Division of Water Resources to rectify any water issues. Access points are clarified and Right-of Way easements to Hanson's property are verified.

Russell Pratt makes a motion to recommend approval of the minor division of land as proposed and approve the changing of the zoning to AE (agricultural estate) for both parcels being divided off, Mike Mitchell seconds the motion. Motion passes by unanimous vote.

Third Item of Business: Minor Subdivision presented by C&C Farms, Craig Miner & Chris Miner, 1010 E County Road 5 North, Monte Vista.

The application was received on June 28th and accepted as complete on August 4th, the public hearings were initially scheduled for September, however after comments were received from Division of Water Resources the hearings were rescheduled for October to give the applicants time to address some water issues. 8 notification letters were sent to property owners within 1,500 feet on August 18, 2020 and resent on September 8; notice was published in the Monte Vista Journal on August 18, 2020. The applicants are requesting to subdivide one parcel of 4.18 acres which contain potato storages and grain silos. Request for comment was sent to the Forest Service, Colorado Parks & Wildlife, USDA, State Land Board, Water Conservation District, Division of Water Resources, RGC Road & Bridge, NRCS, RGC Attorney and Fish & Wildlife. Response was received from Division of Water Resources and Rio Grande County Road and Bridge. No comments were received from adjoining property owners or public.

The Board reviews the survey and identifies the location of several wells and the location of the center line of the ditch. Chris Miner states that Craig is working with Kevin Boyles of the Division of Water Resources on the well issues.

Mike Mitchell makes a motion to recommend approval of the minor division of land as proposed and approve the changing of the zoning to AE (agricultural estate) for the parcel being divided off and the condition that water issues be resolved with Division of Water Resources, Cary Aloia seconds the motion. Motion passes by unanimous vote.

Fourth Item of Business: LGM, LLC, Michael Schaefer, Lynn Widger and Glenda Archer, 0279 Swede Lane, Monte Vista, CO.

Cary Aloia is recused due to other work she has been performing for the applicant.

Secretary Diltz presents staff report and the application to board; the application is a request to divide one 3.98 acre parcel containing a residence and multiple agricultural buildings from the agricultural production land for estate planning purposes. The initial plats were received on July 16, 2020 with the application and corrected plats received and accepted as complete on September 10, 2020. The parcel is currently 131.39 of agricultural ranching land. There are three parcels of land that have been previously divided from the property.

35 notification letters were sent to property owners within 1,500 feet on September 25, 2020. Request for comment was sent to CDOT, Division of Water Resources, NRCS, State Land Board, Water Conservations District, USDA, RGC Road & Bridge and RGC Attorney on October 5. Response was received from Division of Water Resources, RGC Road & Bridge and State Land Board. No comments were received from adjoining property owners or public.

Charles Stillings asked about the well permit, Mike Schaefer states that because his well was drilled prior to 1972 it is "grandfathered". The Board verifies that Mike Schaefer has spoken with the Division of Water and is satisfied with the Divisions comments.

Charles Stillings makes a motion to recommend approval of the minor division of land as proposed and approve the changing of the zoning to AE (agricultural estate) for the parcel being divided off, Russell Pratt seconds the motion. Motion passes by unanimous vote. (Cary Aloia was recused and did not vote).

No Old Business:

Secretary Diltz informs the board that at this time there are 5 pending application to be heard next month. Next meeting will be November 17th.

Meeting adjourned 3:49 pm