

**GUNNISON COUNTY PLANNING COMMISSION  
PRELIMINARY AGENDA: Friday, May 18<sup>th</sup>, 2012**

- 9:45 a.m.**
- **Call to order; determine quorum**
  - **Approval of Minutes**
  - **Unscheduled citizens:** A brief period in which the public is invited to make general comments or ask questions of the Commission or Planning Staff about items which are not scheduled on the day's agenda.

**10:00 a.m.** **SG Interests I, Ltd.**, continued public hearing/possible executive session/work session/possible action, request for the Federal 11-90-9 gas well project, including five gas wells, located in northwest Gunnison County, in Section 9, Township 11 South, Range 90 West, 6<sup>th</sup> P.M., west of Highway 133

**11:00 a.m.** **Ragged Mountain Fire District**, work session/no action, request for 6,750 square foot building for fire equipment and storage, and for a staging area for the fire district, located in northwest Gunnison County, within the NW1/4 SE1/4, Section 11, Township 13 South, Range 90 West, 6<sup>th</sup> p.m.

**Lunch**

**1:00 p.m.** **Bear Ranch, represented by Tom Newland**, work session/no action, request for the construction of a 22,712 square foot single-family residence, in excess of the maximum thresholds identified in *Section 13-105: Residential Building Sizes and Lot Coverages*, located northeast of County Road 12 (Kebler Pass) and west of County Road 2. The parcel is legally described as Parcel 5, Bear Ranch Amended Parcels.

- End of Meeting**
- Report of actions taken by BOCC.
  - A brief period in which Commission debriefs on the day's processes, etc. No discussion or action on any specific Land Use Change Permit applications will take place at this time.

**Adjourn**

**GUNNISON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
May 18, 2012  
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The Gunnison County Planning Commission conducted a regular meeting, in the Commissioners' Meeting Room in the Blackstocks Government Center, Planning Commission meeting room. **Present were:**

Chairman- Ramon Reed  
Commissioner-Kent Fulton

Vice-Chairman- Jim Seitz  
Commissioner-Susan Eskew

Commissioner-Warren Willcox

Alternate Commissioner- AJ Cattles

Alternate Commissioner-Jeremy Rubingh

Director of Community Development- Joanne Williams

Assistant Director of Community Development- Neal Starkebaum

Planner-Cathie Pagano

Community Development Department Services Manager-Beth Baker

**Others present as listed in text**

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With a quorum present Chairman Ramon Reed opened the May 18, 2012 the Gunnison County Planning Commission meeting.

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Moved by Seitz seconded Wilcox to approve the minutes of April 20, 2012 as amended. The motion passed unanimously.

**SG INTERESTS:** The Gunnison County Planning Commission (Commission) conducted a continued public hearing. They discussed- OG-12-00006, a request for the Federal 11-90-9 gas well project, including five gas wells, located in northwest Gunnison County, in Section 9, Township 11 South, Range 90 West, 6<sup>th</sup> P.M., west of Highway 133.

Chairman Ramon Reed recused himself from the continued public hearing.

With a quorum present Vice Chairman Jim Seitz opened the continued public hearing.

SG Interests representative Eric Sanford was present for the continued public hearing and Catherine Dickert was present via phone conversation.

Park Service representative John Holtz was present via phone conversation.

Seitz said at the public hearing two weeks prior, the Commission had just received information from the Park Service, the Commission decided to continue the public hearing, and give the public an opportunity to review the information and participate in the process.

Holtz said he did not have any additional information to add, but would be participating to answer questions. Seitz asked when the COGCC will provide information; Holtz said the 40-day comment period has closed. They have not heard back from the COGCC. Typically they will defer it to the Forest Service process. Holtz had no comments beyond the written comments, previously submitted.

Dickert noted there had been some deficiencies in SG's, COGCC application; needed more information on water resources for fresh water. She is currently drafting a response.

County Attorney David Baumgarten asked if the comments made by the County LGD had been incorporated and reviewed by the Feds; Holtz did not think so. Baumgarten asked if there is a date one could expect response from the Oil and Gas Commission. Holtz said it should be fairly soon.

Assistant Director of Community Development Neal Starkebaum said Forest Service representative Ryan Taylor had indicated they are still waiting for information from SG. They have not determined a date for scoping comments on this project. The NEPA process will then follow. That scoping could take about a month. The COGCC will not make a determination until the Forest Service decides on the NEPA process.

**Moved:** by Rubingh seconded by Fulton for the Commission to go into executive session with County Attorney David Baumgarten, Director of Community Development Joanne Williams, and Assistant Director of Community Development Neal Starkebaum, for the purpose of discussing alternate paths to be taken at this juncture in the process. The motion passed unanimously.

The Commission went into executive session at 10:25 a.m. *Executive sessions of the Gunnison County Planning Commission are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(b).*

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**\*\*Signed form attached at the end of this document.**

**Attorney Statement Regarding Executive Session**

Pursuant to C.R.S. 24-6-402 (2)(d.5)(II)(B), I attest that I am the Gunnison County Attorney; that I represent the Gunnison County Planning Commission; that I attended all of the above referenced executive session; that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: \_\_\_\_\_

\_\_\_\_\_  
**David Baumgarten**  
**Gunnison County Attorney**

**A. Vice-Chairperson Statement Regarding Executive Session**

Pursuant to C.R.S. 24-6-402(4)(d.5)(II)(B), I attest that I am the Chairperson of the Gunnison County Planning Commission; that I attended all of the above referenced executive session; and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4).

Date: \_\_\_\_\_

\_\_\_\_\_  
**Jim Seitz Vice-Chairperson**  
**Gunnison County Planning Commission**

The Commission came out of executive session at 10:50 a.m. Vice- Chairperson Seitz stated that the discussion had remained on the topic, and no decisions were made.

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Baumgarten suggested the PC continue the public hearing with instructions to staff and counsel to speak with the COGCC and Federal agency about leasing, siting and permitting, and what to do about wildlife. Staff will prepare a report.

**MOVED** by Wilcox and seconded by Fulton to continue the public hearing to June 1, 2012 @ 2:45 P.M. The motion passed unanimously.

Sanford objected to continuing the public hearing.

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**RAGGED MOUNTAIN FIRE DISTRICT; The** Gunnison County Planning Commission ( Commission) conducted a work session to discuss the request for 6,750 square foot building for fire equipment and storage, and for a staging area for the fire district, located in northwest Gunnison County, within the NW1/4 SE1/4, Section 11, Township 13 South, Range 90 West, 6<sup>th</sup> p.m.

With a quorum present Chairman Ramon Reed opened the work session.

Applicant's representatives Mary Norris, Joanne Fagan and John Norris were present for the work session.

Fagan said the building will be used for the fire equipment. The equipment is now stored in Paonia and that is not efficient. The proposed building exceeds 5,000 sq. ft., the bulk of the building sits on a raised structural floor that will be 4,500 sq. ft.

Reed said Public Works and Environmental Health had submitted comments.

Planner Cathie Pagano said Colorado Geologic Survey (CGS) had not submitted their final comments. She noted the parcel is in a rock fall hazard area.

Fagan explained the upstairs would be used for the emergency equipment and a bathroom. The downstairs would be water storage. The building will not be manned. It would not be used for training. Most of the training activity is done in Paonia. It is a basic structure; the floor is a suspended floor with fire trucks on it. The terrain slopes at more than eight percent, so the floor is suspended. There will be enough room to store four fire trucks.

Reed asked if they have the access permit; Fagan said they do.

Seitz asked if there are flashing lights at the intersection of the new and old highway; John Norris said they do not have acceleration or deceleration lanes, or traffic lights; there is not much traffic on the road.

Wilcox noted this would be a central location in the district.

Seitz asked if Bear Ranch was in the district; John Norris said yes it is, but Bear Ranch has its own firefighting equipment.

Reed asked where the nearest residence is to this station; John Norris said nothing is close, at least a quarter of a mile or more.

Reed asked about the rock fall; Norris said it is on the BLM to the north. They will construct a rock catch wall on the other side of the road.

The Commission directed staff to schedule a public hearing and have a draft decision of approval prepared for that meeting.

The draft decision of approval will include;

- The Environmental Health Memo
- The CGS comments

The public hearing will be conducted June 15, 2012.

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Commissioner Rubingh left the meeting for the day.

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**BEAR RANCH- OVER SIZED RESIDENCE;** Gunnison County Planning Commission ( Commission) conducted a work session to discuss the request for the construction of a 22,712 square foot single-family residence, in excess of the maximum thresholds identified in *Section 13-105: Residential Building Sizes and Lot Coverages*, located northeast of County Road 12 (Kebler Pass) and west of County Road 2. The parcel is legally described as Parcel 5, Bear Ranch Amended Parcels.

With a quorum present Chairman Ramon Reed opened the work session.

Applicant's representatives Tom Newland, architect Brian Sipe, and Paul Panther were present for the discussion.

Newland submitted a life and safety management plan for the Bear Ranch project.

Newland showed several photos of the project; the view from building H-1, in relation to the rest of the town. He said the issues of sewer, water and roads are up to standard. A state approved water and sewer system is in place. He addressed obtrusive visibility; he showed a site plan illustrating where the building is going to be. The building would be in the center of the 6,500 acre ranch. It would not be seen from Kebler Pass, or any place other than the ranch.

Newland said the relationship of the H-1 structure illustrates how the development has been clustered. The H-1 structure is larger but does not "stick out." The overall ranch is in agricultural production. There is a large hillside blocking the view from the South and East. The existing topography will be used to mitigate the visibility. They will use either stucco or adobe and natural colors. The house will be 22,700 sq. ft.; 8,200 sq. ft. is below grade- 15,000 sq. ft. above ground. There will be no other structures on this parcel.

Fulton asked which parcel this would be on; Newland said parcel five.

Fulton asked how they picked this location; Newland said it is a central location and close to the infrastructure.

Seitz pointed out the extreme size of the proposed house is an issue; very rarely do we review a request for a residence of this size. Seitz asked how the structure would be heated; Newland said propane and in floor heating.





**PC Executive Session  
May 18, 2012  
SG Interests 11-90-9**

**Moved:** by Rubingh seconded by Fulton for the Commission to go into executive session with County Attorney David Baumgarten, Director of Community Development Joanne Williams, and Assistant Director of Community Development Neal Starkebaum, for the purpose of discussing alternate paths to be taken at this juncture in the process. The motion passed unanimously.

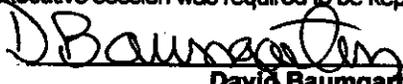
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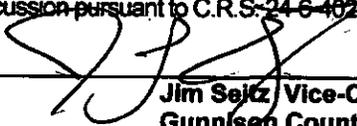
Date: 6/22/2012

  
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David Baumgarten  
Gunnison County Attorney

**A. Vice-Chairperson Statement Regarding Executive Session**

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Date: 6/22/12

  
\_\_\_\_\_  
Jim Seitz Vice-Chairperson  
Gunnison County Planning Commission

The Commission came out of executive session at 10:50 a.m. Vice-Chairperson Seitz stated that the discussion had remained on the topic, and no decisions were made.

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