

GUNNISON COUNTY PLANNING COMMISSION
PRELIMINARY AGENDA: Friday, August 3, 2012

- 8:45 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.
- 9:00 a.m.** **Hal Hearne, Vista Business Park**, joint public hearing/no action, Sketch Plan request to subdivide a vacant 28.07-acre parcel into 12 lots, ranging in size from 1.25-2.15 acres, for industrial and commercial use with an allowance for residential use in association with an industrial or commercial operation, located approximately 4 miles east of the City of Gunnison, south of Highway 50, in the NW1/4SW1/4 and SW1/4NW1/4, Section 3, Township 49 North, Range 1 East, N.M.P.M., also known as 43950 E Hwy 50
- 10:30 a.m.** **SG Interests I, Ltd.**, work session/no action, request for the Sperry/Clinger 11-90-1 gas well project, including five gas wells, located in northwest Gunnison County, legally described as HES 68 in Sections 11, 12 and HES 137 in Section 11, all in Township 11 South, Range 90 West, 6th P.M., west of Highway 133
- 11:00 a.m.** Planning Commission will leave for the Muddy Creek area
- 2:00 pm.** **SG Interests I, Ltd.**, site visits/no action, request for the Sperry/Clinger 11-90-1 gas well project, including five gas wells, HES 68 in Sections 11, 12 and HES 137 in Section 11, all in Township 11 South, Range 90 West, 6th P.M. and the Borich 11-89-32 gas well project, including five gas wells, in Section 32, Township 11 South, Range 90 West, 6th P.M. The sites to be inspected are private lands on which the owner will not allow public access. Therefore, only two Planning Commission members, at a time, will visit the site. There will not be any discussion or deliberation among the Planning Commission members, at this day or time, regarding the application.

GUNNISON COUNTY PLANNING COMMISSION
Regular Meeting
August 3, 2012

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	Director of Community Development- Joanne Williams
Vice- Chairman-Jim Seitz	Assistant Director of Community Development- Neal Starkebaum
Commissioner- Susan Eskew	Planner- Cathie Pagano
Commissioner- Warren Wilcox	Community Development Department Services Manager-Beth Baker
Commissioner-Kent Fulton	
Alternate Commissioner- Jeremy Rubingh	
Alternate Commissioner- A. J. Cattles	

Others present as listed in text

With a quorum present Chairman Ramon Reed opened the regular meeting of the Commission.

MOVED; by Wilcox seconded by Seitz to approve the minutes of June 22, 2012 as amended. The motion passed unanimously.

MOVED; by Seitz seconded by Fulton to approve the minutes of July 6, 2012 as amended. The motion passed unanimously.

MOVED; by Seitz seconded by Fulton to approve the minutes of July 20, 2012 as amended. The motion passed unanimously.

VISTA BUSINESS PARK: The Gunnison County Planning Commission and the Gunnison County Board of County Commissioners conducted a joint public hearing. They reviewed applicant Hal Hearn's Sketch Plan request to subdivide a vacant 28.07-acre parcel into 12 lots, ranging in size from 1.25-2.15 acres, for industrial and commercial use with an allowance for residential use in association with an industrial or commercial operation, located approximately 4 miles east of the City of Gunnison, south of Highway 50, in the NW1/4SW1/4 and SW1/4NW1/4, Section 3, Township 49 North, Range 1 East, N.M.P.M., also known as 43950 E Hwy 50.

Planning Commissioners Site Visit Comments- Conducted June 22, 2012:

- **Fulton-** One is able to see and hear the highway- the site is level- there are industrial applications on either side
- **Eskew-** Did not attend the site visit, but she did drive out and tour the site on her own
- **Reed-** The site is very flat- it is situated between two industrial applications- creates some visibility concerns- possible polluting of Tomichi Creek and ground water could be a concern
- **Seitz-** It does fit into the area
- **Rubingh-** Did not attend the site visit- but has seen the site and agreed with the other commissioners
- **Cattles-** Did not attend the site visit
- **Wilcox-** Agreed with the previous commissioner's comments- and there is good access to the site

Board of County Commissioners Hap Channell, and Paula Swenson attended the joint public hearing.

With a quorum present Chairman Ramon Reed opened the joint public hearing.

Community Development Services Manager Beth Baker confirmed adequate public notice; the applicant has submitted proof of posting and the certified mailing receipts and the Planning Office had the notice published in the Gunnison Country Times and the Crested Butte News.

Reed explained the application is a major impact; there will be three phases- a sketch plan, preliminary plan, and a final plan. The preliminary and final plans could possibly be combined. The sketch plan and preliminary plan phases both require a joint public hearing, which include the Planning Commissioners and Board of County Commissioners. The sketch plan phase does not include engineered plans, the preliminary plan phase does.

Applicant's Presentation:

Applicant Hal Hearn said he has planned to plant trees along Highway 50, to help improve the view shed. There will be open space, and also a pond. The open space and the trees may mitigate some of the impacted views.

He explained there will be 12 lots; the smallest will be 1.3 acres. Each lot will be allowed 2,500 sq ft of residential space. He noted it could be easier for a new business owner to get started, if there is a live/ work situation.

The original house, barn, small shop and assorted buildings are on approximately 2.4 acres. They will remain on the property, but will be cleaned up.

The proposed uses are not specifically defined. He is unsure of what types of business will be interested in the site. He pointed out Signal Peak Industrial Park has generated many jobs and he thinks this will be similar. He reiterated he is offering sites as small as 1.3 acres.

Planning Staff Comments: None at this time.

Questions and Comments by the Review Body:

Reed pointed out the intent of the application is primarily a business industrial park, with a residential element. Any residential use must be secondary to the business use. A lot can have residential uses but not separate from the business/ industrial element.

Channell said the BOCC members have had the application for several weeks, and have had ample time to review it. The BOCC has also attended a work session on this issue. He added one of the BOCC strategic results is to identify areas which are appropriate for industrial use. The BOCC considers this an appropriate area. It does fit one of the strategic results.

Channell was concerned with the access issue, along the highway. He noted this had been mentioned in one of the public comment letters. He said CDOT states the impact threshold for improving the access is a 20% increase in traffic; but noticed it does not take into consideration the cumulative impacts. He said over time there is a possibility of a 40 % increase in traffic.

Planner Cathie Pagano reminded Channell CDOT's comments are very preliminary; when there is a traffic study submitted CDOT will make a determination of the need for acceleration and deceleration lanes.

Channell noted his concern with an adequate water supply. Reed explained there is a water supply plan in Section O of the application which addresses water supply. Questions still remain as to what types of business will occupy the park and what amounts of water will actually be needed.

Channell said details such as the hours of operation will be addressed in the covenants; he will be interested in the hours of operation given the residential component in the park. The proposed uses are a covenant issue as well. Channell expressed concern with the possibility of asphalt batch plants close to the highway. Hearn said batch plants have been taken off the table. Hearn added although the hours of operation have not been determined, they are now considering the allowable noise and odor levels.

Fulton questioned what will be done with the ditch running through the property; Hearn intends to continue the haying operation, and Hearn's green house will also use the ditch water. The hay meadow will remain as it is. Hearn said he will grow trees in the open space and in his nursery, which help with the visual impacts.

Eskew requested an explanation of classified injection wells ability to separate waste from ground water; Whitehead explained one class of an injection well is a leach field. The EPA does not allow injection into the ground from an industrial use. Hearn said any industrial use waste water will be collected in vaults, and taken to an appropriate dump site.

Rubingh was pleased with the open space corridor. He urged Hearn to specifically define the proposed uses because of the residential component of the application.

Public Comments:

Aaron MacLennan said he had submitted an e-mail earlier. He expressed his concerns with the safety on the highway. He was also concerned the possible depletion of the aquifer.

Joe Puchek asked if the leach fields would recharge the aquifer; Whitehead confirmed they would. Hearn added they will be using the ponds for fire fighting, and well water mitigation.

Reed said there has been a water analysis done, and each lot will apply for a well permit. They will be required to purchase augmentation water. MacLennan was concerned with how this could impact the water aquifer. Reed said it is handled on a case by case basis by the State. Reed added there have been water discussions but there will be much more specific information provided in the next phase of the process. Pagano noted, although, the State regulates the wells and augmentation requirements, the Commission has an opportunity to review and comment on the water impacts.

Puchek pointed out because of the combined use of business and residential it can incentivize the starting of small businesses and create employment because they will be able to live on site, or provide housing for an employee.

Sally Hayes said she and her husband own a house very near the site. She noted her concerns with noise, air, and light pollution. They appreciate the landscaping, but they live above the site and will be impacted.

Bob Geydeson was in favor of the application. He noted he had started his business in the Signal Peak Park. He said he was successful partially because he was able to start his business in the industrial park. The live/ work feature of the plan is unique in the area, and vital for the opportunity to start a business.

Jeff Wilkinson said he drives by the property; it is the best piece of property in the County for the proposed use. It is surrounded on all sides by similar uses. The hours of operation should not be limited. He encouraged the commissioners not to add onerous restrictions. He asked if the County could stand more tax income.

Greg Dowin said he has a lot in Signal Peak Industrial Park and realizes how beneficial the live/ work element is.

Jeff Dikes said he drives the road three to four times a day. He is sure Hearn will make the area nice.

Bill Edwards said he has owned and lived on the site for 20 years. His current health issues have required changes. He noted that the traffic has been much heavier, when the cement plant was active. Those pits are close to depletion and that should decrease the traffic.

Joe Puchek commented he felt the berming and landscaping would enhance the view shed at the highway; it is going to enhance the entrance. It will even dress up Signal Peak Industrial Park. It is a pretty positive move, for the proponents as well as the County.

Debbie Heffner agreed there is benefit in providing the live/ work element.

Aaron MacLennan said over the years he has seen positive changes to the site. He has lived there since 1997. He continues to be concerned with increasing traffic. He will be very interested in what CDOT has to say.

Greg Dowin was concerned about requiring acceleration and deceleration lanes. The traffic problem already exists. The price of the lanes is very costly.

Applicant Response: None at this time.

Planning Staff Response:

Pagano said the next work session will be August 17, 2012. The Commission could give staff direction to prepare a draft recommendation at that time.

Planning Commission closed the public hearing, leaving it open to written comments for seven days, from the date of the public hearing.

SG INTERESTS- SPERRY/ CLINGER GAS WELL 11-90-1; The Gunnison County Planning Commission (Commission) conducted a work session to review the request for the Sperry/Clinger 11-90-1 gas well project, including five gas wells, located in northwest Gunnison County, legally described as HES 68 in Sections 11, 12 and HES 137 in Section 11, all in Township 11 South, Range 90 West, 6th P.M., west of Highway 133.

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

SG Interests representative Eric Sanford was present for the work session.

Sanford explained the project. He identified the location on the map. The new well is in the south west area of the section. It will be a deviated well with two deviations.

Starkebaum asked when the application will be submitted to the State; Sanford said it depends when the State approves the drilling across the lots. They are ready to submit, but need the State approval. They plan to construct the pad this year and drill and complete the well next year.

Sanford said it is unusual but the entire road, pipeline and pad location are within the County 500 ft. setback from a wetland. Starkebaum asked how close it is to the closest point on Spring Creek or a wetland; Sanford was not sure. Starkebaum asked if the pad site had been staked; Sanford said it has been but was unsure if cattle or sheep have knocked it down.

Sanford said the pad would accommodate up to five wells. They will not all be shale wells; one of the largest producing wells is a coal bed well in the area. They hope to find another well exactly like it.

Sanford explained everything to the north east is Forest Service property. There are a lot of roads in the area from prior exploration. There is access off of County Rd 265; there is a small bridge over the Muddy, and they will go through the homestead.

Sanford noted Public Works representative Allen Moores has not been on this location; he will likely attend the State site visit.

Reed noted his concerns with the technical infeasibility waiver request. The burden of proof is on the operator to prove the need for a waiver. Sanford explained the land owner does not want the pad in the middle of his field. If the site is moved only Clinger will benefit not Sperry, because of the new location.

The public hearing will be conducted September 7, 2012 at 9:00 A.M.

SG INTERESTS- SPERRY/CLINGER GAS WELL 11-90-1 and BORICH 11-89-32; The Gunnison County Planning Commission (Commission) conducted a site visit to view the location of the request for the Sperry/Clinger 11-90-1 gas well project, including five gas wells, located in northwest Gunnison County, legally described as HES 68 in Sections 11, 12 and HES 137 in Section 11, all in Township 11 South, Range 90 West, 6th P.M., west of Highway 133. They also conducted a site visit to view the location of the request for the Borich 11-89-32 gas well project, including five gas wells, located in northwest Gunnison County, in Section 9, Township 11 South, Range 90 West, 6th P.M., west of Highway 133;

No minutes were taken.

The meeting was adjourned following the site visit to the Sperry Clinger Gas Well 11-90-1 location and the Borich 11-89-32 Gas Well location.

/S/ Beth Baker

Community Development Department Services Manager
Gunnison County Community Development Department

12 August 03 PC Minutes

12 August 17 PC Approved