

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission Meeting was held on Thursday, June 13, 2013 at 5:30PM in the County Meeting room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Lewis Trout
Pam Wickkiser
Stephen Nye
Ray Olsen
Theresa Mavity
Giovette Cassinelli

COMMISSIONERS ABSENT

Vickie Rock

STAFF PRESENT

Betty Lawrence Lenora Turney

LEGAL COUNSEL

Mike Macdonald

PUBLIC PRESENT

Marlene Brissenden	John M. Torok	Wallace Baum	JoAnn Esper
John Milton	Betty Olsen	Norm Sweeney	Paula Dodds
Michael Michaelsen	Tommy J. Swanger		

I. OPENING

Giovette called the meeting to order at 5:30PM.

Giovette asked if there was anyone who wanted to make public comment. None was offered.

Giovette asked to review, correct and approve the minutes from April 11th, 2013. Giovette pointed out that there was not a quorum of the members present at the May 9, 2013 meeting. The approval of these minutes will be held over until the July 11, 2013 meeting. Giovette asked if there were any corrections for the April 11th minutes. Mr. Trout stated that although he was not present at the April 11th meeting and cannot vote on this item, he noted some items that needed to be corrected. Giovette asked for a motion, Theresa moved to approve the April 11, 2013 minutes with corrections; second by Pam with Lewis abstaining. Motion passed unanimously.

Giovette asked if there were any requests for postponement of agenda items. Betty indicated that no requests had been received.

II. CONSENT AGENDA/DISCUSSION & ACTION

Giovette read the following items:

- A. **SN-13-04** a request from Desert Mountain Surveying as agent for Joanie Ruggles to name existing 30' wide easements within Section 23, T36N, R36E. The Regional Street Naming Committee recommends approval of the following road names:
Pembroke Road, Coraleigh Road, Jolenes Road, Candess Road, Misty Willow

Road, Corgi Road, Jojobee Road and Ruggles Road.

- B. Extension Request UH-12-08** a request for a 2 year extension submitted by Desert Mountain Surveying as agent for Robert D. Stitser for conditional use permit application UH-12-08. The CUP was approved June 14, 2012 to allow commercial offices/warehouse space in the M-1 (Industrial) zoning district. Subject property is located at Airport Road and Rose Creek Road; assessor's parcel #013-074-03.

Giovette asked if there were any questions from the board on the consent agenda items. Lewis indicated he would like item B. pulled down to be the first item on the next Public Hearing. Giovette asked if there are any other items to be pulled down by either the board or the public. Seeing none, she brought item A. back to the board. Ray motioned to approve item A. on the consent agenda, second by Lewis. Motion passed unanimously.

III. PUBLIC HEARING/Discussion & Possible Action

- A. Extension Request UH-12-08** a request for a 2 year extension submitted by Desert Mountain Surveying as agent for Robert D. Stitser for conditional use permit application UH-12-08. The CUP was approved June 14, 2012 to allow commercial offices/warehouse space in the M-1 (Industrial) zoning district. Subject property is located at Airport Road and Rose Creek Road; assessor's parcel #013-074-03.

Giovette read this item. She asked if staff had any comments. There was none. She asked if there were any comments from the board. Mr. Trout disclosed he submitted three questions to staff to obtain additional information. Staff attempted to obtain the additional information. Mr. Trout indicated he contacted the applicant's agent, John Milton and directed those questions to him. Mr. Milton approached the board as agent for Robert Stitser. Mr. Milton stated he did not know the specifics as to why the lessee was unable to begin construction in a timely manner. There was discussion regarding the possibility of a 2 year extension not being long enough. Mr. Trout asked Mr. Milton if he felt 2 years was sufficient for an extension given the uncertainties in the market today. Mr. Milton replied the owner initially requested a one year extension. Mr. Milton recommended a two year extension as a minimum. Mr. Trout stated he believes two years may not be enough given the uncertainties in the market and the Board should consider a three year extension to allow the applicant to have enough time for construction financing. Mr. Trout requested the application be amended to three years. Mr. Olsen asked Mr. Trout if the applicant wants to do three years. Mr. Trout stated that is a question for the applicant. Mr. Milton gave a brief history of the conditional use permit and what improvements have been made to the property. Mr. Milton stated Mr. Stitser is amiable to whatever the board decides. There was further discussion of the extension time period. Mr. Trout motioned to grant the request for a period of three years. Giovette asked for a second, none was offered; motion died. Giovette asked for another motion. Ray motioned to approve the 2 year extension per staff recommendation, second by Lewis. Motion passed unanimously.

- B. UH-13-08** a conditional use permit application submitted by John Torok on behalf of Southwest Land & Minerals Corp. to allow mining and production of sand & gravel

product in the M-3 (Open Land Use) zoning district. Subject property is located west of the frontage road off of I-80 in Golconda; assessor's parcel #'s 008-581-23, 24, 25 & 26.

Giovette read this item. She asked if staff had any additional information. Betty read into record an e-mail received from property owner Susan Evans, "Thank you so much for the map. It made the area in question very clear, much to our dismay. We do want to make a comment about UH-13-08 because we have to be in Reno for a few days for our doctor's appointments. We moved here at a great inconvenience to ourselves at our ages because it is a quiet little town. A wide variety of birds nest here, including curlews. This type of operation will not only destroy the residential tranquility, but create a dust hazard for our community. How would all of you like a business like this moving right into your back yard. Of all the uninhabited land in Nevada full of rocks, why would you want to ruin our lives by granting these people a permit for a pit right behind our home? We couldn't be more unhappy and disappointed about this turn of events. It just makes us sick. Please reconsider any notions of going ahead with this sand and gravel pit." Betty stated there are 30 acres between property owner Susan Evans and the closest parcel that the applicant owns. There is also a State sand and gravel pit to the west of their property and to the northwest of the applicant's property.

Betty asked the board to look in their packets at a map that shows the alternate route and the preferred route to the gravel pit. It shows the Golconda water line and where the initial pit site would be. Betty stated she spoke with Delores Shields who is a resident of Golconda and a member of the Golconda Volunteer Fire Department. Ms. Shields concern is the proposed location of the gravel pit. Betty stated The Golconda water line comes from Pole Creek Spring to the town of Golconda; this is what provides Golconda their water supply. Betty spoke to NDEP (Nevada Division of Environmental Protection) and was referred to the Bureau of Mining Reclamation. The gentleman she spoke with at NDEP believes that having a gravel pit close to a water supply would be a concern. Betty also asked Ms. Shields about the State gravel pit; the pit was there first and Golconda worked with the State and the water line goes around the gravel pit. Mr. Trout asked Betty if her recommendation is to continue this item to allow Mr. Torok extra time to speak with the other entities. Betty stated she would recommend continuation and wants to speak with Mr. Kumba who is with the Bureau of Mining and Reclamation to see what their requirements are. Betty asked if Mr. Torok had any comments regarding this concern. Mr. Torok stated the parcels in question AP# 008-581-23,24,25&26 were the preferred site; although there are other parcels in the application and the pit site could be moved to AP# 008-581-32 that is not affected by the water line. Mr. Trout asked Mr. Torok if he would be amending the application to delete parcels 23, 24, 25, and 26 and leave parcel 32. Mr. Torok replied, "yes." Theresa asked if that parcel was a considerable distance from the land owner that voiced concern. Betty replied yes and the waterline runs in the northeast corner. After some discussion, Giovette asked if there were any more questions from the board. Mr. Trout asked Mrs. Lawrence if we need to include any reference to the water line crossing the tiny northwest corner of the section. Betty stated we can include that in the report but, it would be better if the applicant spoke to Golconda GID to let them know. Mr. Olsen stated it would be prudent

to postpone this item until staff can re-write the report and allow the applicant time to speak with the appropriate entities. After some discussion, it was decided that the staff report would be amended to reflect AP# 008-581-32, and this item would be continued to the July 11, 2013 meeting. The applicant was agreeable to the continuation however, Mr. Torok stated he is not sure if six months is adequate to obtain all the permits. Betty asked the applicant if he would like to request more than a year to begin any phase of the operation. Mr. Torok stated he would like more than one year. Giovette asked if there were any public comments or questions. Wallace Baum approached the board with information regarding the timeline for some permits to be approved. Mr. Baum has applied for the same type of permits and was told it could take up to eighteen months for processing. There was discussion regarding the time set to start the approved use, one year. The amended staff report and conditions will reflect that any phase or stage of the operation will commence in two years. Giovette asked if there were any other questions from the board. Seeing none she brought this item back to the board. Lewis motioned to continue this item to the July 11, 2013 meeting, with the staff report being amended to reflect AP# 008-581-32, and a two year period to commence operations. Second by Ray, motion passed unanimously.

- C. **UH-13-09** a special use permit application submitted by Wallace Baum to allow a gravel plant for screening gravel in the AG-5 (General Agricultural District). Subject property is located at Stakel Drive & Gary Goodwin Drive, assessor's parcel #014-284-16.

Giovette read this item. She asked if staff had any additional information or comments. Seeing none, she asked if the board had any questions. Wallace Baum approached the board. Mr. Olsen asked Mr. Baum if this gravel plant was going to be for personal use. Mr. Baum indicated it would be with the possibility of some gravel being purchased by a local contractor. He further went on to explain where he would be moving this gravel. Betty asked Mr. Baum if due to the processing time of some permit applications a two year time frame to commence any phase or stage of the operation would work better for him. Mr. Baum stated he would like the two years to comply. Giovette asked if there were any additional comments or questions from the board. Seeing none, she asked if anyone from the public had comments. Seeing none, she brought this item back to the board. Ray motioned to approve with two years to comply, second by Pam. Motion passed unanimously.

- D. **UH-13-10** a conditional use permit application submitted by Sergio Callegri on behalf of Granite Construction to allow a construction yard/material storage/office in the G-C (General Commercial) zoning district. Subject property is located at 4210 W. Winnemucca Boulevard; assessor's parcel #013-102-10.

Giovette read this item. She asked if staff had any additional information or comments. Seeing none, she asked if the board had any questions or comments. Mr. Trout asked about the number of employees. Sergio Callegri and Norm Sweeney approached the

board. Mr. Callegri stated the only employees on site would remain for the duration of the project. Mr. Callegri indicated at the most there would be up to five employees and only three would be full time. Ray asked about the facilities on site to support five employees. Mr. Norm Sweeny stated he is the owner of the property. Mr. Sweeny said there is an office trailer and porta potty. Giovette asked if there were any additional questions or comments from the public. Seeing none she asked if there were any questions or comments from the board. Seeing none, she brought this item back to the board. Theresa made a motion to approve per staff recommendation with the additional condition of up to five employees, second by Lewis. Motion passed unanimously.

- E. **UH-13-11** a conditional use permit application submitted by Paula Dodds, land manager for Kinross Goldbanks Mining Co. to allow a storage site and office for mining core samples and rocks in the AG-5 (General Agricultural) zoning district. Subject property is located at 10260 Grass Valley Road; assessor's parcel #014-376-02

Giovette read this item. She asked if staff had any additional information or comments. Betty clarified with Ms. Dodds that Kinross Goldbanks Mining Company has been using this property for this purpose for some time. They are replacing a trailer and obtaining a new building permit. Paula Dodds approached the board. She stated there were previously two trailer's on the property which were in "horrible condition". It is her understanding that the last trailer would be removed by the end of the week. There will be one trailer on the property instead of the two. Giovette asked if there were any questions from the board. Mr. Trout asked how large the trailer would be as asked by the building department. Ms. Dodds stated it is her understanding that it would be smaller than the one currently there, which is a double wide; this will be a single wide. Betty stated Ms. Dodds brought with her core samples, which were passed around to the board members; Ms. Dodds explained the process of storing the core samples. Giovette asked if there were any questions from the public. Joanne Esper approached the board. She lives on 3040 Cougar Court; the backside of the applicant's property. Her concern's are the hours of the operation, traffic, and dust as she is preparing her house to possibly sell; would it impact the value of her property. Betty stated there is no change of the use on the property. Giovette asked if there were any more questions from the public. Seeing none, she brought the item back to the board. Lewis motioned to approve per staff recommendation, second by Ray. Motion passed unanimously.

- F. **RH-13-01** a zone change request submitted by Wynn L. and Chandra H. Allred to rezone property from RR-2.5 TPZ (Rural Ranchette 2.5 acre minimum lot size with an airport overlay) to RR-1.25 TPZ (Rural Ranchette 1.25 acre minimum lot size with an airport overlay). Subject property is located at 4285 Rainbow Road; assessor's parcel #013-341-14.

Giovette read this item and asked if there was additional information or comments from

staff. Betty indicated to replace the prior map given out to the board in their packets which shows the location of the 8 test wells and data information in the Grass Valley area, with a new map created by Mr. MacDonald. Betty stated Mr. Macdonald and Mr. Deist went out to verify the well sites. Giovette asked if the board had any questions or comments. Mr. Trout passed out additional information that he had gathered regarding ongoing water issues in the Grass Valley area. Mr. Trout read from a report by Mr. George Ball. "The Grass Valley ground water monitoring program which has been in operation since September 1995, has demonstrated concern for ground water quality resulting of the fact that of the 17 monitoring sites, 14 of them demonstrated an increase trend in nitrates as nitrogen concentration. The conclusion from this program to date suggests that this increasing trend is primarily a result of the increase in individual sewage disposal systems in the Grass Valley area. Therefore, a program to develop a management scenario to reduce nitrate input to the ground is an important and desirable goal." There was discussion between Mr. Macdonald and the board regarding the information provided by Mr. Trout. Mr. Trout stated in a report prepared by the University of Nevada produced by the Department of Civil Engineers in July 2000; they surveyed 48 wells over a 2 years period in the Winnemucca area, "An increase in population and development during the past decade pose and inherent threat to regional aquifers. Seven of the Forty eight monitoring wells exceeded the primary drinking standard for the 10 mg. of nitrate per liter and an additional 7 wells exceed the secondary standard for the total dissolved solids of 1,000 mg. per liter. Activities that are known to release nitrates into ground water should be carefully scrutinized or discouraged." "Solutions to ground water contamination in regions such as Winnemucca, Nevada will be best achieved by cooperation between government regulators, agricultural industry and land owners. The most direct mitigation steps to confront nitrate contamination: such as repair or upgrading of septic system, water wells and control of animal waste are up to individual land owners. However, since it is likely that wells located on one property are influenced by activities on neighboring properties; individual actions may not be adequate to solve the problem. It is quite likely that more drastic and expensive options such as limitations on growth, regulation of industry and construction of centralized sewer or water supplies will be necessary to improve the quality of ground water in the Winnemucca area." Mr. Trout stated either the applicant implements an individual mitigation system or the County explores a centralized sewer system. Mr. Trout stated there are reports that explored the cost and feasibility of installing a central sewer system in Grass Valley to address this issue. Mr. Trout stated the Planning Commission should not continue to contribute to the problem and should not be approving 1.25 acre lots. Giovette asked if any other questions from the board. Seeing none, she took it out to the public. Giovette asked if there were any concerns or questions from the public. Tom Swanger approached the board stating that he lives in the Grass Valley area. Mr. Swanger's concern is allowing the creation of more parcels, creating a greater density of properties serviced by well and septic. Giovette asked if anyone else from the public had questions or comments. Seeing none she brought this item back to the board. Lewis made a motion to recommend denial of the zone change second by Stephen; Lewis, Stephen, Pam and Giovette voted aye; Ray and Theresa voted nay.

IV. COMMISSION/STAFF/LEGAL COMMENTS/COMMITTEE REPORTS-Discussion & Possible Action

A. Review of the updated Master Plan Document with comments from the Humboldt County Commissioners and Winnemucca City Council.

Giovette read this item and then turned it over to Ray for discussion. Ray summarized what the board has been working on. The City Council and County Commissioners have had an opportunity to review the document. Ray stated staff has the comments from the City Council and County Commissioner's. Betty stated the County Commissioner's reviewed the document at their March 18th, meeting. Administrator Deist suggested the Master Plan should have some reference to the requirement that property be developed to city standards if it was within a half mile of the city limits. Betty stated she discussed this with Steve West, Mr. Olsen and Mr. Macdonald; this item is in our ordinance in chapter 16. Typically property owners look at our ordinance before they look at the Master Plan. Commissioner Brissenden asked that a water resource plan be added; the board discussed this and Mr. Macdonald suggested this be referred to the RPC Master Plan Committee and Staff possibly using the Master Plan sub-committee of the RPC to gather information. The City Council members stated that it looked good. Steve West pointed out that the information regarding the airport, city water and sewer has been updated. Ray motioned to set the Master Plan for public hearing at the next meeting; second by Lewis. Motion passed unanimously.

V. CORRESPONDENCE/BUDGET/PERSONNEL-Discussion & Possible Action

Ray will not be at the August RPC meeting.

VI. PUBLIC COMMENTARY

Giovette asked if the public had any comments. None were offered.

Giovette adjourned the meeting at 7:08 PM until 5:30 PM July 11, 2013.

Giovette Cassinelli, Chairperson