

Planning Commission Minutes

For October 16, 2018

Members Present: Vice Chair Leonard Brown, Everett Myers, Cary Aloia (Alternate), Charles Stilling (Alternate), Mike Mitchell and Dixie Diltz – Secretary.

Members Absent with notification: Chairman Dwight Freeman, Wesley O'Rourke, Grover Hathorn and advisory member Randy Kern

Member Absent without notification:

Others Present: Alvin Ray Bontrager, Levi Bontrager, John Troyer and Edwin Hochstetler.

Vice Chairman Leonard Brown called the meeting to order at 1:31 pm and seats Charles Stillings to fill the seat vacated by Dwight Freeman and Cary Aloia to fill the seat vacated by Wesley O'Rourke. Vice Chairman Brown calls for roll call.

Cary Aloia requests the minutes to include the number of letters sent to applicant, Dixie Diltz reads spelling correction submitted by Dwight Freeman via email. Mike Mitchell made a motion to approve the minutes of the August 21, 2018 meeting. Charles Stilling seconds. Motion carried unanimously.

First Item of Business: Secretary Diltz reads the application presented by Alvin Ray Bontrager for a Workshop Small Custom Industry to manufacture furniture cabinets and other such wooden projects. The parcel of land is currently 6.62 acres zoned agricultural ranching with a residence and outbuildings located on it. There is currently a domestic well and OWTS located on the parcel. All board members have received copies of several emails and correspondence from DWR, Pat McDermott. After the application was modified by the applicant to not have any employees the DWR has said that it would be allowable. Any future expansion of the business should be brought to the attention of the DWR. The applicant has spoken with CDOT and the access can be modified to meet the requirements of CDOT. Dixie Diltz states that she told the applicant that he could wait to pursue the CDOT permit until after he had approval from the County.

Levi Bontrager clarifies that there are currently two OWTS systems on site, one servicing the residence and one servicing the existing outbuilding. Secretary Diltz questions if the applicant is proposing to build a separate building and if the new building will have any plumbing in it. Alvin Ray Bontrager states that the building may have a floor drain, but no water to it. Discussion is held about the floor plan and which OWTS system the drain would tie into. Everette Myers questions why a drain is needed if there is no water. Alvin Bontrager states it would be for future use if he expands and can get a commercial well. He states he is hopeful to place most of the underground plumbing in the slab at the time of building as it would be more cost efficient than trying to go back later and retrofit. Vice chairman Brown suggests the applicant research regulation by the EPA that may prevent floor drains being connected to OWTS systems.

Chairman Brown questions the original application and the comments from DWR where they were talking about using a cistern. Secretary Diltz explains that the use of a cistern and the monitoring of such use is something that would need to be discussed with the Commissioner's and a plan as to how the monitoring and enforcement of such water uses would be handled.

Levi Bontrager states that at the meeting he and several other Amish community members attended with Pat McDermott and DWR, it was said that as long as there were no employees, and only members of the household that operated the business it was allowed on the domestic well. This is the reason the application was modified and the cistern will not be installed.

The question of "who will monitor" if they have employees or not is brought up. Mike Mitchell asks the applicant if he realistically believes he can operate this type of business with just one person? Everette Myers

states that he feels all the Community members down there do very well and he too would be concerned that the restrictions on this application may be too limiting. Mike Mitchell states that he would suggest that the applicant pursue the water issue even if the Planning Commission recommends approval of the application today.

Levi Bontrager says that at this point they are presenting a “hobby shop” type thing right now. They hope it will grow and be successful and in the discussions with DWR they are hopeful that there will be some options in the future. Cary Aloia states that the enforcement seems to be more of a county’s issue and not the applicant’s issue, and that an application should not be denied because of a county issue. Dixie Diltz shares that this would be a discussion that should be held with the Commissioner’s. The board continues discussion about the amount of water that is required for a commercial business and the suggestion is made again that the applicant continues to work forward on the water situation.

Mike Mitchell moves to recommend approval of a small custom industry by conditional use as allowed in the Rio Grande County Land Use Development Code list of uses, with the condition that there are no employees or outside use of the water and that the applicant complies with and get approval from CDOT on the driveway access. Cary Aloia seconds, the motion passes unanimously.

Staff Update: Secretary Diltz updates the board on the Land Use Development Code Book update. The County Commissioners have awarded the bid to RG and Associated, LLC. One of the regulations that must be updated will be the Sign Code, this will be required as per the DOLA Grant.

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With no further discussion the meeting was adjourned at 2:30 pm.

Next *meeting* November 20, 2018