

IN A REGULAR MEETING OF THE REGIONAL PLANNING COMMISSION HELD ON AUGUST 18, 2021 IN THE COUNTY LIBRARY CONFERENCE ROOM, ELY, NEVADA

The Following Were Present:

City and County Officials:

Ely City Attorney Leo Cahoon
Deputy District Attorney Ross Smillie
WPC Commissioner Laurie Carson
Lee Walker, Building Official

Regional Planning Commission:

John Charchalis, Chairman
Jason Bath, Vice Chairman
Andy Bath
Carol McKenzie
Leah Brown

Nichole Baldwin, Clerk of the BOCC

Also Present:

George Chachas, Jessica Trask, Terrill Trask, Shonna Sampson, Scott Sampson, Buzz Rosevear (Basin Engineering)

Chairman John Charchalis called the meeting to order at 5:32 p.m. and Carol McKenzie led the Pledge of Allegiance.

Public Comment

Scott Sampson lives next to Andy and April Bath and he received a certified letter about items 1 and 2. He is in full support of their business, but has a concern. He bought his property in 1997 and he explained that Pinwheel Lane was brought up to County standards by a land owner and the County adopted the road. He has requested the County to upgrade that road unsuccessfully in the past. He advised that he and his Uncle Bernie Metcalf operated the same kind of business for a long time and it can be successful. He recommended the new owners and the Baths make contact with the Road Department at the County to look at potential impact from high traffic and needed upgrades to Pinwheel Lane.

George Chachas noted a letter from the Chairman dated 7/22/2021 in response to one of his queries. He complained about being slighted and being required to do the Chairman's homework. He noted that he and his brother have properties on Great Basin Blvd. and read the Administrative Code in regards to access, section 2.6, to the Board. He further added that no one talked to property owners who were not informed they were losing access to their properties. He noted the American with Disabilities Act, pedestrian right of ways, and other requirements for property. He told the Board they need to comply with the law and expressed that he felt the new facility is half baked. He noted past issues with the swimming pool and ADA access that he previously made the County Commission aware of. He advised that handicapped people have rights and noted civil rights law that protects their rights. He began to rant about the fact that he has not been issued a permit by the Building Official and stated, "if others do not pay, the Board should not expect him to pay." Time was called.

A. Public Hearings/Decisions

- 1) **Public Hearing:** For a Conditional Special Use Permit application. The Applicants, Rick Perigo and Jessica Trask dba Perigo Butcher Shop, wish to use the facilities on the property for the slaughter and processing of livestock. The property address is 376 East Pinwheel Lane, Ely, Nevada, (Section 14, Township 16N, Range 63E). The Assessor Parcel Number is 010-490-09. The owners of the property are Andrew D. and April M. Bath.

Jessica Trask noted COVID has created issues with the butcher shops in White Pine County and wants to address that problem with her father. She appreciated the Board for their time as this is the next step in her process.

George Chachas has property near this location and is in support of this item. He asked if this location was previously zoned for a butcher shop and was it re-zoned? Andy Bath explained that things have changed and now the USDA gets the State involved with inspections and the County gets involved causing the process to start over for all intents and purposes. Mr. Chachas's concern is that this has changed hands and he did not feel people should pay for things that may have already been done. It was discussed that a Special Use Permit was never issued for this location. Carol McKenzie noted she may have paperwork about this at home.

- 2) **Discussion/For Possible Action:** Approval of a Conditional Special Use Permit application. The Applicants, Rick Perigo and Jessica Trask dba Perigo Butcher Shop, wish to use the facilities on the property for the slaughter and processing of livestock. The property address is 376 East Pinwheel Lane, Ely, Nevada, (Section 14, Township 16N, Range 63E). The Assessor Parcel Number is 010-490-09. The owners of the property are Andrew D. and April M. Bath.

Andy Bath abstained from voting on this item. Leah Brown voiced her support for this item. Ely City Attorney Leo Cahoon advised that this Commission needs to establish that this Special Use Permit will not endanger the general health, safety and welfare of the public. Jessica Trask advised that she has all her permits required for this type of business and added that the Dept. of Ag. will not issue a permit until this process is approved. Jason Bath asked about water contamination and the disposal of animal remains. In response, Mrs. Trask advised that they will only be able to do a certain number of animals each month, remains are taken to the city landfill, and water pollution is not an issue. Attorney Cahoon found that satisfactory. Mrs. McKenzie is in favor of putting a condition that the County be responsible to upgrade that road as much as possible. It was decided that this be a recommendation as opposed to a condition. There are 7 residences on Pinwheel Lane that use that one road and there is another road which is also unpaved.

Jason Bath moved to approve this Conditional Special Use Permit application with a suggestion/recommendation to the County Road Department to maintain and improve the road better than it is currently being done. Mrs. McKenzie made the second. Motion passed unanimously.

- B.** Discussion/For Possible Action: Approval of a Parcel Map. The applicant is J.C.R. Development LLC. The subject property is ¼ Section N 1/2, Section 14, Township 16N,

Range 63E. The general location of the property is the Park Addition, Park Avenue and Avenue M, East of Seventeenth Street, East Ely, Nevada (APN 002-271- 23, 002-271-24, 002-271-25).The purpose is merge and re-subdivide the parcels.

Buzz Rosevear, surveyor of record, addressed the Board. JCR is taking one lot out due to their floor plans not matching the parcels provided by the County. He passed around grading plans for the lots to the members for review. Jason Bath asked the Building Official, Lee Walker, if all parties are happy with these changes and Official Walker reported no concerns and advised that there is a house being built on lot 12 that had to be scaled back. It was explained that each of these parcels will be subdivided as they go down the row.

Mr. Chachas asked about the manhole and the street being built up to its level. Mr. Rosevear advised that the plan is to bring the grades of the street up to the finish grade.

Andy Bath moved to approve the parcel map and Jason Bath made the second. Motion passed unanimously.

C. Discussion/For Possible Action: Approval of a Parcel Map. The applicant is J.C.R. Development LLC. The subject property is ¼ Section N 1/2, Section 14, Township 16N, Range 63E. The general location of the property is the Park Addition, Park Avenue and Avenue M, East of Seventeenth Street, East Ely, Nevada (APN 002-271- 23 & 002-271-24).The purpose is merge and re-subdivide the parcels.

Buzz Rosevear explained that this allows the subsequent lots to be broken down to the 4 final lot sizes. He felt JCR is on track with building 3 houses in the first year as per the terms of the deed. He explained the size of the lots.

Andy Bath moved to approve the parcel map and Mrs. Brown made the second. Motion passed unanimously.

D. Discussion/For Possible Action: Approval of a Parcel Map. The applicant is J.C.R. Development LLC. The subject property is ¼ Section N 1/2, Section 14, Township 16N, Range 63E. The general location of the property is the Park Addition, Park Avenue and Avenue M, East of Seventeenth Street, East Ely, Nevada (APN 002-271- 24 & 002-271-25).The purpose is merge and re-subdivide the parcels.

Buzz Rosevear explained that this action will subdivide the remaining lots to the appropriate size into the final configuration.

Jason Bath moved to approve this parcel map and Andy Bath made the second. Motion passed unanimously.

E. Discussion/For Possible Action: Approval of a Parcel Map. The applicant is Intermountain Ranches LTD. The subject property is ¼ Section NW Section 2, SE Section 35, Township 22N & 23 N, Range 62E, Stage Canyon Estates, White Pine County Road No. 18, Nevada (APN 008-630-04, 008-620-05, 008-620-07 & 008-620- 06). The purpose of this map is

to merge and resubdivide the parcels.

Buzz Rosevear explained the original parcel map did not take into account topography or locations of roads. This change gives the applicants more access points to their property; this is only to reconfigure the lines to meet the County Road. Jason Bath asked about a 20 foot culvert in the plans and Mr. Rosevear explained it would be put in place during the permit and construction phase. A history of these parcels were discussed.

Mrs. McKenzie moved to approve this parcel and Jason Bath made the second. Motion passed unanimously.

F. Discussion/For Possible Action: Approval of a Parcel Map. The applicants are Bowman Family Trust and JB Family Trust. The subject property is ¼ Section SW, Section 19, Township 18N, Range 65E, 5495 North Duck Creek Hwy, Nevada (APN 010-200-23, 010-200-24, & 010-200-26). The purpose of this map is to adjust the Boundary Lines.

Buzz Rosevear explained the Bowman brothers acquired 2 parcels and built 2 homes and among them was another parcel. This is to just consolidate 3 parcels back down to 2 to allow them to be neighbors.

Mrs. Brown moved to approve the parcel map and Mrs. McKenzie made the second. Motion passed unanimously.

G. Discussion Only: Regarding Building and Zoning Codes within the City of Ely and White Pine County.

Mrs. McKenzie will bring back a suggestion on where to begin with updating the codes as opposed to waiting for someone to find one code that needs changed. She desired to fix codes that need to be fixed before she gets too old.

H. Discussion/For Possible Action: Approval of minutes from Regional Planning Commission meeting held on July 21, 2021

Andy Bath moved to approve the minutes and Jason Bath made the second; motion passed unanimously.

Public Comment

George Chachas asked at the last meeting for a complete list of permits given out to RVs and he has not received that. He noted a chip seal project on Ave. D with no curb, gutter or sidewalk. This Board cannot do things half baked, he asserted. He noted 687 Aultman Street with an atmospheric vacuum breaker low pressure backflow preventer that goes back to 2006. In 2020, he brought up that Mrs. McKenzie is not ADA compliant with her home. He reported a home on 318 Ely Ave. without a permit that is half baked that needs addressed. The Veterans Park walkway needs ADA access. He mentioned a notice dated 8/16/2006 from Mr. Allworth in regards to animal control when he was Mayor and he had a goat for a short time to eat weeds. He felt this Board does not adhere to rules and regulations. He complained about horses in city limits and asked why local

government pays the animal control officer if he does nothing. He advised that he went 30 times to get a building permit that he is willing to pay for. He wants answers and it won't be good for anyone if he gets stymied. Time was called.

Adjournment

Jason Bath moved to adjourn the meeting. Mrs. McKenzie and Mrs. Brown seconded the motion at the same time and the meeting was adjourned at 6:16 p.m.

REGIONAL PLANNING COMMISSION
WHITE PINE COUNTY
STATE OF NEVADA

BY:


CHAIRMAN

ATTEST:


CLERK OF THE BOARD