

IN A REGULAR MEETING OF THE REGIONAL PLANNING COMMISSION HELD ON
JUNE 17, 2020 IN THE COUNTY LIBRARY CONFERENCE ROOM IN ELY, NEVADA

The Following Were Present:

Regional Planning Commission

John Charchalis-Chairman
Jason Bath-Vice Chairman
Andy Bath
Leah Brown
Carol McKenzie
Brad Simpson
Jennifer Drew, Clerk of the Board

City and County Officials

Caroline Townsend-City Attorney

Also Present

Ben Peterson
George Chachas
Rod McKenzie
Blake Cook

Chairman John Charchalis called the meeting to order at 5:30 p.m. and Andy Bath led the Pledge of Allegiance.

Public Comment

George Chachas had questions about the new building being built at 1650 Avenue F between units A and E, and whether or not a building permit had been obtained and if the Will Serves for the water and sewer had been applied for. He also questioned the density factor and if a Variance had been applied for. Remodeling is being done at 318 Ely Avenue, and he again wondered if a permit had been obtained. He then stated that work continues to be done on the Centennial Choir Building siting the roof, the need of ADA access, and that the basement is being rented out to tumblers. The Convention Center Parking lot needs to be ADA compliant and he states that it is not. The stop sign on the corner of 5th and Lyons needs to be replaced. He commented on Carol McKenzie's sidewalk in Lund, stating that it is not ADA Compliant. He stated that at the ingress/egress on Avenue D and Highway 93 the concrete triangle needs to come out, as the stop sign has been ran over multiple times. The boulder had been pushed onto the sidewalk impeding passing, especially for those in a wheel chair. Curb and Gutter should be put back to 5 feet from the property line. He also addressed the Curb and Gutter in front of Van Camp's. Time was called at 3 minutes. No other Public Comment.

A. PUBLIC HEARINGS/DECISIONS

- 1) a) Public Hearing For a proposed Application for a Variance. The Applicants wish to move the house they are constructing forward 8', which is the depth of the porch. This would not meet the required setbacks. The property address and/or general location is the northeast corner of Avenue H and 9th Street East, Block

48, Ely, NV. The Assessor Parcel Number is 002-093-11. The Applicants are Jeremiah and Lisa Peterson.

Ben Peterson addressed the Board stating that they are wanting to move the house forward 8 feet due to how much the lot slopes, and that it would require a significant amount of backfill. There will be a basement. Only the width and depth of the porch would be protruding into the setback that is required. If the Variance is not approved, they would have to do away with the porch, which would impair the aesthetics of the house, and that architecturally it would look much better with the porch included.

Jason Bath inquired as to the size of the porch and how far the roof gable would extend out, which Ben Peterson replied that the porch was 16 feet by 8 feet, and that the gable extended out 2 feet. Jason Bath commented that he was familiar with the property and how significant the slope of the property is, which would require an extreme amount of backfill. Carol McKenzie inquired about the alley way that goes behind the houses farther to the East, and the egress from that alley with the power lines there. Ben stated that there was enough room for the vehicles to pass. He also commented that this was going to be their retirement home to be near his family. Jason Bath and Carol both recognized the challenges of building on that lot. Jason Bath also stated that most of the homes in the neighborhood were older homes and had front porches. He felt the porch would be fine, as it is not a livable area of the house, and would make it pleasing to the eye, not to mention that it would be much safer to not have to have so much backfill and alleviate possible compaction issues in the future. Andy Bath and Leah Brown agreed. Leah Brown stated that she was going to abstain from voting due to an ongoing legal investigation involving Sheriff's Deputy Jeremiah Peterson and herself. John Charchalis stated that he did not see any issues with utility easements. George Chachas then addressed the Board stating that a family member of his had received the letter regarding this Variance, and that his family does not have an issue with it and encouraged the board to pass this. John Charchalis asked for any other comments, then closed the Public Hearing.

- 1) b) Discussion/For Possible Action: Approval of a proposed Application for a Variance. The Applicants wish to move the house they are constructing forward 8', which is the depth of the porch. This would not meet the required setbacks. The property address and/or general location is the northeast corner of Avenue H and 9th Street East, Block 48, Ely, NV. The Assessor Parcel Number is 002-093-11. The Applicants are Jeremiah and Lisa Peterson.

John Charchalis asked if there was any further discussing. Hearing none, Carol made a motion to approve the Variance, and a second was made by Jason Bath. The vote was called for and passed 5-0 with Leah Brown abstaining.

- B. Discussion/For Possible Action: Approval of the 2019 update of the 2006 Water Resources Plan Book.

Rod McKenzie, Chairman of the White Pine County Water Advisory Board, gave a history of the water Plan, and the process that had taken place to update the Water Resources Plan Book. He stated that this becomes part of the Master Plan. Their Board approved it, and if

this Board approves it, it would then go before the County Commission for their approval as well. Once they approve it, then it will be published. Andy Bath had questions concerning the Bassett Lake development noted in the book. Rod McKenzie did not know the details of the project and how long ago that it may have been. Andy Bath said he felt that it could be a very valuable resource. George Chachas added that Bassett Lake was formed as a backup resource for the Kennecott Mill. Sometime in the 80's or 90's there was an agreement between Kennecott and the Nevada Department of Fish and Game. He stated he was unsure as to whether Kennecott gifted it or if there was some kind of a working agreement for it to be used as a recreation area. Jason Bath felt it may have been closer to 2000 that Judge Papez was looking into acquiring the water and some of the land to make a larger recreation area. He would love to see the project rekindled. Andy Bath also inquired about previous discussions of the dams, which was not included in the book. There has been discussion of the dams needing repair, and felt that it was something that needed to be factored in for financial impact. He referred to the Cave Lake Project possibly taking up to two years and the financial impact it is having. John Charchalis remarked that as a matter of catchment goes, it is critical to the problem outlined in the book, with the evaporation of the resource. It is a high number in the book, so the greater they could increase the ability of catchment for resources, the better. If they could do that and increase the recreational areas, then it could perhaps lead to better roads to these areas. Brad Simpson commented that NDOT was looking at the expansion of Commins, and wondered if that was still feasible to expand the dam and raise the water levels, as NDOT did not want to spend the money. Rod McKenzie stated that NDOW has a plan, but the money has not materialized for them to do that, and what the project would involve. He doesn't believe it is even in the talking stages anymore, due to cost issues. Jason Bath commented on the feasibility studies and the evaporation. He would love to see the resources used to our benefit and bringing in more recreation. Rod McKenzie pointed out Chapter 8, which encourages the County to have a Natural Resources position, dealing with all of the natural resources. He stated that there is a movement in the county to join the Water Advisory Board with PLUAC and having one meeting. There would be one person hired to be in charge of the natural resources, as water is just one part of the natural resources that we have. Once the mining is gone, we are going to be relying on them more. Leah Brown inquired as to where the funding would come from to fund this project, and if it was just the Department of Taxation funding it. Rod McKenzie stated that some of the money the County Commission had budgeted for attorney fees for SNWA would now go toward the contract of the person that will be acting as the National Resource Advisory for the County. He will report directly to the County Commission. John Charchalis asked if the items that Andy Bath and Jason Bath had mentioned about dams would fit into the water resource plan in Chapter 8. Rod McKenzie stated that yes, Chapter 8 was an outline. Andy Bath then asked about the well head protection, stating that some of them had been done by the County, but wondered if there were plans to complete them all. Rod McKenzie stated that Chapter 7 outlined the monitoring of the water and how it is done. Andy Bath made a motion to approve the 2019 update of the 2006 Water Resources Plan Book. A second was made by Leah Brown. The vote was called for and passed unanimously, 6-0.

C. Discussion/For Possible Action: Approval to set future meetings of the Regional

Planning Commission for the purpose of revamping zoning and other regulations that are outdated.

City Attorney, Caroline Townsend stated that Deputy District Attorney Bryan Pyle and herself like the idea of working to revamp the zoning. They feel it would be beneficial if there were certain issues that each of the Board Members saw individually, they should come to either herself or Attorney Pyle. This way they can address it and draft up a redline Ordinance to start the conversation at the meeting, instead of having a meeting where they have maps everywhere and discussion throwing everything together. They do not feel that having additional meetings would be beneficial. The Board again discussed wanting to be able to change the Assessor's website to include both the Assessor's Land Use Code, and the City and County Zoning Codes on the same page as the property information. It was reiterated that it was an issue of manpower to be able to do so, and that the Assessor's Use Code is basically for the Assessor's use only for taxation purpose, not for zoning. The Zoning is the Code set for by the City and the County which dictates what the land can or cannot be used for. Carol McKenzie stated that she has the old zoning regulations. She spoke of the situations in Lund with the zoning of the properties and animals, and that it was inconsistent as well. She would like to figure out what things need to be fixed and fix them. City Attorney Townsend stated that they thought it would be more beneficial for the Board Members to reach out to Bryan, herself, or Brad Christiansen, depending on where the property is located. They could then create an agenda item a little more fully developed to bring to the meeting, instead of talking about a zoning during the meeting and nothing gets accomplished. They can then bring it back as a modified ordinance or draft at the next meeting. John Charchalis suggested addressing it by each geographical block of area. Brad Simpson stated he was liking Attorney Townsend's idea and that he or another Board Member should sit down with Brad Christiansen and Attorney Pyle to determine what would be the best way in the future to come up with a solution for some of the areas. Attorney Townsend stated that she doesn't feel that this warrants extra meetings, and that it would not be the best use of everyone's time to discuss the zoning issues at the meetings, as any changes that would have to occur would need to go through Attorney Pyle or herself to draft those changes. Leah Brown commented that what is happening now is a repercussion of not planning ahead, and that is something to keep in mind for future development. Carol McKenzie stated that most of the zoning was done in the 70's and things have changed drastically since then. She felt if everyone had a copy of the current zonings and knew what the regulations were, that they could mark them up and talk to the Attorneys from there. Brad Simpson asked if the ordinances and maps were on the websites. Attorney Townsend replied that the ordinances are on the websites, and that the Assessor's site does have a zoning map. Clerk Jennifer Drew commented that the zoning for the County is on the GIS website, but isn't completely accurate. The site says to call the Building Department for verification. The City zoning map is not online, but on a map in the Building Department. She also reminded the Board that she had previously sent links for both the City and the County to all of the Board Members, in which they can look up the zonings and the definitions. Brad Simpson moved to table the item and Jason Bath provided a second for the motion. The vote was called for and passed unanimously, 6-0.

D. Discussion/For Possible Action: Approval of minutes from Regional Planning Commission meeting held on May 20th, 2020.

No changes were made. A motion was made to approve the minutes by Leah Brown, and a second was made by Andy Bath. The vote was called for and passed unanimously, 6-0.

Public Comment

George Chachas stated that the taxpayers had paid thousands of dollars for a sound system that they need to start using, as some people talk softly and people can't hear. He commented that at a previous meeting regarding zoning, Burton had told them that money was the issue, not that he didn't understand them. The zoning map on the website is blurry. He then addressed the ingress/egress issue on Avenue D, and the stop sign. He then sited that there was an issue on Avenue F, where a County Commissioner has an office. Commercial areas should be 5 feet from the curb and should not have grass and signs on them. His next concern was about a boat that is within 25 feet of a playground, with broken glass. He feels it is an attractive nuisance. Next, he spoke of the offensive signs at Big 8 Tire. George then stated that there are ordinances regarding animals within the city limits. He had the last three month of reports from the Animal Control Officer, and no citations had been issued by the Animal Control Officer in regards to horses. Time was called at 3 minutes.

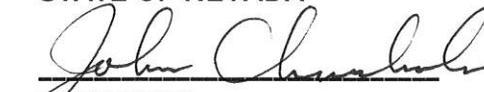
No other Public Comment was given.

Adjournment

Motion to adjourn was made by Leah Brown, and seconded by Carol McKenzie. The vote was called for and passed 6-0. The meeting was adjourned at 6:52 p.m.

REGIONAL PLANNING COMMISSION
WHITE PINE COUNTY
STATE OF NEVADA

BY:


CHAIRMAN

ATTEST:


CLERK OF THE BOARD