

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
December 7, 2021 AT 3:00 P.M.**

MEMBERS PRESENT

Byron Alsup (Chairman)
Mark Masar
Larry Brown
Larry Baker
John Hamrick
Gardner Fey

STAFF PRESENT

Mica Simpleman, Director
Joanne Kohl, Office Manager

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**

October 5, 2021 Planning Commission Meeting

5. **UNFINISHED BUSINESS**
6. **NEW BUSINESS**

A. SRU 21-004 Echoland

The applicant, Andy Neinas, on behalf of Echoland, LLC, is requesting Special Review Use Permit approval for eight (8) glamping structures and rental house on 16.16 acres located at 45120 W. US Highway 50, Cañon City and is zoned Agricultural Rural.

Representative: Alex Ewers

B. SRU 21-003 Rocky Mountain Way Extreme

Rocky Mountain Way Extreme, LLC, is requesting Special Review Use Permit approval for an off-road vehicle riding club and training facility for dirt bike riders generally located ½ mile on the east side of Phantom Canyon Road, approximately 6 ½ miles north of US Highway 50 and is zoned Agricultural Forestry.

Representative: Dr. Angela Bellantoni

C. SRU 21-002 Phantom Canyon RV Ranch Major Modification

Fremont RV & Resort Club, LLC, is requesting a major modification to existing Special Review Use Permit SRU 20-001 for twenty (20) additional travel self-contained trailers, modification of operational characteristics, installation of an on-site wastewater treatment system (OWTS), reduction on recreation area, the addition of 23,476 square feet of storage areas and structures on 29.79 acres located at 505 County Road 67 in Penrose and is zoned Agricultural Forestry.

Representative: Dr. Angela Bellantoni

7. ADJOURNMENT

1. CALL TO ORDER

Chairman Byron Alsup called the meeting to order at 2:59 p.m.

2. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

A. Mr. Alsup takes a moment of silence in remembering former Planning Commissioner, Michael Pullen.

3. APPROVAL OF AGENDA

Chairman Alsup asked if there were any changes, additions or corrections to the December 7, 2021 Fremont County Planning Commission Agenda.

MOTION

Mr. Mark Masar motioned to accept the December 7, 2021 Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Gardner Fey seconded the motion.

Chairman Alsup called for a roll call vote, and the motion passed unanimously. (6 of 6)

4. APPROVAL OF THE OCTOBER 5, 2021 PLANNING COMMISSION MEETING MINUTES

Chairman Alsup asked if there were any changes, additions or corrections to the October 5, 2021 Fremont County Planning Commission Meeting Minutes.

MOTION

Mr. Larry Brown motioned for approval of the October 5, 2021 minutes.

SECOND

Mr. John Hamrick seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously. (6 of 6)

5. UNFINISHED BUSINESS

None

6. NEW BUSINESS

A. SRU 21-004 Echoland

Chairman Alsup called Mr. Alex Ewers to present.

Mr. Ewers stated that Echoland will be looking at expanding their glamping operation further south. They obtained a parcel just south of their current parcel and are going through the SRU process with the hope of being able to use this parcel to expand their glamping operation on.

Chairman Alsup asked for any further questions or comments and then called on Director Mica Simpleman to give his staff report.

Director Simpleman stated that the department has reviewed the application and found it to be in compliance with the requirements of the Fremont County zoning resolution. Staff recommends the approval of the SRU application with the following contingencies. Relocate the norther two glamping site in accordance with the 50-foot front setback requirement.

Update the General Operational Characteristics note section on the SRU Site Plan to include a note that all roadways and walkways within travel trailer park and campgrounds shall be lighted at night to provide safe access.

Update the General Operational Characteristics note section on the SRU Site Plan to include a note that the Service Building that is equipped with bathroom facilities located on the Royal Gorge Cabin property to the north is utilized to fulfill the Service Building requirement of the Echo Canyon Glamping Development.

Refuse Plan parameters be included as a note under the General Operational Characteristics on the SRU Site Plan.

The application shall show communication and/or CDOT access permit and the recorded easement for access through 45126 SH 50 be provided. The cistern system on the northern adjoining property of common ownership shall be expanded to service the proposed sites and a note under the General Operational Characteristics on the SRU Site Plan.

Address all redlined comments on the Special Review Use Site Plan.

Prior to Board of County Commissioner public hearing, the applicant shall secure Fire District approval of all fire protection requirements, roadway design and layout, and related construction features from the Cañon City Area Fire Protection District.

Chairman Alsup opens it up to the commissioners

Mr. Fey states that he notices discussion about the roadway lights and from a safety standpoint, do the rest of the roads have the low light?

Mr. Ewers replied that currently the existing development does not have light around the glamping area. He states the whole idea is to find that sweet spot between camping and staying in a hotel. So, by not having those lights, it gives the operation the feel that they are aiming for and helps with their clientele.

Mr. Fey states if this were to pass with that contingency you would just have the lights in the new section and still not in the old?

Mr. Ewers answers, correct.

Mr. Masar asks about the question about the access road from Dickson Lane and it doesn't actually show it connecting, how is that working on the back side there?

Mr. Ewers says the intent was to go there but its not a very high use area. That access will also only be used for staff and potentially an emergency access.

Mr. Hamrick states he's concerned about the requirements for the lighting, something that should be addressed.

Chairman Alsup also agrees. He suggests using small solar lighting to light the way at night but they don't take away from the night sky with just enough light to walk safely, so consider that.

Mr. Brown also agrees with that lighting idea, its low to the ground and won't be very obtrusive and yet it will at least light up a little bit so people won't be tripping all over each other. Just a suggestion.

Mr. Ewers replied, absolutely.

Chairman Alsup says they are asking for a waiver on the lighting, and the 30ft access road width vs. 32ft which seems reasonable, and they are asking for a variance on the full drainage report.

Mr. Fey makes a motion to approve SRU 21-004

Mr. Ewers asks if he may discuss the first variance request before there is a vote. The first to relocate the northern 2 glamping sites in accordance with the front set back requirement. Want to have the feel of one continuous property.

Mr. Masar would agree but states to Director Simpleman , that request would go to BOZA to get a variance on the 50ft.

Director Simpleman states that yes that variance will have to go through BOZA.

Mr. Masar asks if they can change the contingency to say contingent upon approval by BOZA?

Director Simpleman states, yes, they would have to apply for a variance.

MOTION

Mr. Fey motioned to approve **SRU 21-004 Echoland** with the stipulation that contingency #1 would be subject to approval by BOZA and that #2 to leave the light design up to the discretion of the owners though they do need to put some sort of light down there.

SECOND

Mr. Baker seconded the motion

Chairman Alsup called for a roll call vote and the motion passed unanimously (6 of 6)

B. SRU 21-003 Rocky Mountain Way Extreme

Chairman Alsup called Dr. Angela Bellantoni to present.

Dr. Angela Bellantoni introduces the Planning Commission board to the owners of Rocky Mountain Way Extreme, Ashley and Rodrigo Lopes. They purchased 4, 40 Acre lots in the Phantom Canyon Wilderness Estates. Which is north of the Phantom Canyon Estates. Access was one of the challenges which the Lopes' hired Mr. Mark Olsen, Attorney from Pueblo County, to review the access agreements and the covenants for the access because it is not a county road.

Slideshow

Dr. Bellantoni stated that up the 160 acres, the Lopes' would like to include the two, 80 acres in the SRU application. The access was a challenge and this is why, in 1988, when Phantom Canyon Estates was established and the access road was established through the lots in the subdivision as a private easement for the property owners to use, initially the legal descriptions weren't quite correct. The easement now allows for a 25ft easement through the properties up from the county road. The final connection from the end of Wilderness Road on the very north end due west, that's a 100ft right of way into which a 30ft road can be built.

Dr. Bellantoni states that the covenants also have in them, from document # 556163, in the Planning Commissioners Packets, recorded on December 29, 1988, item #12, in the covenants for Phantom Canyon Estates, says that owners of lots in Phantom Canyon Estates understand and are aware that the declarant owns or may own real property outside of but adjacent to the property included in the descriptions, exhibit C, said owners understand that said acreage may be developed for commercial business and or recreational uses and agree as a condition of purchasing their lots in Phantom Canyon Estates, not to oppose the development of said acreage for such uses.

Dr. Bellantoni states that this application was originally submitted to the Planning Department on June 21, 2021. Dr. Bellantoni said she understands and has read the staff report and she respectfully request that the Board consider not continuing but rather approving with contingencies. She stated it has been 6 months getting this application here to the Board.

Dr. Bellantoni states that site development needs to be improved, as required, so that patrons can get to the park. Mr. Lopes began improving the road on October 3rd, 2021. The utilities at the site will be an onsite septic tank and a drainage plan from 3 Rocks Engineering in approximately 60 days. Which falls within the 180 days contingency requirement. Mr. and Mrs. Lopes would like to install a cistern system as opposed to a well. Very little electricity will be needed, so they will

try to use solar or a small generator. The Member Service Building, is the one and only building on the site, it will contain a first aid station, fire extinguisher, restrooms and it is a place to shelter in the event of sudden inclement weather, if somebody gets hurt, or needs to get out of the heat. That would be the place they would go. There are 2 parking areas that have been designed for someone with a truck or a truck pulling a trailer with motor bikes to pull directly into. There are two types of trails on the site. The bike trails really get to use the natural rugged terrain. The perimeter road is on the site plan as discussed with Mr. Kroll (Fremont County Search and Rescue/Emergency) as well and will be developed to accommodate the emergency vehicles and to allow for site maintenance, the entrance will be gated.

Dr. Bellantoni states that 2 things that appeared in this staff review on November 29th, 2021 were the emergency response plan and a wildlife mitigation plan and were first mentioned as being required. Mrs. Lopes has drafted one. If more detail is needed for an emergency plan, the Lopes' understand that because of the nature of the use and the recreational activity, that a formal plan needs to be sent out to Ambulance, Fire, and Sherriff so they know exactly who to call and how to contact them.

Dr. Bellantoni calls on Mrs. Lopes to speak

Mrs. Lopes shares what Rocky Mountain Way Extreme is and explains what this park will do. Rocky Mountain Way Extreme was started about a year ago by her husband, Rodrigo Lopes, who is a professional hard enduro dirt bike racer, ergonomist and an agricultural engineer. The property they purchased outside of Phantom Canyon will give the ability to offer coaching, training and clinics to amateur racers and to do that in a safe environment. This is not a sport practiced at high speeds, this is a sport that is practiced on extreme obstacles. It is a technical sport to be used for hard enduro and trials. A family friendly sport, a healthy lifestyle sport. It is not a fast- paced injury prone sport. The operations of the park, the idea is from dawn to dusk. Race season is typically in the late spring and summer months. Weekends where members would reserve the ranch for use. Mrs. Lopes states that they would be strictly enforcing restrictions on alcohol and substance use by not allowing it, there will be signage posted regarding these said rules and regulations. They will maintain the road and will not use during or after inclement weather. Mrs. and Mr. Lopes have chosen Fremont County because this is where their community said they want to ride, they want to provide a safe, legal tailored option for them to practice this extreme sport. They are passionate about supporting other small business. They plan to offer discount activities within the community.

Mrs. Lopes states that she respectfully disagrees with some of the accounts in the emails as not being accurate. They did have a clinic on the property when they first purchased it, they were under the understanding that was allowed, which was a misunderstanding on their part. They also spoke with neighbors about using their property for that and were given permission. Haven't used their property commercially since April, 2021.

Chairman Alsop asks Director Simpleman to give the staff report.

Director Simpleman states that Having found the application is deficient and numerous contingencies requested, staff recommends **continuance** of the Special Review Use Permit application until such time all required submittal documents are submitted and approved, and recommendations contained in this report are addressed.

Mr. Hamrick states that Dr. Bellantoni has requested that this be approved with contingencies and is unsure what contingencies she's questioning.

Dr. Bellantoni states, the onsite water treatment (septic tank) and the drainage plan. Those are the two contingencies. Mrs. Lopes just provided the emergency plan and the wildfire mitigation plan. Mr. Kroll (Fremont County Search and Rescue) submitted remarks on September 1, 2021. It contained the aspects of management that needed to be done onsite. Issues have already been addressed in the site plan.

Mr. Alsup allows comments

Mr. Slater, Attorney representing Duane Bauer, states that this application is facially deficient on nearly every level. No dust control measures listed in the application. No noise control measures, no visual impact control measures, no wildlife protection control measures, no water way protection measures, these things are on the application and was asked of the applicant to provide. In the roadway analysis, question # 33 was not answered. Asks the Commission that they provide an engineered traffic analysis, which they have not yet provided.

Chairman Alsup opens the floor for comments from adjoining neighbors.

Chairman Alsup calls Mr. Ballentine

Mr. Ballantine represents the home owners of Red Rock at Beaver Creek, 74 home owners, about 50 are part-time or full-time residents. Didn't see if the access was off Phantom Canyon or CR 132. Got a clarification that the access is off CR 132. Their concerned with the increase of traffic on CR 132. Concerned about the road maintenance with increased traffic.

Chairman Alsup calls Mr. Shawn Nash

Mr. Nash deeply concerned about the traffic. The road is one way in and one way out. Worried about noise. Would like some kind of a noise abatement done. Fire risk is real. Dust is bad out there. He is concerned about road maintenance as well.

Chairman Alsup calls Eric Kruger

Mr. Kruger starts by passing out photographs in regards to the trails, trees cut on his property and road damage. He is Chairman of the Covenants Committee in Phantom Canyon, he states that Mr. Lopes did not ask for any covenant's approval on anything. Mr. Lopes and his clients ignored his no trespassing signs and multiple people went through his property, they opened up the gate to his residence, rode through his residence multiple times.

Chairman Alsup calls Michael Floren

Mr. Floren, US Marine Corp Veteran, states he is against Rocky Mountain Way Extreme for a few reasons, (hands out 2 maps) for trespassing on his property and no visual barriers.

Chairman Alsup calls Michael Masee

Mr. Massie states GPS tells the access as being off CR 132, road is a sand and dirt road, feels Mr. Lopes will turn their neighborhood into a noisy, congested busy neighborhood.

Chairman Alsup calls Mr. Randy Kidd

Mr. Kidd hands out photos of what the road really looks like, that Mr. and Mrs. Lopes drive through his property to get to theirs and stirs up all kinds of dust. Mr. Kidd states his son mentioned there is a lot of uranium mining in that area, how much of that contaminant is on the soil, how much gets kicked up and how much do they have to breathe in. Is this going to cause more of a health concern?

Chairman Alsup calls Karen Montanez

Mrs. Montanez States the way the GPS lists directions, dead ends at her property, at her front door. She has had to give directions to people on how to get back out and get to CR 132. Her biggest concern is her son and her neighbor's two girls play outside and people are not being courteous on how small these roads are and how fast they are driving. She states they are being met with the possibility of constant traffic every day.

Chairman Alsup calls Carrie Taylor

Mrs. Taylor states her concerns are that they are taking their bikes and racing them all the way through Phantom Canyon Estates and going up on Wilderness trail. She reminds the Board of the right to farm and ranch policy. Her cows have been on her and her husband's land for over 25 years where they freely graze. Mr. Taylor states that they are parking their vehicles down on the corner and they race through the canyon going through three sides of their property with those bikes. She states everybody parks their campers down at the front gate. Mrs. Taylor states the Lopes' talked about not having classes and on April 24, 2021 yet Mr. Lopes put signs out on the road, people camped on Mrs. Taylor's property as well. She has photos of the event. Says the Lopes' also did a coaching class in May, October and November, 2021. Showed pictures posted all over the Rocky Mountain Way Extreme Face Book page.

Mrs. Taylor states CR 132 has a one lane bridge that is the only way in and only way out and there are concerns about the safety of the bridge with that much traffic going through.

Mark? comes up to speak about Fire being a concern. He has maintained the roads there for 20 years. Way too much traffic.

Susan Clagston speaks regarding the Roadway Access form and having only 30 proposed trips up to their property per day. She says where it asks on the form in regards to CR 132, "do you see any potential hazards"? The answer was no.

Chairman Alsup opens up for questions from the Planning Commission

Mr. Hamrick addresses Director Simpleman, stating that there has been some road construction between September and November, has there been a further site inspection since the August 25th inspection

Director Simpleman replied no

Mr. Hamrick states that staff does not know if new construction has been started up there or not

Director Simpleman states that is correct.

Mr. Hamrick states they have heard testimony about the August 25th date and that there have been commercial activities being conducted out there in April, so Mr. Hamrick asks Director Simpleman did he know if the August 25th site inspection identified any current commercial uses of the property.

Director Simpleman replied he doesn't believe so

Mr. Masar has a question for Mrs. Bellantoni regarding the 2 different covenants and if she could address the differences in those 2 packets.

Mrs. Bellantoni states there are 2 different covenant packets. One for Phantom Canyon Estates and one for Phantom Canon Wilderness Estates. Confirms there are two separate documents. Handled by the Lopes' attorney, Mark Olsen. She also addressed and clarified the roadway impacts, CDOT's average trips are average trips per year.

Mr. Brown speaks about the agenda criteria for a SRU that has to be adhered to and as such there have been a number of items that need to be ok'd by the Board and a couple of them have already occurred and been done. Seems it may be a problem approving an SRU based on the criteria that they have to adhere to.

Chairman Alsup agrees that this SRU satisfies the criteria probably less than any he has ever seen. States it is really hard for him to vote for this. There are so many issues, access, fire hazard, water, the inability to conduct the test necessary because of the access. There are so many things here, he is either looking against it or continuing it. He states that the applicant does not want to continue it, they are looking for an up or down vote today.

Mr. Fey states, this is tough, understands what Rocky Mountain Way Extreme is trying to do, having ridden dirt bikes himself for 55 years. He also understands the problems they can create, especially in this environment with dust and with the way noise bounces. Doesn't know if they can go forward today with where they are until they mitigate some of these issues.

Chairman Alsup replies if they do continue it, it can only be for one meeting and will have to be addressed at the next meeting and doesn't know if these issues can be resolved in 30 days. He lets Dr. Bellantoni know she might want to talk to her client, Mr. and Mrs. Lopes.

Dr. Bellantoni states Mrs. Lopes would like to know what action the Board would like them to address if it were to be continued in the next 30 days.

Chairman Alsup replies that there are multiple things that the staff listed in their report. The neighborly complaints have not been addressed yet either.

Mr. Masar states the access road weather or not it's in the 100ft where it's supposed to be.

Mrs. Lopes States that it has been addressed and they have provided legal documentation and consulted an attorney that says they are within their legal rights.

To address the neighbors' concerns, she states this is new and different, dust is a concern, signage would help tremendously, (visitors to be advised of grazing, not speeding, private roads). They are trying to be friendly and compliant and they want to give the Board everything they need.

Mrs. Lopes states that she was not comfortable accessing their property for several months, her husband encouraged her to come up and hike to the property to see it for the first time without a road, their car was surrounded by several vehicles while they were hiking and she felt extremely threatened, scared and very emotional and crying.

Mr. Lopes holds up a map showing where his property is. Showing that the area above his is 87,000 acres of BLM land, beneath is 1,000's of acres and no one lives there. He chose to purchase where he did to not bother anybody. His property is to the south of the mountain so the sound goes up and stays in the canyon.

Chairman Alsup asks Director Simpleman to address some of these issues and if he thinks this can be resolved by next month.

Director Simpleman replies he wishes he could give the Board a clear answer on that, he really doesn't know if it can be resolved in the 30 days. States he just received the emergency plan 24 hours before this meeting, so it hasn't even had a chance to be looked at by Mr. Kroll (Fremont County Search and Rescue/Emergency). He states he does believe there are a lot of concerns, he does not know if it can be done in 30 days or not.

Dr. Bellantoni replies, it is a 30 day continuance, they have engaged 3 Rocks Engineering, the cistern and it seems to her the dust and road issue is the access road, not necessarily the trails through the property but the vehicle traffic through CR 132 and up. Perhaps if there was a roadway development memo from 3 Rocks Engineering and some best practices. Signage could fix a lot of the traffic but signage can't be posted until this is approved.

Mr. Hamrick asks Director Simpleman if there is a document that lays out each contingency that staff has identified that needs to be addressed?

Director Simpleman replies, no. Basically what's in the staff report and any contingencies that the Board would think would need to be in there.

Mr. Hamrick suggests if staff could prepare such a document that may provide a path for this to move forward.

Chairman Alsup says there is one other option, before the Board makes a motion. If The Lopes continue to work with staff on this, it would give them up to 90 days instead of 30 days.

Dr. Bellantoni states that Mr. and Mrs. Lopes give consent to resubmit an amended application and reset a public meeting again, and in those 90 days period, Director Simpleman will come up with a bulleted list and they will sit down with staff and have a meeting as soon as possible to concur on the topics.

Chairman Alsup says the 90 days will put them at the March 1, 2022 meeting.

Ms. Jackson states that it is subject to an earlier meeting if its ready.

MOTION

Mr. Masar motioned to continue this to the March 1st meeting

SECOND

Mr. Hamrick seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously (6 of 6)

C. SRU 21-002 Phantom Canyon RV Ranch

Chairman Alsup brings meeting back to order

Dr. Bellantoni, Introduces the Board to Mitch Slatin and his new partner Sagar Singh. History, March 10th, they were here at the BOCC meeting, was unanimously approved, the contingencies were submitted to the planning department on August 20, 2020 with a return receipt email from then Director, Sean Garrett. On April 13th, the project was brought back before the Board because of some challenges. On April 29th, there was a meeting and the discussion was what needs to be done to fix this. First thing was that the applicant was not to do anything to the property until such time as a major modification application was submitted and went through the review process. The change to this is to add 20 spaces to the existing 40 spaces, to extend the lease up to 89 days stays and to add a designated RV storage area, utilities are 2 each RV hookup (water, sewer, electricity), gravel mixed with asphalt has made a decent roadway.

She recalls in the SRU they had approved a two-year window to build their bath houses, which was found not to be on the site plan for the one that was approved, so they had to modify the site plan in a way to put the bathhouse on there and to accommodate the 60 spaces and the bath house. The owners have learned that over the last year and a half is that they do need a security person. They have established 2 security sites. It is just a space with electric, septic and water hook-up for the host camper who chooses to perform that duty can pull their RV right in that spot.

In this review now on November 29th, the parcel boundary is back to 69 acres. She now addresses the issues from the staff report. Applicant willing to do all that staff is requesting.

Mr. Hamrick confirms with Dr. Bellantoni that she does have the staff report and the recommended contingencies. He confirms that the applicant is asking for the removal of E, asking for some modification of #7, deletion of #10 & #11 and modification to #19 & #20 both.

Mr. Hamrick asks Dr. Bellantoni what would she suggest.

Dr. Bellantoni replies that the applicant cannot begin use of the new 20 spaces until the issues mentioned earlier are done.

Mr. Masar replies he has a problem with that because if it takes them 5 years to build the bathrooms, it's already been a year and a half. The Board would like a date on the bathrooms being built.

Dr. Bellantoni recalls that the date from the original SRU gave the applicant until March 10, 2022. The Board agrees to stick to that date and the applicant agrees.

Mr. Hamrick asks Director Simpleman about #11, the pole lighting, Director Simpleman had suggested 4 months, can it be 6months?

Director Simpleman replies, by regulations they actually do have 6 months to complete it. He is giving them 6months. This is a contingency item.

The Board agrees to eliminate #11, as long as its on the site plan.

Director Simpleman gives staff report. He wants to make sure everyone is clear as to why there are time frames put on these things. The applicant was originally seen in March of 2020, they had all the contingencies except for the bathroom, those things should have been completed before the April 2021 meeting.

Applicant Mitch Slatin replies that they were told to not do anything, they did not have any permission.

Mr. Hamrick brings up what a potential motion they might hear would be as follows:
To approve SRU 21-002 with the deletion of item #2E, with the deletion of #10 & #11, and change the word Species in #19 & #20 to the word Genes.

Mr. Maser mentioned that they had talked about removing # 4 also.

Dr. Bellantoni states that #7 puts back in March 10, 2022. Bathrooms

Chairman Alsup want to discuss the clearly over 10year old RVs that are out there and they are in terrible condition. There are a lot of sites there that are junky and it does not look at all like the plan Mr. Slatin first brought to the board a couple years ago.

Mr. Slatin states that the rigs on the site that may have faded paint but on the inside are brand new and have been fully remodeled, don't want any rig there that will be an eyesore.

Mr. Masar has another contingency regarding the water system, when you go above 25 taps or 25 patrons, you become a public water system. The applicant will have to get with public health, and will have to become a public water system and will also have to take the test and become an operator.

Mr. Slatin states they are working with Kate Morrell and they are compliant with the state currently. They are exactly who and what they should be.

Mr. Wyatt Sanders states that because the water is being bought and hauled and put into a cistern and it is included in the park rental fee they are not charging for water. The water is supplied to the area so the state doesn't get involved.

MOTION

Mr. Hamrick moves to approve SRU 21-002 Phantom Canyon RV Ranch with the contingencies, with the exception that #2E be deleted, #4 be deleted, that #7 read "Shall be completed by March 10, 2022, #10 & #11 be deleted and that #19 & #20 be modified by changing the word Species to Genes.

SECOND

Mr. Fey seconded the motion.

Chairman Alsup called for a roll call vote and the motion passed unanimously (6 of 6)

7. ADJOURNMENT

Chairman Alsup adjourned the meeting at 5:44 p.m.

CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

DATE

Mr. Slatin states they are working with Kate Morrell and they are compliant with the state currently. They are exactly who and what they should be.

Mr. Wyatt Sanders states that because the water is being bought and hauled and put into a cistern and it is included in the park rental fee they are not charging for water. The water is supplied to the area so the state doesn't get involved.

MOTION

Mr. Hamrick moves to approve SRU 21-002 Phantom Canyon RV Ranch with the contingencies, with the exception that #2E be deleted, #4 be deleted, that #7 read "Shall be completed by March 10, 2022, #10 & #11 be deleted and that #19 & #20 be modified by changing the word Species to Genes.

SECOND

Mr. Fey seconded the motion.

Chairman Alsop called for a roll call vote and the motion passed unanimously (6 of 6)

7. **ADJOURNMENT**

Chairman Alsop adjourned the meeting at 5:44 p.m.

VICE CHAIRMAN - [Signature] 1-4-2022
CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION DATE