

The Lander County Planning Commission met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada, on August 10, 2011 at 3:00 p.m.

**PRESENT: JOHN WILLIAMS, JR., CHAIR**  
**JOY BRANDT, BOARD MEMBER – via Teleconference**  
**KIMBERLIE DAVIS, BOARD MEMBER**  
**MONTE PRICE, BOARD MEMBER**  
**DAVID MASON, COMMISSIONER**  
**ANGIE ELQUIST, DISTRICT ATTORNEY**  
**GINA LITTLE, COMMUNITY SERVICES OFFICER (Non-Voting Liaison)**  
**DONNA J. BOHALL, EXECUTIVE SECRETARY**

**ABSENT: LOUIS LANI, VICE CHAIR**

The meeting was called to order by Chair John Williams.

Mr. Williams led the Pledge of Allegiance.

Let the record reflect the presence of a quorum of four Commission members.

#### **APPROVAL OF AGENDA NOTICE**

Ms. Davis moved to approve the Agenda Notice, as posted. Seconded by Mr. Price, the motion was voted and carried unanimously.

#### **APPROVAL & ACCEPTANCE OF MINUTES**

##### **Regular Meeting of July 13, 2011**

Ms. Davis moved to approve the minutes of the Regular Meeting of July 13, 2011, as presented. Seconded by Ms. Brandt, the motion was voted and carried unanimously.

#### **CORRESPONDENCE**

There was no correspondence for the Board's review.

#### **PUBLIC COMMENT**

There was no one present for public comment.

- 1) **Discuss and approve/disapprove the following Special Use Permit request:**

Applicant: Victoria Resources (US), Inc.-Victoria Gold Corporation  
Location: T29N, R42E Sec 25, 35, 36; T28N, R42E Sec 1; T29N, R42E Sec 18,  
19, 30, 31; T28N, R43E Sec 6, Battle Mountain  
APN: 007-190-02, 007-300-01, 007-200-15 & 007-310-01  
Type: To construct and operate an underground exploration project.

Let the record reflect that there was no one was present for this item on behalf of Victoria Resources (US), Inc. Commissioner Mason presented testimony in favor of Victoria Gold Corporation's proposed underground exploration project. Ms. Davis moved to defer this item until later in the meeting. Seconded by Mr. Price, the motion was voted and carried unanimously.

*Let the record reflect that this matter was revisited after discussion of agenda item #6.* Let the record further reflect that there was still no one present for this item on behalf of Victoria Resources (US), Inc. Mr. Price moved to table this item to the next Planning Commission meeting to allow a representative from Victoria Resources to be present. Seconded by Ms. Davis, the motion was voted and carried unanimously.

2) **Discuss and approve/disapprove the following Parcel Map:**

Applicant: Larry & Nancee Stallard  
Location: Intersection of Sheep Creek & Mulligan Way, Battle Mountain  
APN: 011-110-07  
Type: Splitting one (1) parcel into four (4) parcels.

Let the record reflect the presence of Larry and Nancee Stallard for this item. The Board reviewed and discussed the tentative parcel map for Larry and Nancee Stallard located at the intersection of Sheep Creek and Mulligan Way, Battle Mountain, as submitted. Ms. Davis read the following reasons for accepting a parcel map into the record:

- The map is legibly drawn & indicates the owners of adjoining property, which is a requirement of Lander County Code 16.12.060, A., B., C. & that the following items under D. are met as follows:
- All monuments, found, set, replaced or removed describing their kind, size & location & give other data relating thereto;
- Bearing witness monuments, basis of bearings, bearing & length of line & scale of map;
- Name & legal designation of tract or grant in which the survey is located & ties to adjoining tracts;
- Memorandum of oaths;
- Signature of registered land surveyor;
- Date of survey;
- Signature of owner or owners of the land to be divided;
- Any easements granted or dedications made;
- Any other data necessary for the intelligent interpretation of the various items & locations of points, lines & area shown, including a vicinity map inset of the area proposed for land division;

- The means of access to the lots;
- Calculated acreage of each parcel clearly shown.

Ms. Davis moved to approve the parcel map, as presented, for Larry and Nancee Stallard, intersection of Sheep Creek and Mulligan Way, Battle Mountain, APN #011-110-07, splitting one (1) parcel into four (4) parcels. Seconded by Mr. Price, the motion was voted and carried unanimously.

3) **Discuss and approve/disapprove the following Zone Change request:**

Applicant: Jay Wintle  
 Location: T32N, R44E Sec 25, Battle Mountain  
 APN: 011-110-08  
 Type: To change from Single Family Residential District (R-3) zoning to: 52.75 acres Commercial District (C-1); 16.40 acres General Commercial District (C-2); and 108.80 acres One Acre Agricultural District (A-1) zoning.

Let the record reflect the presence of Jay Wintle for this item. Ms. Davis advised the Board that she will be abstaining from action on this item. The Board reviewed and discussed the zone change request for Mr. Wintle, as submitted. Battle Mountain residents Larry Stallard, Sandra Sherve, Jon Sherve, Paul Ramsdell and Nancee Stallard, respectively, appeared before the Board to state their opposition to the requested change from Single Family Residential District (R-3) zoning to Commercial District (C-1) zoning next to their residential properties. Commissioner Mason made the following statement for the record:

*“There’s a C-1 zoning that butts up to Mr. Stallard’s property. This really suits the purpose of our new water line going in and really suits future development for smaller lots. We’ve looked it over and are in favor of the zoning.”*

Mr. Wintle discussed his future subdivision plans with the Board. Mr. Williams explained that the Planning Commission “*prefers to have a buffer or transition zone between commercial and residential areas*”. Mr. Wintle offered to revise his zone change request to accommodate the Board’s preference. The Board directed Mr. Wintle to make the proposed changes and resubmit the modified zone change request and map at the next Planning Commission meeting.

4) **Discuss and approve/disapprove the following Parcel Map:**

Applicant: Maverik, Inc.  
 Location: NE Corner Broad St. (SR 305) & Broyles Ranch Rds, Battle Mountain

APN: 002-200-63  
Type: Splitting one (1) parcel into two (2) parcels.

Let the record reflect the presence of Dan Murray for this item on behalf of Maverik, Inc. The Board reviewed and discussed the parcel map for Maverik, Inc., as submitted. Ms. Davis asked if the parcel map contained the required lot line adjustment. Mr. Murray answered in the negative; and stated that the County's surveyor should have taken care of the boundary line adjustment yesterday. Ms. Davis advised Mr. Murray that all lot line adjustments have to be accomplished by parcel map and approved by the Planning Commission. Community Services Officer Gina Little explained that Lander County's surveyor told her he approves all boundary line adjustments prior to having them recorded with the County Recorder's Office. Mr. Murray requested that the parcel map be approved contingent upon verification of the required boundary line adjustment. Ms. Davis read the following reasons for accepting a parcel map into the record:

- The map is legibly drawn & indicates the owners of adjoining property, which is a requirement of Lander County Code 16.12.060, A., B., C. & the following items under D. are met as follows:
- All monuments, found, set, replaced or removed describing their kind, size & location & give other data relating thereto;
- Bearing witness monuments, basis of bearings, bearing & length of line & scale of map;
- Name & legal designation of tract or grant in which the survey is located & ties to adjoining tracts;
- Memorandum of oaths;
- Signature of registered land surveyor;
- Date of survey;
- Signature of owner or owners of the land to be divided;
- Any easements granted or dedications made;
- Any other data necessary for the intelligent interpretation of the various items & locations of points, lines & area shown, including a vicinity map inset of the area proposed for land division;
- The means of access to the lots;
- Calculated acreage of each parcel clearly shown.

Mr. Price moved to approve the parcel map for Maverik, Inc., NE corner of Broad Street (SR 305) and Broyles Ranch Road, Battle Mountain, APN #002-200-63, splitting one (1) parcel into two (2) parcels; and authorize the Chairman to sign the parcel map outside of the meeting contingent upon verification of the boundary line adjustment map. Seconded by Ms. Davis, the motion was voted and carried unanimously.

Ms. Davis provided the following clarification to Ms. Little:

*"In a public meeting we indicated we wanted to see all lot line adjustments. Those have to be presented in parcel map form. We had some issues come up with easements, road abandonments and other things that weren't being addressed."*

- 5) **Discussion and update regarding Crystal Sage Subdivision and APN 002-430-03 and other matters properly related thereto:** Let the record reflect the presence of Maryan Grilli for this item. Ms. Davis advised the Board that she will be abstaining from action on this item. Ms. Grilli presented a preliminary parcel map for the Board's consideration; and presented testimony regarding her plans to parcel a twenty-one acre piece of property located on Round Mountain Drive in Battle Mountain. Commissioner Mason made the following comment for the record:

*"This stymies our growth. These lots are almost developed out what's available there. We have nowhere to go. The sewer, water and everything is there. The map of 1997 is just perfect for continuance. I think she'd do well if she'd just follow the '97 map and develop the property. It's perfect for our continuance in the County. It fell in line with the master plan. We're trying to take advantage of our sewer and water investments for tax purposes to increase the tax base in the County. What you're doing is blocking that. If we could finish that map, that's a continuance of the city growth and there'd be a number of new property tax on the roll because this is highly developable property if they'd just finish what they started. I don't deny your rights to subdivide, it just seems like it's deliberately blocking the growth of Battle Mountain."*

Ms. Grilli presented justification in support of her parceling plans. Mr. Williams noted the following for the record:

*"What you're looking for here is tentative approval to go ahead. I can't guarantee that when you come back in it's going to sail through. Right now the concept – I don't have a problem with it. Your next step is to get it surveyed, draw the map and bring it in."*

- 6) **Planning Commissioners' Update:** Ms. Davis updated the Board regarding a Newmont breakfast meeting she attended recently. There was general discussion regarding the status of various ongoing projects in Lander County.
- 7) **Staff Report:** There were no staff reports presented at this time.

### **PUBLIC COMMENT**

There was no one present for public comment.

### **ADJOURNMENT**

There being no further business before the Board at this time, Mr. Price moved to adjourn the meeting of August 10, 2011. Seconded by Ms. Davis, the motion was voted and carried unanimously.

  
CHAIR OF THE LANDER COUNTY  
PLANNING COMMISSION

ATTEST:   
EXECUTIVE SECRETARY