

Meeting of the Planning Commission

July 1, 2019

Custer County Courthouse
Westcliffe, Colorado

Present:

Planning Commission: Vic Barnes, Patrick Lynch, Keith Hood, Mike Shields, Bill Donley, Pat Bailey and Dale Mullen

Absent: None

Associate Members: Skip Northcross and Darrell Windland

Absent: None

Staff: Jackie Hobby and Vernon Roth

The meeting was called to order at 1:30 P.M. by VIC BARNES, Custer County Planning Commission Chairman.

Pledge

BARNES: JACKIE will give us the zoning report.

HOBBY: In the month of June we had seven septic inspections, four special conferences, three compliance inspections and one violations review. Permits issued during this month are thirteen septic permits compared to six last year and thirty-three zoning permits compared to twenty-two last year. Permits issued year to date for 2019 are forty-three septic compared to thirty-nine last year at this time and one hundred and twenty-four zoning permits this year compared to one hundred and fifty last year.

BARNES: Thank you JACKIE.

BARNES: The first agenda item is for a Special Use Permit for Colorado Precision Rifle This is a two-stage process. This is the first part, and this is the presentation where we find out more about this application and we take questions from the audience and the Planning Commission. In one month from now we will schedule a hearing and make a recommendation to the Board of County Commissioners. Mr. BRIAN WHALEN will present the application. I will read the applicants statement:” *Colorado Precision Rifle, a Westcliffe based, Veteran and family owned company (2010-present) is requesting to conduct Precision Rifle Training on the Music meadow Ranch. The ranch will host 40-80 students (3day seminars) throughout the year. Our students base primarily consists of Military, Law Enforcement, Federal Agency, Hunter and Competitive Rifleman. CPRifle maintains a low 5 to 1 student to teacher ratio with all attendees 100% supervised. Throughout our combined tenure as a US Army Special Forces Sniper instructor and civilian training experience, we have a perfect track record for both safety and property damage. Conducting this training here in Westcliffe will bring a substantial amount of money into our local economy such as our hotels, restaurants, shops, gas stations and grocery stores. It will also help reduce travel for our staff thus greatly improving our family lives here in Westcliffe”.*

BRIAN WHALEN: Presented to the Planning Commission a slide show on C.P. Rifle which included an overview of staff benefits to community, risk mitigation, C.P. Rifle in the past, present and future, and what makes C.P. Rifle unique.

BARNES: Thank you. Planning Commission any questions?

BAILEY: What is the student to instructor ratio? How many rounds on a typical day?

WHALEN: Potentially six to one but I don't see that happening. Five to six hours in the classroom. Six to one is manageable with one assistant. On a typical day we usually fire around 400 rounds.

MULLEN: Hours of operation? Are you a corporation in Colorado?

WHALEN: Daylight only in the summertime, five to seven. Will not affect wildlife migration and hunting season. Yes, we are a corporation in Colorado.

MULLEN: What are the qualifications to train at this high level?

WHALEN: I have certification from the National Rifle Association. But on a national level, there are no certificates.

LYNCH: What areas of the ranch will be used for training and what about wintertime?

WHALEN: Mainly on the west side for police and military. Winter training will be in New Mexico. With that said we have also developed other parts of the ranch so when things are going on the other students can be on different parts of the ranch.

WINDLAND: What happens when you are shooting 600 yards and they miss the target

WHALEN: First, our targets are placed on terrain that is 20 to 40 degrees. Once a bullet hits the ground it will absorb a lot of energy and travel about 700 yards.

LYNCH: What about the noise?

WHALEN: We have three different types: super-sonic, sub-sonic and muzzled. I can talk behind when someone is firing a muzzled rifle.

BARNES: TOM FLOWER has a question.

FLOWER: Your presentation was outstanding. Will your students be camping and building campfires on the property?

WHALEN: I have never had a student ask to stay out.

BARNES: You said that you have contacted one or two neighbors. I would imagine that there will be some sensitivity with the neighbors, and I would encourage you to speak with them. Have you contacted our wildlife officer? I would like to hear his input.

WHALEN: JUSTIN KRALL would like to go walk the property.

BARNES: This property has a conservation easement. Have you spoken with San Isabel? There is significant wildlife movement on this property.

WHALEN: I would like to defer that question to ELIN.

ELIN GANSCHOW: I contacted LINDA at the office a couple of weeks ago and she would have attended this meeting but she is out of town. LINDA will need to review this easement and when she returns we should have something.

MULLEN: What is a typical training day for your business?

WHALEN: Typical training is three days, Less than one hundred rounds.

MULLEN: You mentioned that the ratio is six to one and you would have five students on any given day? So, each student firing one hundred rounds that would be five hundred rounds during a three-day period. So, each neighbor would hear five hundred rounds going off in that period?

WHALEN: Yes, but typically I am not going to keep a student on that range. I will be rotating them throughout the ranch, and it will be suppressed fire.

MULLEN: JACKIE, did you contact the adjoining neighbors?

HOBBY: Yes, and I have zero written responses. That also included the Forest Service and the Colorado Parks and Wildlife.

MULLEN: Will you report to the Commissioners no negative input?

HOBBY: No, because some neighbors are sitting in the audience and may comment.

WINDLAND: What is the percentage of suppression?

WHALEN: Probably seventy percent.

ROTH: I looked it up and the average suppressor averages between twenty and forty decibels. Taking firearms from one hundred and fifty down to one hundred and fifteen to one hundred and thirty.

ROB POSAVAD: I contacted BRIAN and I am an adjoining landowner. I am a law enforcement officer, and a competitive firearm shooter. I completely support firearms shooting. I had a conversation about the angle of his targets and the placement. One of the questions was where the homes etc. are located. I cannot speak to the east side of the ranch. I can only reference the west side. If you look at the map there are couple ponds on the ranch and one of the shooting targets is directly towards the ponds. My concern is the Rainbow Trail. I asked BRIAN about people walking on the trail and he said if they see someone on the trail, they will quit shooting. I have an issue with this. You can't always see people on the trail. Safety is one of my concerns, another is the noise and I am familiar with suppressors. I was in my trailer when he was shooting with a suppressor and I could count the number of rounds going off. We are also concerned about the wildlife. We use our property for hunting. We purchased this area for recreation and hunting, not to have people shooting next door. Personally, I do not want to wait for the wildlife to come back after they get used to the gunfire. I did a little bit of quick math and it comes out to 28,000 to 30,000 rounds a year spread over sixteen targets that's over 18,000 rounds per target. That probably isn't a lot for a gun range. That area is very desirable for the water resources that come through that area. We get a lot of runoff. There are fourteen different springs and Grape Creek. I don't believe people want lead contamination in that water. I don't know if there was an environmental study. I am a supporter of small business and a supporter of this county. I don't think the west side of the ranch is a good place for this to happen.

BARNES: Any other questions?

WHALEN: I would like to address Mr. POSAVAD'S concerns. There are not sixteen targets, there are over one hundred. Second, we planned our targets

carefully for the ricochet. Between the target and the Rainbow Trail the ricochet factor is highly unlikely and we are mainly shooting downhill.

BARNES: Our next meeting will be August 6, 2019. We are going to take a short break and then we will have a workshop.

BARNES: We are back in session and the first item we will discuss will be the amendment for the Airport Special Use Permit.

MULLEN: Is it just the name changes from Authority Board to Custer County Board? Or are there other changes?

HOBBY: Yes, the first paragraph has the book and page, name change and reference to the county sign regulations.

BARNES: Any questions? Hearing none, what is the pleasure of the Planning Commission?

MULLEN: I vote to recommend approval.

DONELY: I will second

BARNES: All in favor?

Seven in favor

BARNES: All opposed

Hearing none

BARNES: This part of the meeting will be a workshop and we will be discussing short term rentals.

HOBBY: The Custer County Planning and Zoning Office has received some complaints about short term rental. One of the complaints was that it is a commercial activity that is paying residential property taxes of seven percent compared to twenty nine percent that is paid by hotels and motels in town. Discussion continued concerning the short-term rentals with the audience and Planning Commission members participating

The conclusion was that the short-term rental owners will be notified if they are in violation with their onsite wastewater treatment system.

DONLEY: Made a motion to adjourn.

WINDLAND: Seconded the motion.

Meeting adjourned at 4:10 P.M.