



Storey County Planning Commission

Meeting Agenda

Thursday December 2, 2021 at 6:00 p.m.
Storey County Courthouse, District Courtroom*
26 South B Street, Virginia City, NV

Jim Hindle – Chairman
Bryan Staples – Planning Commissioner
Jim Umbach – Planning Commissioner

Summer Pellett- Vice Chairman
Kris Thompson – Planning Commissioner
Adrienne Baugh – Planning Commissioner
Alexia Sober – Planning Commissioner

*Storey County Planning Commission is hosting an **in person and teleconference** meeting this month, following State Covid protocols. Members of the public who wish to attend the meeting remotely, may do so by accessing the following meeting on Zoom.com. Public comment may be made by communication through zoom.

***Join Zoom Meeting:** <https://us02web.zoom.us/j/88607320146> **Meeting ID: 886 0732 0146**

Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US
+1 301 715 8592 US
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
Meeting ID: 886 0732 0146

Find your local number: <https://zoom.us/u/adi9WjdtNr>

**For additional information or supporting documents please contact the
Storey County Planning Department at 775-847-1144.**

All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.

- 1. Call to Order at 6:00 p.m.**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Discussion/For Possible Action:** Approval of Agenda for December 2, 2021.
- 5. Discussion/For Possible Action:** Approval of Minutes for September 2, 2021.
- 6. Discussion/For Possible Action:** Approval of Minutes for September 16, 2021.

7. **Discussion Only:** Upcoming Planning Department Activities for 2022.
8. **Discussion Only:** Capital Improvement Plan Update by County Manager Osborne.
9. **Discussion/For Possible Action:** Determination of next Planning Commission meeting.
10. **Discussion/For Possible Action:** Approval of Claims.
11. **Correspondence** (no action)
12. **Public Comment** (no action)
13. **Staff** (no action)
14. **Board Comments** (no action)
15. **Adjournment**

Notes:

- There may be a quorum of Storey County Commissioners in attendance, but no action or discussion will be taken by the Commissioners.
- Public comment will be allowed after each item on the agenda (this comment should be limited to the item on the agenda). Public comment will also be allowed at the end of each meeting (this comment should be limited to matters not on the agenda).
- Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- Additional information pertaining to any item on this agenda may be requested from Lyndi Renaud, Planning Department (775-847-1144).
- Supporting material is available to the public and may be obtained at <http://www.storeycounty.org/agendacenter> or the Storey County Courthouse, Planning Department, 26 South B Street, Virginia City, Nevada.

Certification of Posting

I, Lyndi Renaud on behalf of the Storey County Planning Commission, do hereby certify that I posted, or caused to be posted, a copy of this Agenda at the following location on or before November 23, 2021: Storey County Courthouse and Storey County website at <https://www.storeycounty.org/agendacenter>. Courtesy copies of the agenda may be posted at the Virginia City RV Park; Virginia City Post Office; Storey County Community Development; Virginia City Fire Station 71; Mark Twain Community Center; Lockwood Community/Senior Center; Canyon GID; Lockwood Fire Station; Virginia City Highlands Fire Station; Virginia City Highlands Online Message Board, the Nevada State website at <https://notice.nv.gov/>.

_____ By Lyndi Renaud, Secretary of the Planning Commission



STOREY COUNTY PLANNING COMMISSION

Meeting

Thursday September 2, 2021 6:00 p.m.
26 South B Street, District Courtroom, Via Zoom
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: Summer Pellett

COMMISSIONERS:

Kris Thompson, Adrienne Baugh, Bryan Staples, Jim Umbach, Alexia Sober

-
- Call to Order:** The meeting was called to order by the Chairman at 6:02 P.M.
 - Roll Call via in person and Zoom:** Jim Hindle, Jim Umbach, Alexia Sober, Kris Thompson, Adrienne Baugh, Summer Pellett, Bryan Staples

Also Present: Planning Manager Kathy Canfield, County Manager Austin Osborne and Deputy D.A. Keith Loomis.
 - Pledge of Allegiance:** The Chairman led the Pledge of Allegiance.
 - Discussion/For Possible Action:** Approval of Agenda for September 2, 2021.

Motion: Approval of agenda for September 2, 2021, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Staples, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

No Public Comment.
 - Discussion/For Possible Action:** Approval of Minutes for July 15, 2021.

Motion: Approval of Minutes for July 15, 2021, **Action:** Approve, **Moved by** Commissioner Umbach, **Seconded by** Commissioner Baugh, **Vote:** Motion carried by unanimous vote (**summary:** Yes=7).

No Public Comment
 - Discussion/For Possible Action:** Special Use Permit Amendment 2000-217-A2-2021 request by the applicant Basalite Concrete Products, LLC., to increase the annual mining capacity from the 2017 Storey County approved 500,000 tons per year to 1,200,000 tons per year. The project includes additional equipment to be added to the site that will assist in processing the additional material being generated including silos that may exceed 75-feet in height. The property is located at 1150 N. Pinenut Road, Mark Twain area, Storey County, Nevada, APNs 004-291-09, 13, 25, 45 and 47.

Planning Manager Kathy Canfield summarized the project:

The applicant proposes to increase the mining capacity from the approved 500,000 tons per year to 1,200,000 tons per year. The growth is expected to grow incrementally over the next five years or more. This Second Amended Special Use Permit is to allow for the increase in capacity, additional equipment to be placed immediately west of the existing equipment area and to address the additional height for anticipated silo structures. All other previously permitted uses and activities at the site will remain in effect.

The applicant is desiring to increase the mining capacity at this location, including adding additional equipment to allow for further processing of mined aggregate into a finer material than what is currently occurring. This process would include the construction of several storage silos, which can have a height up to 160-feet and be 47-feet in diameter. All other equipment is expected to be well under the 75-foot height limitation for the I-2 zoning district. The material will be mined from the existing approved locations on the applicant's property within their mining rights on the BLM property.

This staff report proposes an authorized height of up to 170-feet, in order to provide a buffer to allow for modifications during construction and for any potential topography issues.

This request was publicly noticed per NRS requirements. Staff received one letter in support of the project which was emailed to the planning commission. Lyon County reached out to staff with a request to learn more about the project. Basalite and Canfield attended a meeting with Lyon County regarding the project and discussed maintenance of Pinenut Road that runs through a small portion of Lyon County to the mine. Staff is recommending approval of the project. She stated that Jeremy Anthony, representing Basalite is in attendance to answer any questions. Canfield said that there may be public in the audience that may have comment regarding the project.

Commissioner Thompson: Asked if there is a bond in place covering reclamation and if the current bond covers reclamation of the site. Thompson also asked if the amount of the bond currently is an amount to cover the expansion of the project and reclaim the entire site.

Jeremy Anthony, Basalite: Answered that there is a bond that has been in place since the first special use permit was approved. Anthony said that he does not know the exact amount of the bond. The reclamation size does not change with the increase in volume that is taken out of the mountain. The reclamation is demanded once the mine gets to "plain" level then it would require regrassing and reforestation. Anthony also said that he will find out the bond amount and if the bond is adequate to cover reclamation of the entire site prior to the board of county commissioners meeting. The bond can be increased if necessary to provide for reclamation.

Planning Manager Canfield and Jeremy Anthony agreed to providing information to the board regarding this concern.

Public Comment: Sheryl Hayden, 952 Lafond Ave, resident in Mark Twain. Hayden asked questions of the applicant regarding the proposal of silos extending from 75' to 170'; is there an artist's rendering of what this will look like? Jeremy Anthony showed Ms. Hayden a drawing of the project including silos and showed her where the new equipment and silos will be located on the site. Hayden also expressed concern with the amount of the increase and increased traffic in the area and extended hours of operation. Also mentioned the watchmen's dwelling and if a septic system is installed, can contamination from that septic system enter the aquifer?

Mr. Anthony explained the current operations and expansion of the mine in more detail and explained that there will not be extended hours of operation and transportation than there is currently. He also explained that Pinenut Road north of Rainbow Road (Lyon County) is a BLM right-of-way road (which Basalite has rights to). Anthony stated that they chipped sealed that road in 2014 which helped to minimize dust in the neighborhood and helped with noise reduction due to truck traffic. Anthony also said that they (Basalite) are in discussions with Lyon County regarding potential maintenance of the road, south of Rainbow Road to Hwy 50 (portion of road in Lyon County). Regarding the septic for the watchman's dwelling, the allowance for a dwelling was added in the first special use permit amendment in case it was needed. There is not necessarily a need for a watchman's dwelling at this time and there is already a septic system on site for current mining operations and to accommodate staff.

Mr. Anthony explained to Ms. Hayden and the commission that truck traffic runs throughout the night. The expansion does not require that the “plant” have more operation time meaning that there will not be more noise than there is currently.

Commissioner Baugh asked Mr. Anthony if the business currently runs trucks at nighttime or will this be a new addition. Mr. Anthony answered that trucks run at night currently, probably less than 10 loads a night but varies day to day. Ms. Baugh clarified that there may be more loads coming in, but the noise level shouldn’t be more than it is now because the mine is already doing these same things? Mr. Anthony confirmed Ms. Baugh’s clarification.

Planning Manager Canfield commented regarding the septic system. The State monitors and permits septic systems. Canfield also pointed out that Ms. Hayden’s residence is about two thirds of a mile from the mine “as the crow flies”. There are other homes in closer proximity to the residence that have septic systems and wells. The Mark Twain community (Storey) is serviced by wells and septic systems.

Motion: In accordance with the recommendation by staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I, Kris Thompson, recommend approval of Second Amended Special Use Permit 2000-217-A2-2021 request by the applicant Basalite Concrete Products, LLC., to increase the annual mining capacity from the 2017 Storey County approved 500,000 tons per year to 1,200,000 tons per year. The project includes additional equipment to be added to the site that will assist in processing the additional material being generated including silos that may extend to 170-feet in height. The property is located at 1150 N. Pinenut Road, Mark Twain area, Storey County, Nevada, APNs 004-291-09, 13, 25, 45 and 47., **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Sober,

Planning Manager Canfield read the findings into the record:

- (1) This approval is for Second Amended Special Use Permit 2000-217-A2-2021, a request by the applicant Basalite Concrete Products, LLC., to increase the annual mining capacity from the 2017 Storey County approved 500,000 tons per year to 1,200,000 tons per year. The project includes additional equipment to be added to the site that will assist in processing the additional material being generated including silos that may extend to 170-feet in height. The property is located at 1150 N. Pinenut Road, Mark Twain area, Storey County, Nevada, APNs 004-291-09, 13, 25, 45 and 47.
- (2) The Second Amended Special Use Permit conforms to the 2016 Storey County Master Plan for the Mark Twain planning area in which the subject property is located. A discussion supporting this finding for the Special Use Permit is provided in Section 2.E of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
- (3) The subject property is located within I2-Heavy Industrial and Forestry zoning in the Mark Twain area of Storey County. The project is identified as Large Operation per Section 17.92 of the Storey County Zoning Ordinance. A Special Use Permit is required for both the zoning districts and the Large Operation use.
- (4) Granting of the Second Amended Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property. The project is expected to meet the safety and health requirements for the subject area.
- (5) The Second Amended Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations.

- (6) The conditions under the Second Amended Special Use Permit do not conflict with the minimum requirements in the Storey County Zoning Ordinance Section 17.35 – I2 Heavy Industrial Zone, Section 17.32 - F Forestry Zone, Section 17.92 – Mineral Exploration, Mining, and Extraction and Section 17.03.150 Special Uses.
- (7) Certain mineral and surface property rights exist across the county and the Zoning Ordinance serves to protect those rights. The Zoning Ordinance also recognizes and serves to abide by the Mining Law of 1872 which provides mineral property owners the right to mine where the property is a mine patent pursuant to Title 30 of the United States Code Section 29, or an unpatented mining claim located pursuant to Section 23, as well as the right to milling and ancillary uses pursuant to Section 42(a).
- (8) The county has a diversified economy including agriculture, commercial, industrial, tourism, recreation, and mining. Permitted uses under these categories are found to be economically and socially beneficial to the county, directly and indirectly, when they are appropriately regulated so that they do not cause substantial adverse impacts to adjacent uses and are not detrimental to the health, safety, and general welfare of citizens, property owners, scholars, and businesses in the county.
- (9) The provisions of the Zoning Ordinance serve to address and mitigate potential adverse impacts that mining and related activities may have on the natural and historic environment and adjacent land uses (e.g, residential, commercial, tourism, etc...)as they now exist or as they may in the future be developed as a result of the implementation of the provisions and policies of the county master plan, Title 17, and any other plan, program, map or ordinance adopted or under consideration, pursuant to an official notice by the county or other governmental agency having jurisdiction to guide growth and development.
- (10) This project is not located within the Virginia City National Historic Landmark, nor is it part of the Comstock Historic Preservation Area identified in Chapter 17.92 of the Storey County Code.
- (11) This mine has been in operation for approximately 75 years. The 2016 Storey County Master Plan states the mine should be a continued use and Storey County should protect the long-term well-being of the quarry mine.

Vote: Motion carried by unanimous vote (**summary:** Yes=7).

7. **Discussion/For Possible Action:** 2021-32 Road Abandonment request by applicants Barbara Steele Lavake and Nicholas and Jessica Fain. The applicants request to abandon the undeveloped, approximate 50-foot wide by 100-foot length public right-of-way associated with Ridge Street located between C Street and the undeveloped A Street right-of-way in the Divide neighborhood of Virginia City, Storey County. The area of the abandoned right-of-way will be split evenly and consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-052-01 (Lavake) and 001-042-14 (Fain).

Planning Manager Canfield summarized the request: The proposed abandonment is an undeveloped portion of Ridge Street right-of-way located adjacent to land owned by the applicants in the Divide neighborhood of Virginia City. This right-of way is not a constructed roadway and does not appear to have been used as access in the recent past, if ever. It is suspected that the single family residence on APN 001-052-01, that has existed at this site since the 1900s, and the accessory garage building may encroach into the Ridge Street right-of-way. The Record of Survey which is required to complete an approved abandonment, will confirm any encroachment in the area to be abandoned.

The abandonment is being proposed by the owner of APN 001-052-01, with the cooperation of the adjacent property owner, to address the encroachment issues that may exist. Nevada State regulations require the right-of-way that is to be abandoned be split between the two adjacent properties. At this time, if the abandonment is approved, it is proposed to split the abandoned area down the middle of the right-of-way. If it is found that the residential property

improvements encroach beyond the middle, an adjustment to the proposed property line to the satisfaction of both adjacent property owners, along with Storey County, may occur.

Ridge Street right-of-way for this location does connect to undeveloped A Street right-of-way along the western boundary. A Street is not developed and because of the topography of the area, is not expected to be developed as a roadway. Where the rights-of-way for A Street and Ridge Street meet, the area drops almost vertically into a mining pit. The other surrounding land uses are an apartment complex to the south, C Street to the east and a single family residence to the north. Staff has contacted the utility companies, NV Energy, AT&T and Public Works have responded to the written notice. NV Energy has identified a potential overhead line and requests that an easement be retained for the existing line. The exact location of the easement will be mapped by the surveyor with coordination from NV Energy. No other concerns were identified.

This request was also publicly noticed per NRS requirements. Staff did receive one comment regarding the concept of abandoning ROWs. There was no particular objection to this request. Canfield also said that every abandonment that comes forward is evaluated on a case by case basis. For probably every request for abandonment that the commission hears, there are ten that staff has told the requestor, the request doesn't work for various reasons. If the request is approved a record of survey is required to consolidate the abandonment area into the two adjacent lots.

Commissioner Sober asked for clarification on the request from NV Energy to maintain an easement in that area.

Planning Manager Canfield answered that the map would identify the easement location, and the easement is not where the house or shed are located.

Commissioner Umbach asked if this falls under adverse possession automatically regardless of the commission's action considering how long the property (Lavake) has been like that (shed in portion of ROW).

Chief Deputy D.A. Keith Loomis answered that it is potentially subject to adverse possession. The elements of adverse possession would be notorious, hostile, continuous, and that they paid the taxes on it. If they meet those requirements, then it could be adversely possessed.

Motion: In accordance with the recommendation by staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I Alexia Sober, hereby recommend approval of an abandonment of the undeveloped, approximate 50-foot wide by 100-foot length public right-of-way associated with Ridge Street located between C Street and the undeveloped A Street right-of-way in the Divide neighborhood of Virginia City. The area of the abandoned right-of-way will be split evenly and consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-052-01 (Lavake) and 001-042-14 (Fain)., **Action:** Approve, **Moved by** Commissioner Sober, **Seconded by** Commissioner Baugh,

No Public Comment

Planning Manager Canfield read the findings into the record:

- (1) This approval is to abandon the undeveloped, approximate 50-foot wide by 100-foot length public right-of-way associated with Ridge Street located between C Street and the undeveloped A Street right-of-way in the Divide neighborhood of Virginia City. The area of the abandoned right-of-way will be split evenly and consolidated with the adjacent properties. The right-of-way abandonment borders APNs 001-052-01 (Lavake) and 001-042-14 (Fain).
- (2) The Abandonment complies with NRS 278.480 relating to Abandonment of a street or easement.
- (3) The Abandonment complies with all Federal, State, and County regulations pertaining to vacation or abandonment of streets or easements, including NRS 278.240.
- (4) The Abandonment will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.

- (5) The Abandonment will not cause the public to be materially injured by the proposed abandonment.
- (6) The conditions of approval for the requested Abandonment do not conflict with the minimum requirements in Storey County Code Chapters 17.12.090, General Provisions – Access and Right-of-Ways, or any other Federal, State, or County regulations.

Vote: Motion carried by unanimous vote (**summary:** Yes=7).

8. **Discussion/For Possible Action:** 2021-37 Parcel Map request by applicant Nikolai Travis. The applicant is requesting a Parcel Map to return previously consolidated (two) parcels of land back into two legal lots of record. The parcel map alters the original lot line configuration slightly to allow for easier parcel access. The property is located at 21430 Saddleback Road in the Virginia City Highlands neighborhood of Storey County, Nevada, Assessor's Parcel Number 003-101-69.

Planning Manager Canfield summarized the request: In 2013, the property owner at the time requested Lots 335 and 336 of the Virginia City Highlands Unit 1 be consolidated into one legal lot of record. That action was completed and recorded in November of 2013. No development ever occurred on the parcel (including no water well was ever drilled). The property changed ownership and the recent owner desires to return the land to two parcels. The proposed split is altered slightly from the original configuration to allow for previous Lot 336 to have additional street frontage along Saddleback Road. Both parcels remain over one acre in size, which is consistent with the Storey County Zoning Code requirement. A parcel map is required to split the properties.

Nevada Revised Statutes (NRS) sections 278.461 through 278.469 defines the requirements for Parcel Maps. Storey County has adopted Chapter 16.30 of the Storey County Code to also address Parcel Maps. This proposed project has been reviewed to be consistent with both NRS and Storey County requirements. Typically, a Parcel Map process provides for a Tentative Parcel Map and a Final Parcel Map. Because of the simplicity of this application, Planning staff is requesting the Planning Commission recommend waiving the requirement for a Tentative Parcel Map. Review of this application considered the requirements for both the Tentative Map and the Final Map. The project was publicly noticed per NRS requirements. Staff did not receive any comments.

David Bean, B & T Construction representing the applicant: Said that Nikolai was unable to attend the meeting and stated that he is his business partner. Said that Canfield summarized the project well.

No Public Comment.

Motion: In accordance with the recommendation by staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I Adrienne Baugh, hereby recommend waiving the requirement for a Tentative Map and recommend approval of a Parcel Map to return previously consolidated two parcels of land back into two legal lots of record. The parcel map alters the original lot line configuration slightly to allow for easier parcel access. The property is located at 21430 Saddleback Road in the Virginia City Highlands neighborhood of Storey County, Nevada, Assessor's Parcel Number 003-101-69.

Action: Approve, **Moved by** Commissioner Baugh, **Seconded by** Commissioner Umbach,

Planning Manager Canfield read the findings into the record:

- (1) This approval is for a Parcel Map to return two previously consolidated two parcels of land back into two legal lots of record. The parcel map alters the original lot line configuration slightly to allow for easier parcel access. The property is located at 21430 Saddleback Road in the Virginia City Highlands neighborhood of Storey County, Nevada, Assessor's Parcel Number 003-101-69.
- (2) The Parcel Map complies with NRS 278.461 through 278.469 relating to Parcel Maps and Chapter 16.30 of the Storey County Code, including the specific criteria outlined in Section 2.D of this staff report.

- (3) The Parcel Map complies with all Federal, State, and County regulations pertaining to Parcel Maps.
- (4) The Parcel Map will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The Parcel Map will not cause the public to be materially injured.
- (6) The conditions of approval for the requested Parcel Map do not conflict with the minimum requirements in Storey County Code Chapters 17.40 E Estates zone or any other Federal, State, or County regulations.

Vote: Motion carried by unanimous vote (**summary:** Yes=7).

9. **Presentation (Annual SUP Update):** By Comstock Mining, LLC. (Gold Hill/American Flat) Special Use Permit Holder to present its annual compliance review in accordance with the conditions of Special Use Permit No. 2000-222-A-5.

Corrado DeGasperis, President Comstock Mining Inc.:

- **Site Overview and Disturbance Acreage:** No mining or exploration took place within the SUP boundary if 2020 thru September 2021..
- **Review of SUP Compliance:** Compliant in all requirements of SUP. Required regulatory and environmental permits are secured.
- **Silver City Water Line Protection:** No mining took place in proximity to the Silver City Water Line. Storey County will be notified prior to any future activities.
- **Reclamation:** Successful earthwork completed for Hartford, Keystone, and Justice. Met requirements of reclamation permit, earthwork and revegetation. CMI exceeded standards by going above and beyond requirements, including aerial seeding.
- **Monitoring Report:** Dust monitoring will resume with future mining activities. Groundwater regular monitoring as required by permits. No noise issues were reported in the last 12 months. No blasting activities occurred in the last 12 months.
- **Tonogold Update:** There are three agreements between the Company and Tonogold: The Membership Interest Purchase Agreement (MIPA), the Mineral Exploration and Mining Lease (Leases), and a Lease Option Agreement for the American Flat processing facility. Tonogold has acquired 100% of Comstock Mining LLC, the entity that owns Lucerne. The Leases included exploration targets in Gold Hill, including the Occidental Lode. Tonogold has received additional permits from Storey County and has drilled on parcels outside of this SUP. Tonogold has gone through some reorganization, and we (Comstock Mining) remain close to their activities. They have gotten some very interesting results in the lower holes considered the southern portion of the Occidental Claim. The holes to the north are extremely deep. They (Tonogold) are preparing to publish a technical report.
- **Mercury Clean Up (MCU):** Mercury Clean-Up LLC (MCU) is a full time global environmental company dedicated to the recovery and removal of Mercury from contaminated soils left behind by both past and present gold mining activities. MCU is committed to stopping the spread of elemental and Methylmercury. Comstock has invested \$3M in MCU to date has committed an additional \$2M to date to support this important technology. The United Nations signed an accord, it was called Minamata with 140 countries on board to basically ban the use of Mercury and do whatever possible to clean up Mercury pollution. MCU is using Comstock's American Flat facility to test and fine tune their mercury recovery technology in a two-year pilot test. Testing will be performed in full compliance with NDEP regulations and Comstock's approved Mercury sampling and analysis plan.
- **Comstock Foundation for history and culture:** Discussed long range plans to address the preservation of historic structures. Fully document or mitigate archaeological or surface resources affected by any undertaking. Foundation support includes a 1% Net Smelter dedication. From 2012-2016 Comstock Mining generated \$899,000 in royalties.

Contributions to the foundation totaled \$935,000. DeGasperis also gave an update on the Donovan Mill on the interior and exterior restoration.

DeGasperis also offered to give tours of the mill and Comstock Mining facilities and mine site.

Commissioner Thompson commented to the applicant that Comstock Mining is a class act and a perfect corporate citizen. Thompson said he's been working in this county for 20 years and told DeGasperis that his focus and attentiveness to the community is amazing.

DeGasperis also mentioned that they (company) have invested in a lithium ion battery recycling facility in TRI Center, the old Aquametals building. Said they are very excited to see some revenue next year with a whole new business.

DeGasperis told the commission about a program they started a three years ago to bring in college students from across the country (to participate in an internship). This year they had twelve students. Austin (county manager) and Clay (county commissioner) gave an awesome tour of the courthouse and overview of county business. Alexia (Sober) of CMI facilitated the whole five-week course. Kris Thompson gave the students a full tour of the Tahoe Reno Industrial Center.

County Manager Osborne commented that Tonogold has completed a drill operation here in town. They sent out a representative to all the individual homes (near the drilling). They handed out a flyer explaining where the drill was going to happen, the schedule, and what it will look like. Osborne said the "drill" was close to his place and another a bit further down the road. In both of those cases there was very little noise. A resident in another case also requested the sound walls be moved to better block sound. Tonogold responded immediately and the resident thanked us and them (Tonogold). The company has also restored the sites quite well.

Chairman Hindle thanked DeGasperis for everything he does in monitoring the SUP conditions and for keeping the county informed.

10. **Discussion/For Possible Action:** Determination of next planning commission meeting.

Motion: Next planning commission meeting to be held on September 16, 2021, at 6:00 P.M. at the Storey County Courthouse in person and via Zoom, Virginia City, Nevada, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Sober, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

Commissioners Baugh and Pellett stated that they will be absent for the September 16th meeting.

No Public Comment

11. **Discussion/For Possible Action:** Approval of claims – None

12. **Correspondence (No Action)** – None except for email already shared with planning commission.

13. **Public Comment (No Action)** – None

14. **Staff (No Action)** – County Manager Osborne gave an update on the innovation zone. The county commission has taken eight actions reaffirming the letter it sent to the governor's office and GOED supporting cryptocurrency and such technologies and a planned unit development at Painted Rock supported by the master plan. Around the beginning of August the interim legislative committee held its first public meeting. They heard Blockchains' presentation regarding their proposal for innovation zones and all the different aspects of that. There was various public comment provided. They (Blockchains) had the floor at the first meeting and we provided public comment just basically reaffirming that letter. We anticipate at this point that there will be opportunity for Storey County to speak and express its opinions as well as other groups, and we are waiting for that at this time. Osborne reminded the commission that the county website has a link to the innovation zone information right on the front page. The latest documents are there.

15. **Board Comments (No Action)** –

16. **Adjournment (No Action)** - The meeting was adjourned at 7:26 p.m.

Respectfully Submitted, By Lyndi Renaud



STOREY COUNTY PLANNING COMMISSION

Meeting

Thursday September 16, 2021 6:00 p.m.
26 South B Street, District Courtroom and Zoom
Virginia City, Nevada

MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: Summer Pellett

COMMISSIONERS:

Kris Thompson, Adrienne Baugh, Bryan Staples, Jim Umbach, Alexia Sober

-
1. **Call to Order:** The meeting was called to order by the Chairman at 6:05 P.M.
 2. **Roll Call via in person and Zoom:** Jim Hindle, Jim Umbach, Alexia Sober, Kris Thompson, Bryan Staples.
Absent: Adrienne Baugh, Summer Pellett.

Also Present: Planning Manager Kathy Canfield and Deputy D.A. Keith Loomis.

3. **Pledge of Allegiance:** The Chairman led the Pledge of Allegiance.
4. **Discussion/For Possible Action:** Approval of Agenda for September 16, 2021.

Motion: Approval of agenda for September 16, 2021, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Umbach, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment.

5. **Discussion/For Possible Action:** 2021-41 Parcel Map request by applicants Larry Ryan, and John and Eileen Herrington. The applicants request to merge three existing 40 acre parcels, Lot 271s, Lot 272s and Lot 278s into one, then resubdivide them to create two approximately 60 acre parcels. The properties are located at 27100, 27200 & 27800 Hillside Road, Virginia Ranches neighborhood of Storey County, Nevada, Assessor's Parcel Numbers 004-271-55, 56 & 69.

Planning Manager Canfield summarized the project: This property is located within the 40-acre Estates portion of the Virginia City Highlands, Virginia Ranches. The project involves three 40 acre parcels of land, one owned by Lawrence Ryan, one owned by the Herringtons and a middle parcel with shared ownership of both applicants. Mr. Ryan is desiring to sell his parcel of land and consolidate his portion of the middle parcel with the parcel of land entirely owned by him. It is proposed to split the middle parcel at the diagonal and each portion of the middle lot will be consolidated with the adjacent parcel. Storey County Code and the Nevada Revised Statutes require a Parcel Map to be recorded to document the merger and resubdivision of the land. The resulting Parcel Map will demonstrate the existing three 40-acre parcels become two 60-acre parcels of land with no shared ownership between neighbors.

There is some existing development on the parcels, however, the proposed Parcel Map will create larger parcels.

There are no concerns regarding consistency with zoning or building codes with creating the new parcel boundaries. Between the three existing parcels, there are two wells and that number will remain the same with the proposed project.

Nevada Revised Statutes (NRS) sections 278.461 through 278.469 defines the requirements for Parcel Maps. Storey County has adopted Chapter 16.30 of the Storey County Code to also address Parcel Maps. This proposed project has been reviewed to be consistent with both NRS and Storey County requirements. Typically, a Parcel Map process provides for a Tentative Parcel Map and a Final Parcel Map. Because of the simplicity of this application and going from three existing parcels to two proposed parcels of land, Planning staff is requesting the Planning Commission recommend waiving the requirement for a Tentative Parcel Map. Review of this application considered the requirements for both the Tentative Map and the Final Map.

No Public Comment

Motion: In accordance with the recommendation by staff, the Findings under section 3.A of the Staff Report, and in compliance with all Conditions of Approval, I Kris Thompson, hereby recommend waiving the requirement for a Tentative Map and recommend approval of a Parcel Map to merge three existing 40 acre parcels, Lot 271s, Lot 272s and Lot 278s into one, then resubdivide them to create two approximately 60 acre parcels. The properties are located at 27100, 27200 & 27800 Hillside Road, Virginia Ranches neighborhood of Storey County, Nevada, Assessor's Parcel Numbers 004-271-55, 56 & 69., **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Umbach,

Planning Manager Canfield read the findings into the record:

- (1) This approval is for a Parcel Map to merge three existing 40 acre parcels, Lot 271s, Lot 272s and Lot 278s into one, then resubdivide them to create two approximately 60 acre parcels. The properties are located at 27100, 27200 & 27800 Hillside Road, Virginia Ranches neighborhood of Storey County, Nevada, Assessor's Parcel Numbers 004-271-55, 56 & 69.
- (2) The Parcel Map complies with NRS 278.461 through 278.469 relating to Parcel Maps and Chapter 16.30 of the Storey County Code, including the specific criteria outlined in Section 2.D of this staff report.
- (3) The Parcel Map complies with all Federal, State, and County regulations pertaining to Parcel Maps.
- (4) The Parcel Map will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding vicinity.
- (5) The Parcel Map will not cause the public to be materially injured.
- (6) The conditions of approval for the requested Parcel Map do not conflict with the minimum requirements in Storey County Code Chapters 17.40 E Estates zone or any other Federal, State, or County regulations.

Vote: Motion carried by unanimous vote (**summary:** Yes=5).

6. **Discussion/For Possible Action:** Determination of next planning commission meeting.

Motion: Next planning commission meeting to be held on October 21, 2021, at 6:00 P.M. at the Storey County Courthouse in person and via Zoom, Virginia City, Nevada, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Sober, **Vote:** Motion carried by unanimous vote (**summary:** Yes=5).

No Public Comment

7. **Discussion/For Possible Action:** Approval of claims – None
8. **Correspondence (No Action)** – None
9. **Public Comment (No Action)** – Kris Thompson informed the commission that TRIC is “closing” on a 516 acre deal with a global nanotech company that will bring a nanotech campus to the industrial center.
10. **Staff (No Action)** – Planning Manager Canfield reminded the commission about the Nevada APA Conference in October (in Reno) and asked them to let staff know if they would like to attend.
11. **Board Comments (No Action)** – None
12. **Adjournment (No Action)** - The meeting was adjourned at 6:20 p.m.

Respectfully Submitted, By Lyndi Renaud