

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406

May 14, 2025

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 6:00 p.m. on May 14, 2025 by Chair Bunyard.

Present: Zack Bunyard, Chair; Jeff Goings, Vice Chair; Victor Ansotegui, Member; Tami Edgmon, Member; Joe Frey, Member; Mark Hyde, Member; and Scott Nelson, Member.

Absent: None

Planning Staff Present:

Randy Hines, Public Works Director
Dean Patterson, Senior Planner
Loreli LeBaron, Code Compliance Official
Diane Moyle, Administrative Assistant

Civil D.A. Staff Present:

Joseph Sanford, Deputy District Attorney

2. Pledge of Allegiance:

The Pledge of Allegiance was recited by the commission and public.

3. Public Comment:

There were none.

4. Verification of the Posting of the Agenda:

It was verified by Diane Moyle, Administrative Assistant, that the agenda for this meeting was posted on May 8, 2025 in accordance with NRS 241 and the Churchill County Code.

5. Consideration and possible action re: Approval of Agenda as submitted or revised:

Member Hyde moved to approve the agenda as submitted. Vice Chair Goings seconded the motion which carried by unanimous vote.

6. Verification of notification of all landowners in accordance with NRS and the Churchill County Consolidated Development Code:

Chair Bunyard verified with the Administrative Assistant that notification was sent to all landowners in accordance with NRS and the Churchill County Code.

7. Consideration and possible action re: Approval of Minutes of the meeting held on:

- A. March 24, 2025 Special Meeting
- B. April 9, 2025 Public Hearing
- C. April 22, 2025 Workshop

Member Edgmon moved to approve the March 24, 2025, April 9, 2025, and April 22, 2025 minutes as written. Vice Chair Goings seconded the motion and the decision carried by unanimous vote.

8. Old Business

- A. Consideration and possible action re: Review of a special use permit, SUP001068, for an Off-Premises Outdoor Storage Yard previously granted to Jared Card of Card Trucking LLC on May 10, 2023. The property is located at 2555 Beasley Drive, Assessor's Parcel Number 007-171-62. A condition for approval was annual review until the Planning Commission determines it is no longer necessary.

The applicant was not available to speak regarding this permit.

Director Hines stated that at the meeting in 2024 the applicant informed that all of the conditions had been met except for the landscaping and screening. The screening had been completed on the north and east sides of the storage area; however, it was not done on the west side. There were some boulders installed for landscaping. He performed a site inspection today, and it appears that screening is now installed on the west side of the storage area. There has not been any additional landscaping installed.

Chair Bunyard wondered if the commission wanted to just leave the remaining item up to the department to ensure that it is completed or if they wanted to request another review in a year.

Vice Chair Goings questioned if anything has happened since the review in 2024, and Director Hines said that they had completed the screening on the west side of the property. The applicant had indicated at the last meeting about possibly installing some colored gravel or something around the boulders, but that hasn't been done. There is an attempt at some landscape out there, and it is just a question of whether the code would require more than what he has done.

Member Hyde wondered if the applicant shouldn't be required to attend a meeting to answer questions about the landscaping. He wasn't sure if they should stop requiring the annual review until the conditions are met. Member Nelson responded that he believes that we are trying to move to the point that the department can make these minor decisions without it having to come before the board every time, so he would be more inclined to make a motion to leave this up to the department to finalize the landscaping and move forward with the special use permit. Vice Chair Goings stated that he agrees with both opinions. His issue is that this special use permit was approved with all of the conditions, and at the time there were a lot of joists on the premises. The applicant came for the annual review last year, and there were fewer joists onsite and he was still debating about whether or not he was going to finish the conditions. Now, there are no joists onsite and there has not been any movement toward meeting the remaining conditions of the permit. He wholly believes that the department is capable of handling this, but he also is a little concerned that they put these conditions on these special use permits, and they don't get met. Can the department handle the oversight of these permits going forward? Member Nelson pointed out that it is only the landscaping that hasn't been completed, and Director Hines noted that there has been a minimal amount of landscaping done, but the applicant didn't do the additional items he mentioned at the last meeting. Member Nelson reiterated that he thinks the department could work that out with the applicant. Member Edgmon inquired if the landscaping is being met to the same standards that are required of all other businesses along the highway. If it is good for one, then it would be good for all. If the applicant hasn't met the requirements that we are requiring everyone else to do and he is not here to speak on his behalf, that says a lot, too. Director Hines remarked that we don't really have a set landscape plan that is the same for everyone. Typically, the applicant will present a plan to the department, and it is determined whether it is acceptable. He believes that just having a few boulders at the front of the property wasn't enough to satisfy the requirement based upon the last meeting, and the applicant offered to add more. There hasn't been any added based upon the site visit today. Vice Chair Goings agreed with Member

Nelson that the department could handle this; however, he wanted to make sure that the applicant was held accountable for meeting the conditions for the special use permit that they approved. He thinks this should be addressed. Director Hines confirmed that the department could take care of this internally. Chair Bunyard further stated that if the conditions were not being met, it is something that could be brought back before the commission for further action.

Chair Bunyard called for a motion.

Vice Chair Goings moved to have the department ensure that the remaining conditions are met and no longer require an annual review. Member Nelson seconded the motion and the decision carried by unanimous vote (7-0).

- B. Consideration and possible action re: Review of a special use permit, SUP001086, for a home-based business previously granted to Clayton & Joleen Bryant, Dead Eye Dirtworks, on May 8, 2024. The property is located at 3205 Brookside Circle, Assessor's Parcel Number 008-421-23. A condition of approval was an annual review to determine if the scale of the operation is still appropriate for a home-based business.

Joleen Bryant, 3205 Brookside Circle, was available to speak regarding this application.

Director Hines said that this is a permit for a home based business that was approved last year for Dead Eye Dirtworks, and some of the concerns for this business was the size of the operation. He believes that they were limiting the business to two trucks, a mini-excavator, a skid steer, and a trailer. The intent was to not have the business expand at this location because it is in a more dense neighborhood. Correspondence from the applicant has stated that the scale of the operation has not changed and all conditions of the permit have been met.

Chair Bunyard asked Mrs. Bryant if the business has remained the same since the application was approved. Joleen Bryant indicated that they are actively looking for property to purchase where they could move the business. Chair Bunyard thinks that since they haven't added anymore employees and the business hasn't changed, he doesn't see why this couldn't go an additional year or until they can find another property. Mrs. Bryant noted that the mini-excavator hasn't even been on their property for months because it is going from jobsite to jobsite. Everything that they listed that could be parked on the property hasn't all been on the property since then.

Chair Bunyard inquired if any of the commissioners had any questions or discussion.

Member Nelson questioned if the department had received any complaints from anyone regarding this operation, and Director Hines responded that there has not been any correspondence related to this business.

Chair Bunyard asked for any public comment; there being none, he called for a motion. Member Hyde inquired if this was something that they should review every year, and it was stated that they should to ensure that the business hasn't expanded and that the conditions that were placed on this permit are being met. Mrs. Bryant stated that she would like to have another place for the business by next year.

Member Ansotegui moved to request another annual review for this permit. Member Hyde seconded the motion and the decision carried by unanimous vote (7-0).

9. New Business:

- A. Consideration and possible action re: A tentative parceling plan application, PC25-000003, filed by Bart Hiatt. The property is located on Boundary Road, Assessor's Parcel Number 009-071-27, consisting of 66.54 acres in the A-10 zoning district. The applicant proposes to divide the parcel into six parcels of approximately 11.0 acres each.

David Crook, Lumos & Associates, 275 W Williams Avenue, was available to speak regarding this application.

Member Ansotegui recused himself from this item due to familial connection.

Dean Patterson, Senior Planner, stated that the property is located on Boundary Road, which serves as the east boundary for the Fallon Paiute-Shoshone Reservation. The applicant has proposed a parceling plan that would result in six lots, that will in turn be implemented in two serial parcel maps. All six lots will be residential lots fronting on Boundary Road, which is a County maintained gravel road. The staff report reviews the approval criteria. This is a fairly standard project. There were only two issues of importance that arose during the review:

- The first is that a Friction Zone and an Agricultural Protection plan are required to protect adjacent agriculture. Most of the different friction zone buffers use separation to reduce incompatibility problems. Staff recommends that the adjacent roads, canals, ditches, drains, and property or road setbacks provide adequate separation in this case, except for the north property line. In that case, Staff recommends a 75 foot “agricultural protection setback” along the north line to keep buildings away from that farm field. This is included on the latest version of the map (shown on the overhead screen).
- The second issue is that tentative parceling plans require soils information be provided. The map and a submitted Geotech Report indicate that soils conditions that have severe problems related to development cover almost all of the site. Clay soils will mean specialized septic systems will be needed. Expansive clays will need specialized construction methods to deal with them, such as removal and replacement of soils for foundations. Corrosive soil chemistry will require resistant construction methods. A recommended condition will require specific notification of these problems on the map.

Mr. Patterson said that no comments were received, and Staff recommends approval with the recommended conditions listed in the staff report.

Chair Bunyard asked if any of the commissioners had any questions or discussion.

Vice Chair Goings inquired if the applicant had read the conditions and were okay with them, and Mr. Crook stated that he was aware of them and had no issues with any of them.

Chair Bunyard called for public comment; there were none.

Chair Bunyard called for a motion.

Member Hyde, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.04.040(C) and CCC 16.04.050(A) have been met for the land division application, and therefore recommend that the Board of County Commissioners approve the proposed Tentative Parceling Plan for Bart Hiatt to divide APN 009-071-27 into 6-lots. This approval is subject to conditions, as listed in the Staff Report. Vice Chair Goings seconded the motion and the decision carried by a unanimous vote (6-0, with Member Ansotegui abstaining).

Recommended Conditions:

1. *Changes shall be made for compliance with Churchill County Code, including but not limited to:*
 - a. *Identifying irrigation and drainage structures.*
2. *Any final changes required by the County Surveyor shall be made, including but not limited to the following:*
 - a. *Fixing typographical errors such as monument labels.*
3. *Notes shall be provided clearly indicating the soil limitations related to septic difficulties, structural hazards, and corrosion problems, and the need for special construction methods. The note shall be referenced near the lot number label for each lot.*

Chair Bunyard thanked the applicant and advised that the recommendation of the Planning Commission will be forwarded with this application to the June 5, 2025 Board of County Commissioner's meeting.

- B. Consideration and possible action re: A parcel map application, PC25-000004, filed by Alex Quintana. The property is located on Cardinal Drive, Assessor's Parcel Number 008-211-94, consisting of 57.4 acres in the A-5 zoning district. The applicant proposes to divide the property into four parcels.

David Crook, Lumos & Associates, 275 W Williams Avenue, was available to speak regarding this application.

Dean Patterson, Senior Planner said that the proposed parcel map will result in four lots, all fronting Cardinal Drive (map was displayed on the overhead screen). The three smaller lots will be roughly equal size (around 5 acres each). The large remainder lot will have a home site available and will also encompass a large wetland/pond complex of over 30 acres that dominates this parcel. That complex will be protected by a conservation easement, as required by code.

An important point is that the existing lot was recently created by a Boundary Line Adjustment with the intent to be developed using the Cluster Development provisions. This would have allowed approximately 10-11 small lots with the remainder lot having a conservation easement on the wetlands/ponds. The applicant does not want to pursue that path of development. He understands that the proposed parcel map still requires the conservation easement but will eliminate the possibility for having the extra lots.

The staff report reviews the approval criteria. This is a fairly standard project. There were only two issues of importance that arose during the review:

- The first is using on-site septic in a location that is well known to have high groundwater, as also evidenced by the wetlands/ponds. While specialized septic systems may be needed, the four proposed lots also contain elevated land that should be suitable for standard systems. No special conditions are needed in this case.
- The other issue is that power does not run along Cardinal Drive through the project, but does extend to adjacent homes on the east and west sides. Three of the four lots abut parcels currently served by power. Only the fourth lot (in the middle) does not, but it will not be distant from a power source.

Mr. Patterson stated that there were no comments received, and Staff recommends approval with conditions that are listed in the staff report.

Chair Bunyard asked if any of the commissioners had any questions or discussion. There were none.

Chair Bunyard called for public comment, and there were none.

Chair Bunyard called for a motion.

Member Edgmon, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.04.040(C) and CCC 16.04.050(A) have been met for the land division application, and therefore recommend that the Board of County Commissioners:

(A) Approve the parcel map for Alex Quintana to divide APN 008-211-94 into 4-lots. This approval is subject to conditions, as listed in the Staff Report.

(B) Accept the offer to grant easements identified on the maps.

(C) Reject offers to dedicate land and improvements.

Vice Chair Goings seconded the motion, and the decision carried by unanimous vote (7-0).

Recommended Conditions:

1. *Changes shall be made for compliance with Churchill County Code, including but not limited to:*
 - a. *Changes to labels on road easements and improvements shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.*
 - b. *Changes to the Churchill County Commissioner's Certificate shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.*
2. *Any final changes required by the County Surveyor shall be made prior to recording.*

Chair Bunyard thanked the applicant and advised that the recommendation of the Planning Commission will be forwarded with this application to the June 5, 2025 Board of County Commissioner's meeting.

- C. Consideration and possible action re: A special use permit application, SUP25-000009, for a communications tower and antennas filed by Jeremy Jordan of Precision Site Development on behalf of T-Mobile. The property is located at 25 S Harmon Road, Assessor's Parcel Number 007-932-26, consisting of 7.14 acres in the C-2 zoning district. The applicant proposes to add antennas & accessory facilities to the existing tower, which is located within the NAS Fallon Overlay.

Phillip Thomas with Precision Site Development, representatives for T-Mobile, was available to speak regarding this application.

Dean Patterson, Senior Planner, stated that the applicant is requesting to co-locate new antennas on an existing cellular communication tower. The tower site is at the Harmon Junction store, at the intersection of Harmon Road and the Austin Highway (US 50). Normally, an antenna co-location only requires a zoning review rather than a Special Use Permit. However, this case involves a tower within the NAS Fallon Overlay Zone and under the main jet fighter flight path, which requires that the review is bumped up to a special use permit (SUP) in order to provide the Navy with the opportunity to evaluate impacts on their operations. The 100-foot tower has previously obtained permits and is authorized to allow colocation of additional antennas. No tower changes are proposed. A new "candelabra" structure will be installed below the existing one at the top. It will hold 6 new antennas, with associated ground equipment.

Mr. Patterson further remarked that Navy staff only recently commented in the last couple

days. They did not express concerns other than coordinating with the applicant to avoid radio frequency interference, which is covered by the recommended condition of approval. He recommended that the applicant contact them to discuss this matter. He indicated that there is a recommended condition related to this coordination. Comments were received from the Navy, and the Building Department noted that building permits are required. Staff is recommending approval with the recommended conditions listed in the staff report.

Chair Bunyard inquired if the applicant had been in contact with the Navy, and Mr. Thomas said that they had not yet. He didn't believe there should be an issue. Chair Bunyard asked if any of the commissioners had any questions or discussion. There were none.

Chair Bunyard asked for public comment. There were none.

Chair Bunyard called for a motion.

Member Edgmon, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in CCC 16.08.080(H) and therefore approve the application for a Special Use Permit for cellular antenna co-location at 25 S Harmon Road (APN 007-932-26). This approval is subject to conditions, as listed in the Staff Report. Vice Chair Goings seconded the motion and the decision carried by unanimous vote (7-0).

Recommended Conditions:

1. *Obtain all required building permits and safety inspections*
2. *Paying applicable community impact fees.*
3. *All Navy recommended coordination activity and construction equipment lighting shall be incorporated into the project.*

Chair Bunyard thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

D. Consideration and possible action re: A special use permit application, SUP25-000010, for a communications tower and antennas filed by Alonzo Williams of NNE Construction, Inc. on behalf of CC Communications. The property is located at 16799 Carson Highway, Assessor's Parcel Number 007-021-65, consisting of 1680.3 acres in the RR-20 zoning district. The applicant proposes to construct a new telecommunications tower with antennas.

Alonzo Williams, NNE Construction, 122 Quintin Way, was available to speak regarding this application.

Dean Patterson, Senior Planner, stated that the applicant is requesting to construct a new 30' lattice communication tower. New towers require a special use permit. A previous application authorized the existing tower; however, one of the tenants has problems due to other electromagnetic activity on the tower. The new tower will allow separation from the main tower to reduce reception problems. The proposed tower is a 30' lattice tower with a triangular cross-section (a drawing depicting the tower was shown on the overhead screen). No antennas are proposed with the new tower. The existing support facilities will likely be used with existing equipment being moved over to the new tower. If this is the case, no later review will be needed. If it is not the case, additional review will be needed for antenna placement. All new developments will be within the existing fenced

lease area.

Mr. Patterson remarked that there are a number of typical concerns that go with a new tower. Communication towers with extensive antenna arrays are often a source of concern for adjacent neighbors, but there are none. The County normally considers whether the tower may fall onto adjacent properties, but it is setback further than its height from property lines. The proposed tower will make the site more visible from the highway and Lahontan Recreation Area than the existing tower, but the impact should be slight at this distance. Towers can be an attractive nuisance for young people, but security fencing exists around the tower and equipment pads, and the site is remote and difficult to get to. New towers can be an aircraft safety concern, but this one will be shorter than the existing main tower, so no impacts are expected.

The Navy provided comments in the last couple days; they had no concerns other than coordinating regarding radio frequency interference. In this particular case, they are going to be moving the existing radio antennas over to the new tower, so that should not be an issue for the Navy. No comments were received other than from the Navy and the Building Department noting that building permits are required. Staff recommends approval with conditions in the staff report.

Chair Bunyard asked if the applicant had anything to add, and Mr. Williams did not. Chair Bunyard then inquired if any of the commissioners had any questions or discussion. There were none.

Chair Bunyard asked for public comment, and there were none.

Chair Bunyard called for a motion.

Member Edgmon, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in in CCC 16.08.080(H) and therefore approve the application for a Special Use Permit for a new communication tower at APN 007-021-65. This approval is subject to conditions, as listed in the Staff Report. Vice Chair Goings seconded the motion and the decision carried by unanimous vote (7-0).

Recommended Conditions:

- 1. The tower must obtain all required building permits and safety inspections.*
- 2. All applicable community impact fees must be paid with building permits.*
- 3. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*
- 4. If the facility is no longer used, the towers shall be removed. The Public Works Director may take action to enforce this requirement.*

Chair Bunyard thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

E. Consideration and possible action re: A special use permit application, SUP25-000011, for crop processing and storage filed by Alex Peden. The property is located at 1450 McLean Road, Assessor's Parcel Number 008-731-04, consisting of 6.31 acres in the A-5 zoning district. The applicant proposes to convert a vacant grain handling facility into a wood pellet production facility. The application includes a request to be considered similar to grain processing rather than timber processing.

Alex Peden, 5440 Desert Hills Loop, was available to speak regarding this application.

Dean Patterson, Senior Planner, stated that there are two parts to this application: 1) a request for similar use determination as Crop Processing, and 2) the special use permit (SUP) for Crop Processing. If the similar use determination is denied, then the use is prohibited, and the SUP would not be acted upon.

1) Request for Similar Use Determination: This application proposes to make wood pellets. The use table in County Code has two listings options:

- Timber Processing and Storage, which involves breaking trees down into products. Examples would be sawmills, paper mills, plywood mills, etc.
- Crop Processing and Storage, which involves turning crops into foodstuffs. Examples would include flour mills, cereal making, cold warehouses, canning plants, bottling plants, extracts processing, etc.

The use table does not address the use of byproducts from wood facilities to create wood pellets. Specifically, the project is proposing to use wood waste (including woodchips, sawdust, etc.) from sawmills and similar timber processing facilities to create wood pellets. The use of wood would normally put the project into the same category of timber processing facilities. But the processing of small particles uses the same machinery as used for making feed pellets, which would have been considered crop processing. So, the use does not clearly fall into one listing or the other. The applicant has submitted a request to be considered as similar to a Crop Processing and Storage facility, because his operation is very similar to it.

The Master Plan and Zoning Districts emphasize protecting agricultural lands from uses that make agriculture more difficult, especially converting agricultural lands. You would not normally want industrial uses going into the agricultural lands. Both Crop Processing and Timber Processing are industrial uses and would normally go in a centrally located Industrial or Heavy Commercial (C-2) zone with resource products from a broad area brought to the facility to process them into something else. In Churchill County, the distinction between Crop Processing and Timber Processing comes in where they are located, which is why we are here now. Both can have sizable neighborhood and environmental impacts, with timber processing often having more noise impacts (i.e. sawmill) and odor impacts (i.e. paper mill). But because of the connection to crops, Crop Processing is also allowed in agricultural zones (A-10 and A-5). That is what Mr. Peden is asking in this application. Crop Processing in the agricultural zones requires a Special Use Permit because there may be special issues that need conditions of approval, and some locations may not be appropriate.

The applicant understands that the project would normally need to be located in a different zone, and requests to be temporarily considered as crop processing. This will allow him to test his startup business at this site, which has most of the needed equipment. Staff and the applicant discussed the likelihood that, if the project is a success and grows, it would probably have to move to an appropriate location.

Since the requested use requires a special use permit, the Director defers the final determination to the Planning Commission decision on the permit. If determined to be similar to Crop Processing, Staff recommends that the operation should not be altered to increase capacity beyond the existing facilities; such as hiring employees, additional structures, larger capacity equipment, or redesign of the equipment layout to increase capacity. For such expansion, the business should move to a differently zoned property.

2) Special Use Permit: The application proposes to be considered similar to a Crop Processing

Facility. The operation would occupy a small area of the feedlot, and use the existing facilities used for a small-scale feed processing operation that has been there for a long time. These include the silos and conveyance systems, and the office building.

The site plan shows a layout of operations, and the application provides a detailed description of the process. The storage and particle milling operations will mostly be located in and around the existing silos next to the road. A “hammer mill” will be used to break down the larger wood pieces into sawdust sizes suitable for pellet extrusion. It will be in a sound-insulated building, which is important. The office, restrooms, pellet processing, packaging, warehouse, and storage yard are located in or near an existing building. A pellet press machine will be used that forces the wood through the pellet extrusion phase. Staff recommends that this machine also be in a sound-insulated space to reduce noise. The project will be a one-man operation using largely automated equipment, and run by the applicant. Staff recommends that no additional employees be allowed.

The application and conversation with the applicant describe the wood pellet manufacturing operation. The wood chips are picked up at their source facilities and brought to the site with a pickup and dump trailer. They are dropped off and moved to a primary storage silo. Then chips are conveyed to be reduced to sawdust particles in the hammer mill. The reduced particles are conveyed to another silo for storage. From there, particles are conveyed in an underground tube to the main building for moisture conditioning and extrusion through the pellet press. The pellets are then cooled, dried, and packaged. Packaged pellets are stored in the warehouse or storage yard until they are transported to sales destinations, possibly using a semi-truck, but usually with the applicant’s truck and trailer. Operation hours are split, with silo and hammer-mill activities being daytime operations, while pellet pressing and packaging operations are continuous 24/7 operations. Since there are no employees other than the owner, the facility is highly automated. Nighttime operations in the main building will be automated without personnel, using remote monitoring equipment. Both machines create noise similar to a lawn mower. Mills that create a lot of dust particles are a fire and explosion hazard. The application describes the safety measures.

Initially, the applicant will be the only employee and plans to start operations at about 300 pounds per hour. But the application includes hiring employees in the future, if the capacity goes over 600 pounds per hour. Staff recommends that additional employees not be allowed, in order to encourage the facility to find a new location when it grows to that point. For context, 300 pounds per hour would create less than 200 40-pound bags per day, which equates to about 3.5 pallets of product per day, and that would be 1-2 delivery truck of final product per week. Production of 600 pounds per hour would double these numbers.

The staff report reviewed the approval criteria.

- Regarding compatibility with the neighborhood.
 - Nearby uses are agriculture with associated residences or residential lots that have been split off from the farm. Two homes lie to the east at approximately 500’ and 750’. There is a subdivision approximately 1000’ to the north. Other homes in the area are 1000’ or more away. There are noises from farming and livestock operations in the area, sometimes quite noisy.
 - The project includes interior machinery noise and exterior truck traffic and noise. The hammer mill and pellet press will be noisy, which would normally be incompatible with residential uses if they were outside. The machines will be inside sound-insulated spaces, which should reduce noise to background agricultural noise levels.
- Relates to not overburdening public services and infrastructure:

- The only issue of note was addressing the fire hazards of milling operations. Note that wood particles have a lower combustion hazard than fine grained flour mills and similar operations. The applicant has been coordinating with the Fire Marshal, and the application describes safety measures. The State Fire Marshal approval is required, as well as construction inspections of the fire system, and annual inspections.
- Regarding Road and traffic impacts:

McLean Road is a state highway. Nevada Department of Transportation (NDOT) did not comment on the project. With the small levels of passenger and truck traffic, McLean Road has capacity to handle the volume.
- Regarding environmental impacts:

The staff report reviews environmental impacts, which can be managed with mitigation required in the conditions of approval.

There have been many comments submitted that raise concerns about impacts to neighbors. From reading them, there seems to be misconceptions of what the applicant is proposing.

 - Some comments seem to think that the applicant is proposing to do agriculture though he isn't. He is proposing to be considered "similar to" crop processing.
 - Some comments seem to think there will be a big plant being proposed that's creating wood pellets. This will be a very small operation using existing facilities, and if it is successful and grows, it will eventually move to a different site. To be clear, if this were a large plant were proposed, the impact would be much larger. This project is almost like a home business.
 - Some comments were concerned with air quality impacts from sawdust and milling operations. These are the elements that create an increased fire hazard, and those must be controlled. Those should not be an issue for neighbors. Operations are enclosed, and the particles are not freely released to the outside air.
 - Some comments were concerned with the impacts of air and water quality from chemical emissions. The operation will not use chemicals. While such chemicals may be used in normal timber processing to make plywood, paper, glue laminated beams, etc., the application does not propose using not using such products to make wood pellets.
 - Some comments were concerned with lots of large truck deliveries that were going to happen. The applicant will only need a handful of deliveries per week coming in and going out. A large truck might be used, but mostly it will be his pickup and trailer.
 - The biggest concern seems to be noise from the machinery. Some of the comments seem to think that the machinery will be outside rather than in a sound insulated space, which greatly reduces the noise outside the building. Most of these machines are about as loud as a lawn mower that people use every week, or farm equipment that regularly operates.

The Fire Marshal has been working with the applicant, and provided written comments as noted above. The Building Department provided written comments that combustible dust requires special review by state and local fire departments. In addition, building permits are needed that meet building codes, the building must meet handicapped accessibility standards, and a licensed contractor will be required. He encouraged the applicant to work with the Building Department regarding these items. The State is responsible for commercial septic systems. Staff report recommends approval with conditions as listed. He noted that the motion for decision includes two parts—one for the similar use determination and one for the special use permit.

Director Randy Hines questioned how legal counsel wanted to handle the comments that were received, and Joe Sanford, Deputy District Attorney-Civil, replied that they would identify how many

letters have been received, that these are part of the record, how many were in support, and how many were in opposition. Director Hines remarked that the office received letters delivered to the office and via email, there were eleven total, included as part of the record, and all of them were in opposition.

Chair Bunyard asked if the applicant had anything to add. Alex Peden said that he didn't have a formal presentation. Chair Bunyard requested that Mr. Peden go through the process that he is looking to do. Mr. Peden stated that he would basically be getting wood chips from local sources—tree service companies. He has already spoken with Battle Born Tree Services of Carson City, who has huge piles of wood chips that just go to waste or composted if even that. He has also talked with Nevada Department of Forestry, Biomass section, since December. They love this idea because they have so much wood waste when they clean out forests from either wildfires or to prevent wildfires. What would normally happen is they would make slash piles and burn them, which pollutes the air. He would be working with them to get wood chips to help them out. He said that it also would help put money back into the forestry department, so that they can keep providing their services. He would bring his dump trailer (about a 16 foot dump trailer) with his truck, about one load per day, from Carson City. He would dump that next to the big silo where there is an in-ground grain auger. There is also a grain elevator, which will help put the chips inside the big silo. From there it would go through a flexible screw auger to the hammermill, which would be in an approximately 10' by 10' hush house, insulated probably twice (both foam insulation and fiberglass insulation with siding—interior and exterior). After it goes through there, the product will go into one of the other silos until it is ready to be processed through the moisture conditioner and pellet press. The product goes through a long screw auger from the small silo to the conditioner and press. Then it goes through a cooler (a grain bin with some blowers on it), and once it has been cooled enough, it is weighed, bagged and pelletized. Chair Bunyard asked about the 24/7 operation and to what part of the process that applied. Alex Peden confirmed that this applied to the bagging and other operations within the building. The bagging, column stacker, and pellet press will be 24 hours, and if he is able to at least increase his production per hour, but not the overall amount per year, he could actually decrease those numbers significantly with each machine having the amount of time to process. It will only be 24 hours in the beginning to get going and prove it out. Then if he could purchase another machine, it would cut the amount of time needed to operate in half. Chair Bunyard then questioned about the noise factor on the hammermill. Mr. Peden replied that a hammermill is typically around 85-100 decibels, the one he would have would be one of the smaller ones and would be closer to 85 decibels. Outside of the shed at about 10 feet, the noise would be around 60-85 decibels. He stated that 85 decibels would be like a truck idling or a vacuum cleaner. That is at 10 feet, and by the time it gets to the nearest house, which is roughly about 600 feet, it would only be 49 decibels. He noted that the background noise in a home is typically about 55 decibels, so someone wouldn't really be able to hear it inside the home. Chair Bunyard reiterated that it was just the noise from the hammermill, and then he asked about the noise from the other manufacturing side. Mr. Peden stated it would be 60 decibels or less inside of the building, and it would be about 20 decibels less than that outside of the building. Chair Bunyard remarked that the noise level outside of the building wouldn't be greater than the noise of a car driving by at best.

Chair Bunyard inquired if any of the commissioners had any questions or discussion.

Member Hyde reiterated for clarification that both operations will be inside of buildings—the hammermill will be inside of a building and the pellet press will be inside of a building. He stated that a huge concern for the public is not only with the noise that he has already addressed, but also with pollution. Part of that would be any kind of dust that is created through this operation that could

get over on crops or neighbors. He asked the applicant to address this concern and talk about how that is being controlled. Alex Peden responded that because most of it will be inside of containers and screw augers none of it will actually be exposed to the air. Granted, like sand in the desert, it gets everywhere, and it is just as fine as sand. There will be dust collectors anywhere that it is needed. Screw augers are a tube essentially, so you won't need collectors on those. It could be needed around the cooling chamber and the hammermill, which will definitely have a dust collector attached. What he was told by the manufacturer of the hammermill, there isn't really that much dust when someone hammermills wood chips. Member Hyde confirmed that the hammermill would be inside of a building, and Mr. Peden agreed that it would be inside of a sealed building. There will be a vent for the hammermill because there is a suction side to it as well as an exhaust side, but there will be a dust collector on the exhaust side.

Member Edgmon asked if all of the equipment was onsite for this right now, and Mr. Peden replied that not all of it was there. He said the automation portion of the equipment is onsite, but he still needed to purchase some of the other equipment. Member Edgmon inquired if once all of the equipment is purchased, there would be inspections made related to the sound barrier meeting code requirements, as well as other conditions being met, prior to any processing or any attempt at operation. There was an affirmative answer given. Member Edgmon questioned of staff regarding the temporary consideration as a crop processing facility and who would regulate the small business—that there is only one person at all times there, that it will remain a one-man operation. Dean Patterson stated that this is subject to annual review, so they would certainly be checking on it every year. Otherwise, they would trust the applicant and all of the permits that would be required. Member Edgmon asked if this was something that they choose to give a try or take a chance at, what the timeframe would be. Can they change it, does it have to be a year, can they choose three or six months to see if there are complaints, problems with neighbors versus waiting a year? Mr. Patterson remarked that they could set the timeframe. Joe Sanford, Deputy District Attorney-Civil, said that they could set it to any duration that they would like to have a review, and he also mentioned regarding the question about who is checking on these that there is a complaint process for any operation in the county. If we receive complaints, we go out and check, and it isn't something that they have to wait the entire duration. He gave an example if the review is set at one year or whatever time period, and three days after the process is starting, we receive 15 complaints, then they won't wait the timeframe established to respond to the complaints. Member Edgmon inquired about that process. Director Hines explained that on our website there is a place where anyone can file a complaint through the online portal. Once we receive these, they are investigated usually within a day or so. Member Edgmon confirmed that she was aware of the process, and she just wanted the public to understand how it works, so that they aren't calling 911 to report the complaint. Director Hines agreed that they would not report it to the Sheriff's Office; they would file the complaint through the portal online. They would need to create an account, and there is an option to file as an anonymous person if you didn't want your name to be associated with the complaint. Once the complaint is received, we will do the investigation and take action from that point.

Vice Chair Goings asked Mr. Peden to give some dimensions regarding the buildings and equipment. He noted that the hush house was stated as being 10' by 10'. How big would the hammermill be? Alex Peden responded that it is 75 inches tall, 36 inches long, and 38 inches wide. It might be a little larger once the dust collector is added to it, and there could be other equipment, like a variable frequency drive (VFD) or anything like that that he would be required to install. Vice Chair Goings compared that to about the size of the table that Mr. Peden was sitting at. He then questioned

about the pellet press and if it was roughly the same size. Alex Peden commented that it was even smaller. It is 39 inches tall, 34 inches long, and 13 inches wide. Vice Chair Goings stated that when someone reads an application like this it could be assumed that this equipment is much larger than it actually is. Alex Peden remarked that there are larger machines, but the manufacturer he is going through specializes in hobbyist machines. They really aren't that big, and they are no larger than some piece of equipment that someone would have in their yard to make barbecue pellets or the like. One reason that he is going in that direction is because it is affordable, and having it automated, you can get a little more out of it than what they generally produce. The automation keeps the equipment fed at a constant rate to help with the output production. Vice Chair Goings went back to the statement by the applicant that the manufacturer considers this size of equipment as a hobby, and Mr. Peden reaffirmed that they consider it like a hobbyist.

Member Ansotegui stated that a lot of them were wondering how big this operation was going to be, and it sounds like it is going to be very small. He noted that the application says that he would use his dump trailer. He inquired if he would use a small loader or a tractor to move the stuff around. Mr. Peden said that there is a concrete pad right where the screw auger is located, so he would just get a forklift with an attachment like a plow to just push the chips in as needed. He would also use a broom to sweep the wood chips into the auger. There wouldn't be any loaders or tractors used. Member Ansotegui stated that on special use permits there are recommended conditions in the staff report. He verified that the applicant had seen those and was okay with them, and Mr. Peden responded that he was. He wanted to make sure that the public was aware of a couple of the ones listed include that the applicant wouldn't be allowed to increase in size, operation of the business shall be conducted in a manner that does not create a nuisance (public or private) under the Nevada law or Churchill County Code, and all state and federal permits required for this business will be obtained and maintained. He thinks that it is important to state that this is the applicant trying out a hobby. He didn't see any issues related to the surrounding area.

Alex Peden remarked that what got him thinking about this idea is that looking around Fallon and there is a ton of wood waste in most everyone's yard. This is a resource, and if you look at the cost of a ton of pellets here is about \$360. He believes that he would be able to come under that by about \$100. It would give the community great savings. Another thing is that from his knowledge you can't get 20 pound bags of pellets. This is something that he wants to produce, especially for disabled or senior citizens. He noted that often older people are not able to lift the 40 pound bags, and he thinks that a 20 pound bag would be easier to handle.

Member Nelson pointed out that the applicant says that he will start at 300 pounds per hour of production, and then the maximum in this facility would be at 600 pounds per hour because that would be when he would need to hire another person. Is that correct? Mr. Peden replied that when you look at what a big pellet factory can produce you are talking about 1 ton every 15 minutes. He would produce a ton every three hours. Because it is automated, a person might be able to produce more with the given equipment. It would be around 600 pounds per hour because in reality that is all that he would be able to do. Member Nelson remarked that his only problem with that is that they would be telling the public that he can't grow, or do this or that. They would be saying either 300 pounds per hour or 600 pounds per hour, but it seems that no one has set a figure of where that would stop. He noted that 600 pounds per hour is 100,000 pounds per week. That is 2.25 truckloads in roughly, and 2.25 truckloads out, and at 300 pounds per hour production it would be half of that. He wants to be clear about how far this business should go at this location. He wants to be very clear about that, so that we don't have a problem down the road. Director Hines stated that the information

staff provided was what the application stated, which was 600 pounds per hour. In other conversations with the applicant, he said that starting out he would be at 300 pounds per hour with the potential to go to 600 pounds per hour maximum. This number just needs to be determined tonight if they wish to approve the application. Member Nelson concurred that they need to stick right in that area.

Vice Chair Goings confirmed that the applicant was going to be the manufacturer and wholesaler. He inquired about the number of retailers that he has set up at this point, and Mr. Peden answered that he has three. Vice Chair Goings then went through the math if Mr. Peden is able to produce 100,000 pounds of pellets per week, does he have a source that would receive that amount per week. Mr. Peden responded in the negative. Although it is 24 hours per day, seven days per week, it will never be able to run that much because you still have maintenance, he needs to sleep some time, and so forth. It isn't like it will be running all of the time, 24 hours per day/7 days per week/365 days per year. He is really looking at 600 pounds per hour, his daily output would be nominal of 6 pallets per day, which is 12 times. Then he needs to have a retailer willing to purchase that. Being in manufacturing most of his adult life, a person doesn't want to produce more than what they can sell because you are waiting on lost profits. This is where he would have to find the balance of what the market is willing to purchase and what he can produce. Vice Chair Goings asked where the applicant proposes to have the completed pallet storage (inside the building). Alex Peden agreed that initially it will probably be inside of the building, and he hopes to be able to get it out of there when there is a truckload available. He remarked that one of the retailers is in Carson City, so there is a large population there that could purchase the product. There is an area also next to the building behind a fence where he could also have pallet storage. Director Hines commented based upon Member Nelson's remarks that they do not concentrate on the 600 pounds per hour and actually calculate it as a yearly total because he will have orders that he will need to fulfill, he will know how much product is going out, and maybe that is an easier number to monitor. He won't be operating constantly, so it is possible that he would never hit that maximum total number, and maybe that number is less at 80% or something like that. Vice Chair Goings pointed out that if he only has three vendors, and especially at this time of year when the demand is not as great, he would probably not have much demand for inventory. This will mean that there is some downtime where he wouldn't be producing pellets because his inventory hasn't even left his facility. Maybe it is after he has shipped a certain amount of pellets per week and established a retail outlet where he is able to produce 600 pounds of pellets and make it work that they should consider. Mr. Peden noted that he did have some numbers prepared for under the best circumstances, producing for 20 hours per day only 260 days per year, his yearly tonnage output would be 1559 pallets. If you break that down with hauling 25 tons, that is 4.16 truck hauls every 4 days. It seems like a lot when you look at the small numbers, but when you look at the grand scheme, it isn't really much at all. He would think that Big R probably sells that much in a day.

Chair Bunyard called for public comment.

Brett Larkin, 1070 Rosewood Drive, expressed opposition to the staff report as it was presented because there are a lot of maybes and might, and they are trying to figure out numbers and how to regulate this. The similar to connection to farm production from what he is doing is just trying to stretch too many things to make it fit. He doesn't oppose the concept; he just opposes where he is trying to do it and maybe a little of the how. Maybe he just needs to find a new location to do it. He did have some questions regarding whether there is any water use, and if there is any type of wastewater in this process. Chair Bunyard instructed that the commission will take all public comments and then they will ask the applicant to address any questions that were asked. Mr. Larkin also inquired if there were any binding agents or chemicals that would help to bind the wood in this

process.

Dennis Adair, 1025 Rosewood Drive, spoke in opposition to this application. He thinks that the comparison between an agricultural process and a lumber mill process is a real stretch. He believes the only similarity between those two industries is the auger between silos. He is concerned because he gets the feeling that they are trying to minimize what the potential impact is based on absolutely no information related to a running operation similar to this. He submitted a letter, and along with it he included an attachment. He did a bunch of research, and there are plants like this all over the south, in South Carolina. There was a big study done out of Brown University talking about the dust and the noise. He was a kid, who grew up in mines, and he's been through lumber mills, and he has never heard of a hammermill sounding like a lawnmower or a tractor. Where he lives, they don't have much in the way of agricultural noise at all. His concern is regarding the dust, and the articles indicated an increase in asthma due to the dust. He knows that we are talking about a hush house, but that isn't soundproof. The dust control, according to some of the articles of these plants in the south, they can put all of the filters they want on there, and dust still gets out and settles everywhere. The health problems, the environmental problems, and the social problems that result from that have been enumerated multiple times in all of these articles. He recommended that before anything gets passed, they've got some comparisons of apples to apples, so that we know exactly what we are talking about.

Dave Burke, 4360 Santa Fe Drive, explained that his previous life before becoming a project manager at the base was as a health, safety, and environmental quality manager. There is not much difference between the dust that this is going to produce and the dust that rocks produce. There needs to be a scrubber system, a bag house, or something. Otherwise, as the previous gentleman complained, you are going to have dust. There will be dust. He hates to disagree, but he has never seen a hammermill that is under 140 decibels. He's seen plenty of crushers in his life.

Julie Jadofsky Lynch, 3580 Bottom Road, is just 0.9 mile away. She has chemical sensitivities, and to make the analogy of sawdust being like sand is a little ridiculous. She knows what sawdust does to her, and she knows what sand does to her, and there is a huge difference in her health and her ability to breathe. As much as she honors the idea of what he wants to do, and she thinks it is a beautiful thing to be able to do, she truly thinks that location matters. There are kids right across the street that live in that housing development. The only reason that she heard about this is that she had a client that asked her if she got a letter about it. She didn't get one, and she can't imagine to all of the people within that mileage that didn't get a letter, and how unfair it is to them to not know that something is going up right there. She is glad that there is no chemical use in it because if there were, she would be moving in a heartbeat if this were approved. She is looking at her own health and the health of the other people. If what the previous man said is true that you can't contain the sawdust, what is going to happen to the 100 year farms that are right in that area? What is fairness to those farms? How could they say that they produce healthy foods, even if they are not organic anymore, but they are all natural. They are something that our community counts on. She is opposed.

Leslie Beach, 6755 Reno Highway, stated that she is a real estate broker and has been here for 37 years. She thinks that it is a great idea, but the wrong location. He shouldn't have to tell the board how many pounds per day, per week, etc. That is getting into his business. It just needs to be in a different location. She has a lot of questions. She remarked that computer controlled equipment is bound to have problems. We know that the neighborhood is residential and agricultural. We want to keep it that way. We don't want to change, and spot zoning. What about the fire in Hazen last year

with all of the railroad ties. If you have an accumulation of wood, it can have spontaneous combustion. That probably won't happen, but there are all of these issues including fire. He is going to have to put up a six foot fence around it. In that neighborhood it is wide open and beautiful. As far as semi-trucks and things like that, it would increase those, and that is not a great idea as well. The augers do make noise, whether it is in a hush house. The biggest issue is who would police this guy or this business. We have an industrial site, so move it to an industrial site.

Amber Sanchez, 4007 Cimarron Road, lives within earshot of this business. She got the letter. She finds this an audacious request. "We as stakeholders in the immediate area do not want this special use permit to be granted because we do not want a 24/7, noisy, dusty, manufacturing plant disrupting our neighborhood." They are zoned as agricultural/residential. Mr. Peden is not proposing to grow trees. That would be an agricultural endeavor. Wood pellets are not an agricultural product, no more so that toilet paper or plywood, both being wood by-products, and by no stretch of the imagination are they agricultural. If the Planning Commission intends to even appear intellectually honest this special use permit has to be denied. She's extremely concerned about the 24/7 noise and the woefully unsatisfactory explanation about the insulating properties of the hush house. She doesn't think that OSB (oriented strand board) and insulating a 10' by 10' structure is going to shut anything down. She likes to sleep with her window open at night, and her window is on that side of the house in direct earshot of this proposed business. She is going to hear it, and she likes her peace and quiet. That's what it is right now, but she is going to hear a hair dryer, a lawnmower, and an engine idling all night long and it will drive her nuts. She doesn't want to hear it. She has peace and quiet and wants it to stay that way. It is zoned agricultural and residential, and it should remain that way. She doesn't understand why they would consider putting a business that is not agricultural on there in a residential/agricultural zone. There are air quality concerns. Her next door neighbor has COPD (Chronic Obstructive Pulmonary Disease). They got the letter and live right in the zone. She has a feeling that the commission is considering letting this go through and not giving weight to their opinions. She feels that they are only going to weigh their opinions at 5-10% and weigh what he wants to do at 90-95%. How is that fair? They are the stakeholders here. They've been there for 14 years, and other people have lived in that neighborhood for decades. He wants to waltz in there for his financial gain. She applauds entrepreneurship, just not in that location. She echoes what everyone else is saying. Love the business, just do it in an industrial park or out by Kennametal, somewhere where it isn't going to bother anybody. It will also devalue their property values. She would have to disclose that annoying, nuisance noise on a disclosure statement if she were to sell her house. (Time expired for more comments.) That's another consideration.

Lisa Voigtlaender, 1955 McLean Road, and her family owns Lattin Farms right there. Her first opposition is that this is an agricultural area, and this is not agriculture. It is not crop processing. Wood processing is very different. Even in the application it talks about the health risks for dust that you can't contain it all. They also have a lot of wildlife around there. There is a duck pond that her grandfather worked with the Conservation District to install. They have waterfowls and other things that also deserve a quiet place. The noise levels for farmland is 30 decibels, so even at 49 decibels it is quite a bit higher than they have. They have people who come to their farm that just come to sit and relax, and they enjoy the clean air and quiet. This will disrupt the area that they have there. She asked them to consider this and keep this an agricultural district there.

Joe Hennessey, 1255 McLean Road, said that he is one of the closest properties to the proposed business. He obviously oppose the business for the reasons given. He would like them to take weight and special concern considering what the opposition has stated.

Chair Bunyard asked if there were any more public comments, and there were none. He then asked the applicant to address some of the questions and concerns that were raised, starting with whether or not he would use water or chemicals in his process. Alex Peden answered that there were no chemicals. The binder is actually produced by the lignin within the cell structure of the wood. There are some crops that you can pelletize, and some of those require binders. Those are not any that he proposes to use. Regarding water he stated that very little water will be used. He will be using water, but very little will be used. He can't give an exact amount of water because it is based upon the moisture content of the sawdust as it comes in. From what he has gathered it is actually more water than he needs to press, and it depends on the moisture in the air and temperature, etc. Chair Bunyard requested that the applicant talk about the dust particles and how he thinks he would contain that. Mr. Peden remarked that anything that is going to really produce dust would be the grain elevator. There might be some dust coming off of that. It is fully enclosed inside of the silo, so that should be pretty minimal. There might be a little dust when they dump the chips out of the trailer. Even that produces minimal dust. Everything else is contained. The hammermill will produce dust, crushing the chips, but there will be a collector on that equipment. He gave an example of just living in Nevada in the desert, there is silica dust out here. There's also arsenic in our water. Even plowing fields starts up dust, and there's bacteria in the dust, Valley Fever. This wood dust would have very little effect on anyone. There are much bigger concerns that what little dust might come off of this operation.

Chair Bunyard stated that this property is zoned for agriculture, and he noted that in his line of work they finance agriculture. This actual purview falls under agriculture. We aren't used to it in Nevada because we don't have a lot of timber out here. This is all related to agriculture, similar to fishing, or anything like that. He believes it is because the code didn't recognize timber is why a special use permit was required, and he asked legal counsel to correct if he was incorrect. Joseph Sanford, Deputy District Attorney-Civil, clarified that our code has a list of uses that are defined and where they are allowed, or what particular zoning is going to be required. For an A-5 zoned parcel, they look at what the proposed business is and look at the most similar use to designate it. In this case, there were two potential similar uses—one being crop processing and one being timber processing. Under the crop processing it requires a special use permit, and if it was timber processing—like a sawmill—it would be prohibited. The decision of the board today is to decide whether or not they consider it to be more similar to crop processing or more similar to timber processing, and then based upon that decision, they will have the opportunity to decide whether it needs a special use permit or it is just prohibited entirely. Chair Bunyard said that based upon his experience, he just toured a dehydration plant that takes all of the vegetables that are thrown out and dehydrates them, break them down into a powder, which is very similar to the sawdust, and then they pelletize it for feeding to animals. That product is sold to the dog food and cat food companies to add that protein back into that pellet. He thinks that it is very similar and serves an agricultural purpose. He thinks that the zoning for this is no different than the dairy being there, or any different than the grain mill that Newell Mills runs.

Vice Chair Goings expounded on that thought. He stated that his business is located on the city/county line right behind Fallon Livestock. The owners of that facility have discovered that they can bring in these wood chips to mix with the manure. They are adding organics to the manure. He has watched those trucks come in at least once to twice per week to dump those chips. The chips that come out of there are typically very wet. There is zero dust that he has seen. He can't speak to what is coming from the forest service, but he knows that it is part of the process here to have these tree

trimmers to bring in their material to add to what he has. He can attest to what he has witnessed being brought in by landscape companies to the livestock facility right near town. He would have thought if there had been a lot of opposition to this practice, we would have heard about it there. He said the smells are more of an issue than the dust. Alex Peden said to show how close a similarity there is between crop processing and wood pellet processing is the fact that it uses the exact same equipment to produce alfalfa pellets, rabbit pellets, and wood pellets. It is just a different size die in the pellet press.

Member Nelson stated that his biggest question is related to the fact that alfalfa is usually in a wetter state than dry timber. Any time you set up a portable crusher in the State of Nevada—there were some guys talking about rock crushers and the like—you have to go through a process where you have to identify how many pollutants, how much dust is coming off of the crusher, and then after it is all set up, you have to do an opacity test, which requires someone to come and look and see what is coming off of that. He's not opposed to this project. He thinks that it does fall under agriculture, but he doesn't want to approve the permit, have the applicant buy a bunch of equipment and go to work, and then come back to say that they approved this and it doesn't matter what is coming off of this now because there are no checks and balances here. He's been involved in asphalt plants and a lot of other things where there are bag houses and dust collectors that can mitigate 99% of the dust, and it wouldn't be any worse than an agricultural operation. There are two things that he is concerned about: A) Can you mitigate your sound? and B) Can you mitigate your pollution?

He's not clear on these because he doesn't know how much water the applicant proposes to use on the drop points as they are processing, he doesn't know if he will do an opacity test or have to meet any NDEP (Nevada Division of Environmental Protection) air requirements, and he doesn't have any guarantees on the soundproofness. If the applicant could come in and show him that he could mitigate all of those things, it would make him feel better, and although not everyone might 100% agree with him, if there were set parameters, he knows that they would be at least a little more comfortable. Mr. Peden commented that the noise levels that he stated are from OSHA (Occupational Safety and Health Administration). The building acoustic standards and common wall STC (sound transmission classification) and also well established acoustic charts. These aren't numbers that he is just making up; these are actually government standards. Member Nelson said that these are all hypothetical compared to this operation. Once the applicant is set up, can he prove those numbers, and if he doesn't fall within those numbers, what are we going to do about it at that point? This is where he would want some safety in the conditions because charts are great, but the reason they do opacity tests on a crusher after set up is to prove that all of the things that are supposed to be happening are happening. They do it after set up while in operation. This is real life. All of that stuff is doable, and if the applicant is confident with their numbers and they are confident that there wouldn't be any dust, the rest of it should be simple to meet the requirements. Alex Peden remarked that he does have to get an EPA (Environmental Protection Agency) permit to operate this. He wasn't sure which classification. That is something that he would need to get. Member Nelson pointed out that usually it is NDEP in Nevada instead of EPA, which is federal. Chair Bunyard pointed out that these permits are listed in the recommended conditions in the staff report. Loreli LeBaron, Code Compliance Official confirmed that this operation would be subject to obtaining the required permitting under condition 9. NDEP does require an air quality permit for anything over one acre. Member Nelson noted that applies to one acre of disturbance, and this is different. He wants to make sure what NDEP permit is required for this operation—under portable equipment that falls under a COLA and opacity testing will be done. He's not sure what they will be requiring from NDEP. Then the noise quality

will need to be checked, or we will have to check it after the fact if people are complaining. If no one can hear it, then it wouldn't be a big deal. Director Hines said that they did have decibel numbers in the staff report, but they took those out because they weren't sure what those would be. You could have somebody sleeping in the middle of the night and they could just hear something. They were not sure what those decibel levels would actually be. This isn't something that the department specializes in. If that needs to be researched more to have an adequate number, and it may not be an adequate number at the building or in the building. It would be what that number would be at the residences at 500' and 600' feet away because they are the ones that would hear it. If you look at this site, the closest home is 500' feet away, so you wouldn't measure the noise level at the building but closer to the residence. Member Nelson reiterated that he wasn't saying that we need to do that. He is saying that the applicant should be prepared to build, since we don't have a requirement for soundproofing, a structure that is soundproof. It is easy to do and there are materials available to do that. He has had to do that with large geothermal well pumps for the Sagehen to build a sound wall. It isn't a big deal, but you've got to be prepared to do that. The other thing is that if there is dust coming off of the drop points, that is going to need to be addressed. Director Hines thinks that is something that the applicant would have to do if modifications are needed to accommodate or lessen that sound, it would be something that he would have to do. As far as the dust goes, we should be going to NDEP and figuring out exactly what permits are required for this operation. He would need to get those in place and monitored, which is one of the conditions listed in the staff report.

Vice Chair Goings went back to what Member Edgmon had talked about earlier to set this review in a shorter time period, instead of one year review, maybe what needs to happen here is to give the applicant time to get the process up and going. The applicant will need to realize that they will have some expenses related to that, and once it is running and he has gotten all of the inspections done and approved, then the commission could request a three month review of it. If there are a whole lot of complaints at the end of three months, the applicant may need to invest a lot more money in it. That may be the best way to satisfy everybody across the board. Instead of requesting an annual review, it may need to be a three month review and see how things are going at that time.

Member Nelson thinks that for the business's sake, although he agrees with the concept of what Vice Chair Goings is saying, it would have to be approved for one year because the applicant is going to have substantial investment. He thinks that the requirements need to state that if there is a problem, like Vice Chair Goings said, that can trigger an earlier review, and then the applicant would need to be prepared to mitigate the problems that arise, which he thinks are doable. He just wants to make sure that everyone understands that the applicant has to meet these requirements. He is asking for something that is a little bit on the edge. He believes it will work and thinks that if the proper mitigation is done no one will even know that it is going on. It will be no worse than the dairy and the feed processing that was there before as long as the applicant is being responsible. Let's just make sure that that happens.

Member Edgmon said that it seems that we have a lot of what ifs in the event and pushing him through something as one person versus the whole community that is around there that is agriculture, quiet, and residential and that is going to be at the mercy of their real estate property. We are trying to help one person start a business at the mercy of everyone else is how she feels.

Member Hyde inquired if the applicant knew of any other operation that is just like the one that he is proposing. He said that one comment that he liked tonight is that we ought to compare apples to apples. Is there actually anything in existence that they could see. Alex Peden responded that there were none that he knew of. Most facilities that produce wood pellets are pretty big and

have million dollar pellet presses, definitely not hobby grade. He has heard there was one up by Elko, but it closed down. They didn't just do pellets. The other one that he knows of is in southern Oregon, and that's all that he is aware of that is close by. Member Hyde verified that there is really nothing at this scale, this small. He said that the only thing there is to really compare it to are much larger, and probably a lot of the processing at those facilities would probably be done outside. Mr. Peden remarked that if he had the power available, it might be something that he would do at his home because it is that small.

Vice Chair Goings commented to the public because he knows this happens and he sees all of them here with these concerns. He expressed appreciation that they are willing to bring these forward. He said that when they are talking about the conditions, these are something that is part of the staff report that is provided to the commissioners. There is a list of conditions that are recommended by staff for every application that is reviewed. Those conditions must be met for the special use permit, not only to be approved, but also to be met at the time of the annual review. He urged the public to go to the county's website where they can see these. In this case, there are eight or nine different sections with many other subsections to those which must be met for this business to have its special use permit. They don't pick these things wildly and randomly add these conditions. These are listed in the staff report, and the commissioners may add conditions just because they want to protect the public around this business. They do take comments and factor them in. They do weigh the public's comments when setting the conditions.

Chair Bunyard recognized Member Frey, who was attending the meeting virtually through GoTo Meeting. Member Frey remarked that earlier Member Hyde questioned if there were any other facilities that operate similar to this one. He has an agricultural operation with a very large hammermill, which is inside of a general steel building. He runs it with a big generator that would be something that could be seen powering an ice cream truck at the Cantaloupe Festival. From outside of the building, you can hear the generator, which is very quiet, but you can't hear the hammermill over the generator. Inside of the shop it is dusty because he is running dry material through it. Previously, the alfalfa comparison was made, and he has run alfalfa and hemp through it. It is dusty on the inside, but on the outside of the building after the bags and stuff is done there is very little dust. It is something that he would ask the applicant to be a kind neighbor if there were events going on over at the Lattins or something; it would be very nice to try to accommodate them in any way, shape or form. Other than that, he doesn't see it as being a major nuisance to the community if it is done properly.

Chair Bunyard asked for any further comments; there being none, he called for a motion. Someone in the public questioned if they could comment again. Chair Bunyard stated that comments were taken previously, and someone cannot make another comment. There was another remark that only a few people got to speak, and Chair Bunyard pointed out that he asked for more public comments earlier and no one came forward at that time. Someone said that others only get three minutes, and the applicant got to speak all night, and there are at least fifteen people that are not happy. Chair Bunyard expressed understanding and reiterated that he asked for other comments earlier. Someone in the audience asked that they make an exception. Chair Bunyard opened up the floor for more public comments of anyone who had not made previous comments.

Terrance McGowan, 4511 Alcorn Road, said that his property borders McLean Road and Bottom Road. He remarked that they were pitching this as a hobby. He thinks that they have already decided this was a good deal. He asked if any of them lived next to where he wanted to do this. They all do. He would like them to weigh their opinions a little heavier than they have been. No hobby

runs 24 hours a day.

Nancy Stewart, 828 McLean Road, said that she and her husband started a subdivision along the river. They are about five minutes from where this person wants to start his plant. The traffic, and she doesn't believe that the county has much control over the traffic or over widening that road on McLean. It is a state highway, correct? They have no input or power in that regard. Already they are seeing increased traffic, so she was especially interested in hearing how much traffic this operation will produce because this is only a two lane road. Her husband was driving their tractor to get it fixed just from the main road into their driveway, and he was only going about 25 miles per hour. There was a man, who passed the double yellow lines and passed him at 80 miles per hour. Traffic on that road is really bad. They have had deer killed at the bridge there. Living in that area is not easy, and on the other hand they like to see new businesses start here in Fallon. They only live five minutes from this proposed location. They talked about the EPA, and one of the members of the audience gave something to them that says, "According to a study conducted by the EPA, wood pellet facilities release huge amounts of harmful air pollution. Sixty-seven percent of people who live within a half mile of pellet mills experience dust every day." It also talked about the noise that is produced at night in this short study. She thanked the lady who provided this information for them. She said that they did not get a letter to produce comment. They didn't even know about it until two days before the meeting. Then someone told them that the county only sends out about 350 notifications for comment, and she didn't know if that was true or not. They were quite surprised and made the effort to come to the meeting. They wish him luck, but they don't know if it is best in this neighborhood. She likes what the commissioner said about coming back and looking at that business on a short-term basis because there are a lot of people that have moved into that area of McLean Road. There are more houses and people have paid a lot of money to live there.

Pete Stewart, 828 McLean Road, said that people and trucks and big trucks are doing over the speed limit as they go down McLean Road. He knows of seven different people that has been killed because of it, and he thinks that we should do something to help it and cut things back. He remarked that he has been here for many years, probably more than most of them. He shared that he thinks that it is absolute terror the way things are going there. They pull in off of the street and just roar down the road. There are a lot of them that is going over the speed limit. He would like the commissioners to think about it a little bit and maybe see if there is something that could be done to help. He would be willing to have anyone come to his place and watch the traffic.

Nancy Upham, 3618 Bottom Road, remarked that she was curious to hear what kind of testing protocols would be going on for air quality, soil quality, or soil particulate matter, and water. She hasn't heard any testing procedures. Sure, you can get all of the permits in the world, but if there aren't tests set up to check it after the fact, then you've got no evidence to go on. That is what she was hoping to hear, but she hasn't heard anything about that. She expressed appreciation to the commission for allowing additional public comments, but she thinks that in granting a special use permit, this should be a condition that is met or in the writing of the special use permit.

Jessica Huckaby, 5033 Austin Highway, said that her comments were more informational. They have a Class II NDEP permit. They have a salt flat across from Sand Mountain, and they have 1,000 acres out there. They have had their Class II permit for 10 years. There is an area of disturbance permit, there is a permit for their generator, there is a permit for air pollution. There are also permits for bag houses, which he might have to get because of the bagging facility at that location. You get that initial permit, and then you have to get opacity certified, go to smoke school every six months. A Class II permit, at least theirs, is \$25,000 every five years for the initial permit. Then there is the

smoke school, which is \$250 every six months, to stay certified. Every 30 days, you have to complete an opacity form and keep records for NDEP, which they will come and review about once every five years. NDEP does not really talk to the permittee that much, it is more of a self-reporting situation at least for them. On top of that, there is an annual emissions report that has to file with NDEP, and then you pay an additional fee on top of that. They pay a \$25,000 permit, then \$5,000 every year for emissions. Industrial Hygienist, the State of Nevada, has these employees that will come out if you call them, and they will do the study. They will do the decibel study for free and the dust for free. If the applicant would like that information, she can provide that because they have had that done at their plant to ensure that their employees didn't need hearing protection and everything. They do offer free testing, and they prepare a report. There are free resources out there that she could also provide. She reiterated that, yes, NDEP requires permits, but they don't really come out and regulate those facilities.

Conor Goetsch, 701 Dani Street, said that he grew up on Rosewood Drive, which is just out of the picture displayed on the screen. His mom still lives there, and she has chronic health conditions. He is worried about what the dust would do to aggravate those conditions. This is being talked about being a pretty small operation, a kind of start up to prove the concept, and there are all of these limits that have been discussed. He hopes that if they do approve of this, which they get the feeling that they are going to, those limits for how much is to be produced, the noise levels, and checking on this is at least set in stone before any kind of approval happens.

Laura Lee Christensen lives on Lattin Road, but she owns property just across McLean Road from the old Jernigan's Dairy. One of her concerns is that, she just heard Huck Salt give a list of all of the accommodations and everything that they have to do, and oftentimes when you are zoned agricultural, they waive a lot of those things, and then they don't have to get those things done. Clearly, he is not going to be able to pay \$25,000, but there are still some things that ought to be checked. It is a great idea, but doing it in an agricultural zone is not okay for her. She does not think that it is agricultural. When you actually start processing it, it actually eliminates that agricultural type of capability. We don't have dog food places in the middle of the ag zones. They are not agricultural. They may use agricultural components, and we use ag products. That doesn't mean that a restaurant because they get fresh food from Lattin Farms are all of a sudden agricultural. That is not how that works. She just wants to be sure that if he says that he is going to do everything that he says he will do, then it sounds great. But they have no guarantees and there is really no evidence, we don't have an example of where it has been done. They don't know what it is going to be like. He doesn't know what it is going to be like because he hasn't done it. She thinks that there is a leap of faith that needs to be taken, but also some cautions to ensure that everything is still okay. She doesn't like to see ag zones change. She thinks that it opens the door for other things, and she doesn't like that. She likes agriculture. We are an agricultural community, and years ago you probably heard people complaining, who lives on Rosewood, because it stunk from Jernigan's Dairy was stinking. She thinks that when people buy a house across the street from a dairy, it is going to smell, but this is something new. (It was noted that time was up.)

Ken Brown, 3261 Casey Road, stated that he is a retired engineer from NDOT (Nevada Department of Transportation). He is opposed to this. There are too many acres, look out there at Hazen, how many thousands of acres do you have out there zoned for industrial? Go out to Hazen. Do you need power? There is a 96,000 volt powerline that runs through there. His concern, too, is that Highway 50 is designed for a lot heavier truck traffic than McLean Road is, and he is concerned about the ingress for bringing product in and the egress for sending the product out. You have a lot

of truck traffic there. He is also concerned about, do you people remember the railroad tie fire? How about over at Silver Springs where they have the creosote factory that burns down about every two years. He thinks that there are other places. He's not opposed to the operation. He's opposed to the location of the operation.

Nancy Soule, 4554 Alcorn Road, said that she wrote a statement that she presented previously; however, she wanted to state it here at this meeting. "My statement is regarding the emissions into our environment and the safety of placing the facility in an agricultural area and near many homes jeopardizing the health and well being of our county and city. Emissions from wood product manufacturing are listed as "hazardous air pollutants (HAP) and volatile organic carbons (VOC) as found in the Wood Products MACT Study 1999 [and also the Brown University Study]. I stand with my family and friends of Churchill County and the City of Fallon to oppose this facility."

Katherine McGowan, 4511 Alcorn Road, said that her property actually borders this. There are a couple of questions that she has:

- 1) Is the Building Department going to be doing permits and everything for this hush house?
- 2) She is wondering if there were going to be customers. Is this going to be an increase in traffic with customers coming in? Nobody has addressed that.

She then expressed one of her really big concerns is when they are comparing like dog food with pellets. We don't eat pellets. It is not an agricultural product; it is a timber product. It is wood. It would be one thing if this is an agricultural product. We do not have timber here. That is why we have our codes. You guys are like skirting everything to try to make it up. Then when you guys are comparing the sawdust, that's different than actually processing it. When it is in a pile it isn't the same as when you are processing it. She just thinks that you guys are trying to fit this in without really looking at if this fits as agriculture.

Jill Christiansen, 3655 Sheckler Road, remarked that she is part of the Lattin contingents. Their farm is right there. Her only question is related to the letter that says, "I fully acknowledge that if permission is granted for this reclassification and temporary use of the facility, it will be under the condition that the operation remains temporary...." She thinks that this ought to be addressed with a definition of what temporary is as we go forward.

Chair Bunyard inquired if there were any other public comments, and there were none. He then inquired if Joe Sanford or Dean Patterson wanted to address the last comment regarding the definition of "temporary". Vice Chair Goings said that he thinks that what they were talking about as temporary is related to the 600 pounds of pellets that he would be permitted to produce per day. Once he goes beyond that, then that is what would trigger, based upon the discussion that they had, he would need to find another location. It was related to the amount of production, adding another employee, or adding equipment to increase production, and then he would need to move his entire operation to an industrial area. Director Hines reiterated that the applicant is trying to do this as a startup, and most of the equipment is on this site. This another reason for the request in classification. There are only two uses in our code—one for crop processing, which would be able to be approved with a special use permit, and one for timber processing, which would be prohibited in this zoning district. This is why they need to determine which use this is more similar to. It is a startup business with the understanding that if it is a success, then he would purchase another location and make this a larger operation.

Vice Chair Goings then stated that he thinks that there is a little bit of confusion that they are trying to rezone that agricultural property. That is not what is going on here. We have an agricultural property that contains much of the equipment that is needed for this process. The request for

reclassification is to determine where this fits; does it fit into a wood processing, which would include wood products including plywood, sawing of raw logs, etc., or does it fit into a grain pelleting process, which it may not be edible, but it is basically as the grain pellets that someone would produce with the grain out of the same silos. Finally, he really wants the public to understand that they are not just throwing these out here; these recommendations that we are talking about are all included in the special use permit. He shared the last few of these, "All state and/or federal permits required for this type of business shall be obtained and maintained. Safety Improvements required by the State Fire Marshal shall be installed. NDEP air and other permits shall be obtained." They can add, because he thought one person had a really good presentation of information, and if they could get that information to include in one of their recommendations, that he does have the air quality and water quality and whatever else needs to be tested annually. He doesn't think that would be a problem and it is something that they could add to this and make everyone feel a little better about this. At least there would be an outside source testing it. He then added the sound as well.

Member Nelson remarked that the one question that came up is related to the word "temporary". He understands that there is the amount of production, but that doesn't make it temporary. If he produces under 600 pounds per hour for the next 40 years, then what makes it temporary? The person asking that question was looking more at what temporary means, not whether he will stay under a certain amount it can go on forever. This is a good question. Joe Sanford responded that this statement was made by the applicant, so he believes it would best be answered by the applicant. The conditions that are listed do not set an end date. Typically, we wouldn't set an end date that says that you must leave by a certain time because of the very basis that either the use is compatible, or it is not. We only have very few businesses that are listed as temporary in our code, and this is not one of those. He thinks that the basis is that this was planned to be temporary, and as he understands it is intended to be temporary, but the permit that is being discussed here generally would not have a finite end date unless the applicant suggests an end date that he is willing to accept, and then the board could add it as a condition.

Member Hyde stated that he has a problem with that "temporary", and he thinks that what Mrs. Christiansen meant is whether we are going to set a time period. He thinks that if they do that then what they are saying is that we are not really sure about this classification, and we are just going to do this temporarily for a year or two years and then that it is. That would be an incubation period. He is kind of at the point where he would really like to see another operation that is similar to what is being proposed. He would like to see that in operation. He was part of the staff meeting, and he went out to see the applicant. He's listened to everyone here tonight, and now he is wondering if they actually know enough to make a decision. Are we in a position right here as Planning Commissioners to make a decision. He liked what Member Nelson mentioned that they could make a decision based upon all of these controls and have those in place, and he'd really like that, but he is in a position right now that he would like to see another operation that is similar to this so that they could actually compare. He expressed that someone expressed that for it to be agricultural it has to be edible. He's thinking that he doesn't eat wool. He fill out a report every four years with the federal government about what his agricultural operations are, and on that form is timber. The question asked if he owns timber and what he is doing with it. It definitely is agricultural, but what is bothering him tonight is that somehow we are getting these studies from Brown University and others about how producing pellets can be carcinogenic, and he is wondering if that is really true. Has that fully been vetted. He would like to give this a little more time. He wants to view some studies himself, and he would like to see something that is comparable. He would hate for the applicant to jump into a

business where he has to pay \$25,000 for this permit and so on, and he may not be able to do it. He wants more information.

Chair Bunyard inquired if other board members would like more information on this subject. Member Nelson thought that if they are going to make a decision on this, they need something to base it on. Joe Sanford suggested that if they request to table a decision on this application and ask for more information that they provide a little direction to staff and the applicant on what in particular they are looking for. It is the burden of the applicant to prove that this is a conforming use, so, obviously the public has made pretty clear their comments regarding noise, air quality, water usage, etc. Chair Bunyard recommended a little more research on the air quality and noise levels, so that they could put those as stipulations in the conditions. If they could have a set level of noise, the requirements for air quality, and so on, that would be something that they would need. He also thinks that the research regarding the studies mentioned by the public and Member Hyde would be for the members to do as part of their due diligence. He then asked Alex Peden to do some homework related to some of the questions and concerns that were brought up, and the biggest thing is to provide staff with a duplicate or similar type business, and what that is like. He asked him to do some research and find something, talk to people in similar businesses to find out what they have done for noise, location, air quality, and so forth. Once these things are discovered, they would be able to make a decision. Vice Chair Goings recommended that the applicant talk to Mrs. Huckaby, who spoke earlier, about the NDEP permits, inspections, and noise level inspections. She had a wealth of information that would be beneficial to him. He asked that he present what he finds to staff as well.

Member Nelson questioned the applicant if he knew which type of air quality permit he needs. Have you done that research yet? Alex Peden said that he wasn't sure which type it is, but he believes the dollar value is around \$500 per year. Member Nelson agreed that his operation is going to be smaller, so it will cost less. Mr. Peden remarked that it is also recognized by the federal government, and he believes the state as well that pellets are a green, renewable energy resource. Member Nelson commented that he is not arguing that point. He doesn't disagree with the business, but on the flip side of the coin, they've got to make sure that they are not creating a nuisance. That's where he would like a little more information as to the air quality standards that he will have to adhere to. Water quality he isn't that concerned about because it is a pre-existing dairy and he isn't going to mess up the water.

Joe Sanford pointed out that this is two separate motions and two separate decisions to be made. It sounds like the board may have already made a decision as to whether or not this is going to be considered timber or crop processing, and resolving that today may take further things off of the table if they choose. If they chose crop processing, then it would require the special use permit and all of the remaining questions would still need to be answered. The question is just what they are planning to consider it under. Chair Bunyard confirmed that the members understood that they could table the special use permit and make a motion on the classification for similar use. Member Hyde remarked that he has a problem making the motion on similar use. He thinks that is where he would like to have more information. It has been recommended that they do more study, and before they decide to make this similar to crop processing, if there actually is something that has proven to be harmful in processing wood pellets as compared to processing grain, he'd like to know that. Vice Chair Goings said that is something that could be addressed in the special use permit process. He inquired if they were disagreeing that this is a wood processing operation, or is this an operation that is more like a grain pellet processing. Member Hyde questioned if they needed to make that decision tonight. Vice Chair Goings agreed that both decisions could be tabled, but he thinks that part of this

is very clear to him. Member Hyde said that he would table both decisions right now. Chair Bunyard called for a motion.

Member Edgmon moved to table both decisions to the next regularly scheduled Planning Commission meeting in June. Member Hyde seconded the motion and the decision carried by a majority vote (6-1, with Vice Chair Goings opposed).

(Included for reference) Recommended Conditions:

1. *This permit is subject to annual review to confirm compliance with conditions and code requirements until such time as the Planning Commission determines it is no longer necessary.*
 2. *The approval of the Similar Use Determination is limited in scope to encourage a successful business to relocate to a commercial or industrial zoning district, said limits being:*
 - a. *Other than specific changes described in the application, the operation may not be altered at a later date to increase capacity, including but not limited to hiring employees, building additional structures, larger capacity equipment, redesign of the equipment layout to increase capacity, etc.*
 3. *The entire business must be in conformance with County Code, including but not limited to:*
 - a. *Business licenses must be maintained.*
 - b. *All necessary building permits must be obtained.*
 - c. *Only the proposed signage is approved. Any future signage must be approved through another Special Use Permit approved by the Planning Commission.*
 - d. *Necessary modifications shall be made to meet code requirements, including lighting, sign, screening and other code requirements discussed in the staff report.*
 - e. *Payment of impact fees and water dedication requirements.*
 - f. *The area around the silos and office building shall be graveled, including the driveways to McLean Road.*
 4. *Employee and customer facilities that meet applicable laws shall be provided, including restrooms, ADA accessible facilities, and an ADA parking space.*
 5. *The operation shall control internal dust and maintain other safety measures required by the Fire Marshal.*
 6. *Noisy machinery, such as the hammer mill, pellet press, any generator used to power operations, etc., shall be located within a sound insulated space.*
 7. *Operation of the business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*
 8. *All state and/or federal permits required for this type of business shall be obtained and maintained.*
 - a. *Any paved approach apron or other changes required by NDOT shall be installed.*
 - b. *Safety improvements required by the State Fire Marshall shall be installed.*
 9. *NDEP air and other permits shall be obtained.*
- F. Consideration and possible action re: A special use permit application, SUP25-000012, for expansion of the rail based services facility filed by Gerred Laake of ARCO National on behalf of IRG Realty Advisors. The property is located at 17127 Inland Port Drive, Assessor's Parcel Numbers 009-251-77 & 009-251-78, in the Industrial zoning district. The applicant proposes the addition of a 238,680 square foot warehouse at the rail industrial park.

Bill Staab, Project Manager for IRG Realty Advisors, 17127 Inland Port Drive, Port of Nevada, and Tera Anderson with IRG Realty Advisors, were available to speak regarding this application.

Dean Patterson, Senior Planner, stated that this site has a long permitting history that is summarized in the staff report.

- The most recent is the special use permit (SUP) with hazardous materials in February 2025 for butane railcar transloading with no structural facility changes.
- The most relevant to interactions with this application is the SUP with a variance in March 2024 for a container storage yard and related facilities, as well as additional rail extensions. That SUP required a number of improvements to be finished before additional permitting. You heard from the applicant about the progress on those conditions at the last meeting.

This application proposes a roughly 248,000 square foot building with the intention that it be leased for a future user. Included in the proposal is the consideration for the site to include nighttime operations and large volumes of traffic associated with this big building. The use is largely set up as a warehouse storage and distribution facility, but other industrial users are listed in the Staff Report that can be located within it without requiring additional special use permitting.

The site plan and application material describe the project in detail. The building fronts closely along the Reno Highway. It is mainly designed to serve large delivery trucks (18-wheelers, etc.) on the northeast side, including a parking lot for them. (The site plan was displayed on the overhead screen.) The passenger vehicle parking lot surrounds the building on the other sides. Access to the facility is integrated with the access driveway through the site to the container storage facility at the south end of the lot. At the north end of the building is a large water storage tank for fire storage and a large stormwater storage pond. Landscaping is integrated throughout the perimeter parking lot.

The staff report reviewed the approval criteria. There were no major issues identified. Minor issues include the complexity of a new well and public water system for the building for a large number of employees, a large commercial septic system, providing fire protection and large water tank for the building, determining the parking requirements, and meeting other code standards. These are described in more detail in the staff report.

The only item of note is that the application will generate extensive large truck traffic. A traffic study was performed and provided to Nevada Department of Transportation (NDOT), who is reviewing it. The existing NDOT access is highly constructed to control traffic at this access point, being called a “High-T”, which is actually located in Lyon County, and has been adequate for the existing traffic. Staff contacted NDOT regarding their thoughts on the project. They indicate some minor corrections are needed to the study before they fully review it. Their initial thoughts are that the existing intersection infrastructure should be adequate, though some changes might be needed after full review is done.

The Building Department provided comments that building permits that meet building codes will be required, and third party review and inspections will be needed. No other comments were received. Staff recommends approval with conditions listed in the staff report.

Chair Bunyard asked if the applicant had anything they wanted to add. Tera Anderson wasn't sure if during the times that her colleagues have come before the commission historically how much context they have given to who they are as an organization, just so that you have a level of confidence, one in the experience that they draw from, and two, most importantly, their ability to deliver a successful project in the community. Industrial Realty Group is their master holdings company, and IRGRA is their subsidiary property management, project management, and asset management arm of

the company. They are privately held, and quite possibly the largest privately held industrial, commercial broker nationally. They manage and develop anywhere from 100 to 130 million square feet around the country. Their real bread and butter is adaptive reuse, so they are very familiar with navigating complex jurisdictional regulations, environmental intensive sites, etc. They are very ambitious about this site in their portfolio and its ability in a broader network of real served assets that they find to be vital for their distribution channels nationally. (There was a presentation available.) She stated that this project is very much in their wheelhouse, and they are very excited about this project. It is, by industry standards, considered a speculative building. They do not yet have an end user in mind. They are approaching this project site with more of a “build it and they will come” and given the level of interest that has come via the rail activity out there. It has been designed, both by structural integrity building code and land use to serve and function as a warehouse distribution facility. Should that change based off of market interest or the nature of the tenants that inquire about leasing the property from them, of course there will be future activity coming before this commission regarding tenant improvements, business licensing, etc. The commission and community will have full visibility regarding who ultimately ends up being the occupier of the building. They are trying not to anticipate what they don’t know to be certain requirements until they know who the user is. It has been designed as a warehouse facility, and they think there is a high probability of that.

Director Randy Hines said that they have seen plans, and there are actually provisions regarding uses that require additional parking. There is additional parking set aside for uses that may potentially come in to accommodate for that. That is the only real thing that could add something to this project with a different use coming in, so they have already accounted for that for any future uses to come in.

Chair Bunyard inquired if any of the commissioners had any questions or discussion.

Member Nelson questioned if this was tied into the container facility. Tera Anderson responded that they are over both of these projects. It is adjacent to where this warehouse facility will be located. It was demonstrated on the overhead site plan to show the container storage yard in relation to this project. Both of these are located on the Port of Nevada site. Member Nelson asked if they were an owner in this project. Ms. Anderson answered that they own the entire property. Member Nelson commented that they have done a great job on the container site. It turned out to be a really great project there. Director Hines noted that since the commissioners don’t review the site plans they are not aware that this company is still integrating that berm to head further west and also moving out so that you will see the building. He agreed with Member Nelson that they have done a really good job on that berm and it really accomplished what we were looking for on that. Vice Chair Goings remarked that sitting on this board and approving that they were a little nervous about that, and every time he drives by there he feels that they definitely made the right decision. They have done a very nice job with that and it turned out very well.

Chair Bunyard called for public comment, and there were none.

Chair Bunyard called for a motion.

Member Edgmon, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in in CCC 16.08.080(H) and therefore approve the application for a Special Use Permit by Port of Nevada for Rail Based Services on 17127 Inland Port Drive (APN 009-251-78). This approval is subject

to conditions, as listed in the Staff Report. Member Nelson seconded the motion and the decision carried by unanimous vote (7-0).

Recommended Conditions:

1. *This permit is subject to annual review to confirm compliance with conditions until such time as the Planning Commission determines it is no longer necessary.*
2. *The Rail Industrial Park's existing Emergency Management Plan must be updated to include the new facilities in coordination with the Fire Marshal, and approved by the Fire Marshal.*
3. *The operation must be operated in conformance with County Code and building permit requirements, including but not limited to:*
 - a. *Business licenses must be maintained.*
 - b. *Dark Skies outdoor lighting requirements shall be met.*
 - c. *The extensive landscaping of the perimeter parking serves to meet the requirements for both parking lot trees and road landscaping.*
 - d. *Sign code standards shall be met.*
 - e. *Parking lot requirements will be checked during future tenant changes. Additional parking spaces may need to be provided.*
4. *Operation of the business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*
5. *All authorizations from NDOT, including for signage, shall be obtained, and all required improvements shall be installed.*
6. *All state and/or federal permits required for this type of business shall be obtained and maintained, including but not limited to:*
 - a. *State Fire Marshal approval.*
 - b. *State water right requirements for the new well system.*
 - c. *State public water system approvals.*
 - d. *State septic system approvals.*
 - e. *NDEP authorizations for stormwater and dust control.*

Chair Bunyard thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

10. Update related to code and master plan changes.

Director Randy Hines reminded the commissioners of the workshop in April regarding updating the Industrial Zoning information in the code. He informed that there would be another joint workshop on June 24, 2025 to bring forward the revised use table and proposed changes for the Industrial Zones that was discussed at the April 22, 2025 special joint workshop. There are 167 existing Industrial parcels. They really want to narrow down where they want the I1, I2, and I3 zones. This will coincide with the use table, and there will be definitions for those uses to provide more clarity. This meeting will be at 6:30 p.m. There is flexibility regarding the date and time, and since this would be a joint workshop, we need to ensure that the County Commissioners would be able to attend that meeting as well.

Director Hines remarked, that as they stated in the last workshop, if anyone had any uses that they would like to see in this, any comments related to these changes, or whatever they may wish to

provide, they should reach out to him, Dean or Joe. He said that they are looking for input , and then the changes will be prepared for a code amendment to be presented at the first meeting in July, if possible. If they recommend approval, the first reading with the Board of County Commissioners would then be at the second meeting in July and for final approval at the meeting in the first week of August. This is a lot of work, and the more input they receive up front, he thinks it will make a better amendment to bring forward.

Member Edgmon inquired how the public gets notified of that for the Industrial Zoning changes. How do we do that when they are going in so many different areas? Director Hines responded that they will notify every owner of each Industrial parcel, and then we will go out the typical 300 feet, which is standard, and really when you get to those other areas, if you go out 300 feet, you only go into the next section. We could cover huge amounts of land. We will run the numbers and analyze to see how much that is. Because it affects the Industrial Zoned areas and those owners, those are the ones that we really want in here for the workshop to talk about this. Not that it doesn't affect everyone else around there. We will notify the owners, go out 300', and then if there aren't 30 unique owners, then we can go back and do that as well. Diane Moyle inquired whether Member Edgmon was inquiring how people would be notified about the workshop or about how notifications would be done moving forward regarding a project on the Industrial Zoned parcel. Member Edgmon said that she was talking about the people that will be affected around the Industrial Zone. If 300' is the measurement, and an Industrial Zoned parcel is 400 acres and owned by one person outside of that, then none of the homeowners around that Industrial parcel would be notified. Director Hines remarked that we will do it the typical county way of 300' or 30 unique property owners around each one of those parcels. That is how we will notify people. We can put it on a Facebook blast, we can put it on the website that we are having this workshop, and other ways, too. Our code says 300', or 30 unique owners, and that is what we will do. Everything else would be on top of that. Chair Bunyard thinks that June 24, 2025 at 6:30 p.m. would be good. Diane Moyle explained that we typically do not send out notification letters regarding a workshop because there is no application for a specific thing.

Vice Chair Goings questioned if there is anything in the future to start looking at the C-1 properties and include them in some of this now. Director Hines answered that the Industrial portion of this is relatively small in the county. It only affects 167 parcels, so this is an easier task to accomplish first. Then we can start working on the C-1 and C-2 zoning, and then we could eventually redo our whole use table if needed. We just don't want to have a different way of handling Industrial uses than we have for the others because there is no consistency. We want to start with the Industrial uses first.

11. Consent Agenda: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the board or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

No Items.

12. Public Comment:

There were none.

13. Adjournment:

There being no further business to come before the Planning Commission, Chair Bunyard adjourned the meeting at 8:42 p.m.

14. Appendix:

Supporting Documentation

Approved: Not Available
Zack Bunyard, Chair

Approved: [Signature]
Jeff Goings, Vice Chair

Approved: Not Available
Victor Ansotegui, Commissioner

Approved: [Signature]
Tami Edgmon, Commissioner

Approved: [Signature]
Joe Frey, Commissioner

Approved: [Signature]
R. Mark Hyde, Commissioner

Approved: Not Available
Scott Nelson, Commissioner

ATTEST:
[Signature]
Diane Moyle, Administrative Assistant



CHURCHILL COUNTY
PUBLIC WORKS, PLANNING & BUILDING

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STAFF REPORTS FOR
PLANNING COMMISSION MEETING – May 14, 2025

LIST OF STAFF REPORTS

- | | |
|---|---------|
| • Hiatt Tentative Parceling Plan (6-lots) - Boundary Rd | Page 2 |
| • Quintana Parcel Map (4-lots) | Page 5 |
| • T-Mobile SUP for Cell Tower Colocation w/in NAS Fallon Overlay | Page 8 |
| • CC Communications SUP for new Cell Tower | Page 10 |
| • Peden (for BTI) SUP for Facility Similar to Crop Processing | Page 13 |
| • Port of Nevada (Fernley Business Park) SUP for Industrial Rail Park | Page 19 |
| • Consent Agenda | Page 24 |

OLD BUSINESS ITEM MOTIONS

Motion for Annual Review of SUP - should be modified by the Planning Commission as needed.

NOTE: Annual review is **NOT a new decision or renewal**. It is a review for compliance with the previously approved decision. Failure to comply with the permit can be grounds for a permit **REVOCATION** process.

- ☐ I move to review this application in one year. ***[[OR USE OTHER TIMEFRAME]]***
[[ADD OTHER REQUIREMENTS OR INSTRUCTIONS IF NEEDED]]
- ☐ I move no longer require annual review for this application.

Motion for Renewal of Temporary Use Permit - should be modified by the Planning Commission as needed.

NOTE: These permits expire in one year unless a renewal is approved, with the possibility of setting shorter renewal periods. Thus a renewal is **a new decision or approval**.

- ☐ I move to **APPROVE** the renewal of this Temporary Use Permit for ***[NAME OF APPLICANT]*** for one year. ***[[OR USE OTHER TIMEFRAME]]***
[[ADD OTHER REQUIREMENTS OR INSTRUCTIONS IF NEEDED]]
- ☐ I move to **DENY** the renewal of this Temporary Use Permit for ***[NAME OF APPLICANT]***.

Application:	Tentative Parceling Plan for 6 lots	Use Listing:	Residential
Applicant:	Bart Hiatt	Owner:	Bart and Shirley Hiatt
Representative:	David Crook, Lumos and Associates		
Site:	No Address – Boundary Rd., south of Reservation Rd. APN: 009-071-27 – 66.5 acres		
Designations:	Master Plan – Agriculture // Zoning - A-10		

Summary: This property was a farm in the past. The US Fish and Wildlife Service purchased the property and removed the water. They sold the property to the applicant without water. The property is located on Boundary Road, which serves as the east boundary for the Fallon Paiute-Shoshone Reservation. The applicant has proposed a parceling plan that would result in 6 lots, that will in turn be implemented in 2 serial parcel maps. All 6 lots will be residential, an allowed use in the existing zoning district.

The new lots will front Boundary Road, which is a County maintained gravel road. Consequently, no road construction will be needed to provide access to the new lots..

NOTE that a request for water right determination to waive the water right requirements was included with the application. However, such a request is only allowed with a Cluster Development when an agricultural conservation easement is proposed. Since this is NOT a cluster development, such a request is not allowed under the Code.

Criteria Review:

CCC 16.04.040(C) Design Standards: Churchill County has adopted development standards, which shall be complied with in all application submittals.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues.

- **Setbacks and Easements:** New lot lines will not create setback problems, because no structures exist on the site. Necessary easements exist or will be created.
- **Lot size and width:** The A-10 zone has a 10-acre minimum lot size. The minimum average lot width is 300', with a minimum width of 200.' The proposed lots comply.
- **Agricultural Protection:** The code has Friction Zone and Land Division requirements to protect adjacent agricultural operations. An Agriculture Protection Plan is required, though not provided in the submittal. Most friction zone standards use separation to reduce incompatibility problems. Staff recommends that the adjacent roads, canals, ditches, drains, and property or road setbacks provide adequate separation in this case, with one exception. The north property line does not have such separations from the adjacent farm field. Staff recommends a 75 foot "agricultural protection setback" be provided along the north line to keep buildings away from that farm field. After discussion with the applicant, that setback has been provided on the current version of the map.
- **Access, sewer, and water facilities:** Also see comments under Criterion 4, below regarding public services. The proposed lots will use on-site sewer and water services. Soils information is provided in the Geotech Report and on the parceling plan (included in the application materials). These indicate that soils conditions that have **SEVERE** problems related to development cover almost all of the site. Clay soils will require that specialized septic systems will be needed. Expansive clays will need specialized construction methods, such as possibly including removal and replacement for foundations. Corrosive soil chemistry will require resistant construction methods.

If this were a small-lot development project, these soil problems might jeopardize approval of the project, because such problems have the potential to impose costly infrastructure burdens on the local government (such as roads, sewer, water, etc.), or in a worst-case scenario, complete failure of the development due to structure failures. Alternatively, extensive safeguards might be needed to protect the taxpayers. However, this large lot development does not have the same risks to the public, since the road is existing, other infrastructure exists, and the on-site facilities are the responsibility of the landowners.

A new water well will be needed for each lot, and no obvious problems with water supply exist. The Parceling Plan shows a layout of well and septic system locations to show that the required separations can be provided during development – though this is not an issue for the large lots.

- **Water rights and community development fees:** Community development fees will be due with home construction on the proposed vacant lot. The exception is that water dedication is required for new lots with the Parcel Map, unless no water rights exist on the property, in which case a payment-in-lieu is allowed. The fees for all 6 lots will be required and must be paid before recording the maps.

CCC 16.04.050(A) Conditional Development Approval: The planning director, planning commission or county commissioners are authorized to apply conditions to applications for development. Conditions are employed to development projects to ensure:

1. Conformity with the master plan.

The **Master Plan** designates the area as Agriculture and is implemented by the existing A-10 zoning district. Most Master Plan policies are not applicable to the issue of a land division. Both **GOAL LU 2** and Policy LU 2.1 discuss compatibility issues that are discussed under criterion 2, below. But there are Public Services and Facilities goals and policies related to providing sewer and water services. Generally, projects with lots less than 5 acres must provide community sewer and water facilities, but there are no issues for the proposed larger lots.

2. Compatibility with existing adjacent properties and uses.

The proposal will result in an increase of residential use and human activities compared to the existing vacant lot. But it is comparable to what takes place on the existing nearby development to the northwest and southwest. To the northwest are 4 homes close to the property, and to the southwest are 3 homes close to the property. These homes are on lots or reservation properties in the 10-15 acre range – some related to agricultural fields. Another large lot farm home is next to the east property line. The main consequence of the development will be slightly more traffic and human activity in adjacent areas due to the new population passing through those areas. The project is generally compatible with other existing residential and vacant lands nearby.

3. Protection of the public health, safety and general welfare.

The creation of a new development that is similar to the existing nearby development will not impact existing conditions for public health, safety and welfare, nor will it overburden police and fire services.

4. That adequate public facilities and services are available to the development.

There are no public sewer and water facilities on or near the site. As for other public utilities, power lines run along Boundary Road and can serve the development, and gas does not appear to serve the area. Current county practice is for road easements and property lines to include utility easements. The map complies with this practice.

The new development will increase traffic on nearby roads. Normal residential traffic from the development will use Boundary Road and Stillwater Road. Some traffic may instead use the paved

Reservation Road to reach Stillwater Road. All nearby roads are County or State maintained roads that will not be overburdened.

As required by NRS 278.378, offers to grant easements and dedicate land to the County must be accepted or rejected along with approval of future parcel maps. The future parcel maps would normally offer to dedicate the land within the Boundary Road right-of-way to the County. But the Road Supervisor and Staff recommend NOT requiring this due to the location of the road in federal easements, and the proximity to the reservation boundary. In addition, no NEW road construction is required.

- 5. As a part of the review and analysis of the development request, findings of conformance with the goals and objectives of the code and the master plan must be made in order to recommend approval and impose conditions. The conditions imposed by the staff may be modified by the final decision-making body.**

Based on the above assessment, options for Findings are provided below.

STAFF RECOMMENDATION: **APPROVAL - as provided below.**

MOTION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.04.040(C) and CCC 16.04.050(A) **HAVE** been met for the land division application, and therefore recommend that the Board of County Commissioners **APPROVE** the proposed Tentative Parceling Plan for Bart Hiatt to divide APN 009-071-27 into 6-lots. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

- 1) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Identifying irrigation and drainage structures.
- 2) Any final changes required by the County Surveyor shall be made, including but not limited to the following:
 - a) Fixing typographical errors such as monument labels.
- 3) Notes shall be provided clearly indicating the soil limitations related to septic difficulties, structural hazards, and corrosion problems, and the need for special construction methods. The note shall be referenced near the lot number label for each lot.

Application:	Parcel Map for 4 lots	Use Listing:	Residential
Applicant:	Alex Quintana	Owner:	Alex Quintana
Representative:	David Crook, Lumos and Associates		
Site:	No Address on Cardinal Dr. (APN 008-211-94) – 57.4 acres (Note that the Assessor information has an incorrect address of 1240 Soda Lake Rd.)		
Designations:	Master Plan – Urbanizing // Zoning – A-5		

Summary: The proposed parcel map will result in 4 lots. The 3 smaller lots will be of roughly equal size (being around 5 acres). The large remainder lot will have a home site available but will also encompass a large wetland/pond complex of over 30 acres that dominates this parcel. That complex will be protected by a conservation easement, as required by code. All lots will front Cardinal Drive.

An important point is that the existing lot was recently created by a Boundary Line Adjustment, with the purpose that the existing lot can be developed using the Cluster Development provisions. This would have allowed approximately 10-11 small lots, with the remainder lot having a conservation easement on the wetlands/ponds. The applicant does not want to pursue that path of development. He understands that the proposed parcel map still requires the conservation easement but will eliminate the possibility for the having the extra lots.

Criteria Review:

CCC 16.04.040(C) Design Standards: Churchill County has adopted development standards, which shall be complied with in all application submittals.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues.

- **Setbacks and Easements:** New lot lines will not create setback problems, because they will not be near structures existing on the site. Necessary easements exist or will be created.
- **Lot size and width:** The A-5 zone has a 5-acre minimum lot size and dimensional requirements. The proposed lots comply.
- **Access, sewer, and water facilities:** See comments under Criterion 4, below regarding public services. The proposed lots will use on-site sewer and water service. The area is well known to have high groundwater, as also evidenced by the wetlands/ponds. While specialized septic systems may be needed, the proposed 5-acre lots also contain elevated area that should be suitable for standard systems. No obvious problems exist for wells. All lots will have access on a county-maintained road.
- **Water rights and community development fees:** Community development fees will be due with any home construction on new lots. The exception is that water dedication is required for each new lot with the Parcel Map.

CCC 16.04.050(A) Conditional Development Approval: The planning director, planning commission or county commissioners are authorized to apply conditions to applications for development. Conditions are employed to development projects to ensure:

1. Conformity with the master plan.

The **Master Plan** designates the area as Urbanization which is implemented by the existing A-5 zoning district. Most Master Plan policies are not applicable to the issue of a land division. Both **GOAL LU 2** and Policy LU 2.1 discuss compatibility issues that are discussed under criterion 2, below. But there are Public

Services and Facilities goals and policies related to providing sewer and water services. Generally, projects with lots less than 5 acres must provide community sewer and water facilities, but there are no issues for the proposed larger lots. The application conforms with the Master Plan.

2. *Compatibility with existing adjacent properties and uses.*

The proposal will result in an increase of residential use and human activities compared to the existing vacant lot. But it is comparable to what takes place on the existing nearby development to the east and west. To the east is an extensive residential subdivision of roughly 1-acre homesites. To the west is more residential development of roughly 5-acre homesites. Agriculture exists to the north and south, but is some distance from the proposed smaller parcels. The proposed development will be similar to the 5-acre lots to the east. The main consequence of the development will be slightly more traffic and human activity in adjacent areas due to the new population passing through those areas. The project is generally compatible with other existing residential and vacant lands nearby.

3. *Protection of the public health, safety and general welfare.*

The creation of new lots will minimally increase demands on public health, safety and welfare, and will not overburden police and fire services.

4. *That adequate public facilities and services are available to the development.*

There are no public sewer and water facilities on or near the site. Other public utilities (power and gas) exist in the area. Power does not run along Cardinal Drive through the project, but does extend near the property line on the east and west. Three of the four lots abut parcels currently served by power, and the fourth (in the middle) will not be distant from it. Gas and telecommunication services to the east and west can also be extended to the properties. Current county practice is for road easements and property lines to include utility easements. The map complies with this practice.

The property is served by Cardinal Drive, which is a County maintained paved road lying in multiple overlapping easements (as shown on the map) that provide adequate width. Residential traffic from the new parcels will marginally increase traffic on Cardinal Dr. and nearby roads, but such roads have adequate capacity.

As required by NRS 278.378, offers to grant easements and dedicate land to the County must be accepted or rejected along with approval of the map. The motion of approval needs to include these statements.

5. *As a part of the review and analysis of the development request, findings of conformance with the goals and objectives of the code and the master plan must be made in order to recommend approval and impose conditions. The conditions imposed by the staff may be modified by the final decision-making body.*

Based on the above assessment, options for Findings are provided below.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.04.040(C) and CCC 16.04.050(A) **HAVE** been met for the land division application, and therefore recommend that the Board of County Commissioners:
 - (A) **APPROVE** the parcel map for Alex Quintana to divide APN 008-211-94 into 4-lots. This approval is subject to conditions, as listed in the Staff Report.
 - (B) **ACCEPT** the offer to grant easements identified on the maps.
 - (C) **REJECT** offers to dedicate land and improvements.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

- 1) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Changes to labels on road easements and improvements shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.
 - b) Changes to the Churchill County Commissioner's Certificate shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.
- 2) Any final changes required by the County Surveyor shall be made prior to recording.

Application:	Special Use Permit	Use Listing:	Communication Tower & Antennas
Applicant:	T-Mobile	Owner:	Louie & Lila Lou Guazzini
Representative:	Precision Site Development (Jeremy Jordan)		
Site:	25 S. Harmon Road (APN 007-932-26) – 7.14 acres (at Harmon Junction)		
Designations:	Master Plan – NASF Buffer-Agriculture // Zoning – C-2 & NAS Fallon Overlay Zone		

Project Summary: The applicant is requesting to co-locate new antennas on an existing cellular communication tower. The tower site is at the Harmon Junction store, at the intersection of Harmon Road and the Austin Highway (US 50).

Normally, an antenna co-location only requires a zoning review rather than a Special Use Permit. However, this case involves a tower within the NAS Fallon Overlay Zone and under a main jet fighter flight path, which requires that the review is bumped up to an SUP in order to provide the Navy with the opportunity to evaluate impacts on their operations. They have been notified, but have not provided comments.

The 100-foot tower has previously obtained permits and is authorized of the colocation of additional antennas. No tower changes are proposed. A new “candelabra” structure will be installed below the existing one at the top. It will hold 6 new antennas, and their radio units (RRUs), and associated equipment – see the plans for before and after elevations. Additional ground cabinets and associated equipment will also be installed to support the new antennas. All modifications will be located within the existing fenced area.

Criteria Review:

CCC 16.08.080(H) Findings: Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

The site of the Harmon Junction store is zoned C-2, as well as additional land across the highway. Land immediately adjacent on the west and south sides of the parcel are zoned A-5. The property is also within the NAS Fallon Overlay Zone, which adds additional regulations, including a notice requirement. The co-location of the antenna on the existing tower is compatible with all surrounding land uses, but compatibility with NAS Fallon operations can be problematic. Navy staff have not commented at this time. Previous comments on similar proposals indicate concerns with radio frequency interference, construction crane lighting, and notification and coordination related to the construction start date.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts.

Communication tower and antenna is an allowed use for the C-2 zoning district in the Code’s use table, with additional requirements for this situation due to the NAS Fallon Overlay Zone.

Most Master Plan policies are not applicable to the development of communication towers and do not address radio or cell towers, other than support for NAS Fallon operation. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics and efficient service provision.

Also see compatibility issues discussed under criterion 1 and environmental impacts discussed under criterion 5. The proposed development must conform with the County Development Code. Conditions of approval will address specific issues, including:

- **Generally:** Since the existing tower is already built, typical development standards such as setbacks, easements, parking, landscaping, etc. do not apply.
- **Community Development Fees:** New business sites must pay applicable fees. Any applicable fees must be paid.
- **NAS Fallon Overlay Zone:** The Overlay Zone provides for special processes, use limits, and development standards for certain projects. The only applicable standard that applies in this case is the process requirement to notify the Navy for their input. Conditions of approval will require compatibility with Navy operations.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

No special public services will be needed other than power, which can be adequately provided at the site.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

Anticipated traffic generated by the tower will be negligible or non-existent. No impacts are expected.

5. *Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.*

The potential environmental impact issues are safety concerns for aircraft operations regarding radio frequency compatibility. The Navy has not provided comments at this time. However, previous projects raised concern with electromagnetic interference. Normally cell towers meet federal laws and are a proven technology with minimal interference issues. However, Navy base flight operations are a special situation, and cell towers could interfere with Navy frequencies. Staff recommends conditions of approval to coordinate with the Navy, and that any recommended changes be implemented.

STAFF RECOMMENDATION: **APPROVAL - as provided below.**

MOTION FOR DECISION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE BEEN** met for conformance with the criteria found in CCC 16.08.080(H) and therefore **APPROVE** the application for a Special Use Permit for cellular antenna co-location at 25 S. Harmon Road (APN 007-932-26). This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. Obtain all required building permits and safety inspections
2. Paying applicable community impact fees.
3. All Navy recommended coordination activity and construction equipment lighting shall be incorporated into the project.

Application:	Special Use Permit	Use Listing:	Communication Tower & Antennas
Applicant:	CC Communications (by lease)	Owner:	Bureau of Land Management
Representative:	NNE Construction (Alonzo Williams)		
Site:	16799 Carson Hwy (APN 007-021-65) – 1680.3 acres		
Designations:	Master Plan – Industrial // Zoning – RR-20		

Project Summary: The applicant is requesting to construct a communication tower. The project will establish a new 30' lattice communication tower. A previous application replaced a previous tower with the existing tower. However, one of the tenants has problems due to other electromagnetic activity on the tower. The new tower will allow separation from the main tower to reduce reception problems. The proposed tower is a 30' lattice tower with a triangular cross-section.

No antennas are proposed with the new tower. The existing support facilities will likely be used, with existing equipment being moved over to the new tower. If this is the case, no later review will be needed. If it is not the case, additional review will be needed for antenna placement. All new development will be within the existing fenced lease area.

The proposed site is off of the Carson Highway, north of the Lahontan Reservoir, and on top of the southwest end of the ridge. Power is available at the existing cell tower. The County GIS system shows no easements related to the tower site, but the BLM lease usually provides for access for federal land, in this case to US 50.

The antenna tower will be placed a large distance from the property lines, and presents no fall risk to adjacent properties. The site is distant from NAS Fallon. They have been notified, but have NOT provided comments.

Criteria Review:

CCC 16.08.080(H) Findings: Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

The surrounding area is designated with the RR-20 zoning district. Immediately surrounding the site is mountainous and sloped vacant lands. Mine sites, the Lahontan Reservoir, US 50 (Carson Highway) and remotely placed homes are the nearest uses; but they are distant from the site. For example, the highway is about 8/10ths of a mile away at the nearest point.

The proposed tower has similar consequences as the existing main tower. Communication towers with extensive antenna arrays are often a source of concern for adjacent neighbors, but there are none. Also see environmental impacts discussed under Criterion 5. Regarding concerns that the tower may fall onto adjacent properties, it is setback further than its height from property lines. Regarding the visual impact of a tower and antennas looming over nearby residences, there are none.

The lack of nearby residences, and the ability to keep a falling tower from landing on an adjacent lot reduces compatibility concerns. The proposed tower will make the site more visible from the highway and Lahontan Recreation Area than the existing tower, but the impact should be slight. Overall, the tower should be compatible with the surrounding uses and development. Staff has not heard objections at this time and is not recommending alterations for visual impacts. See Criterion 5 for assessment of environmental impacts on neighbors.

2. *Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.*

The **Master Plan** establishes land use districts that are implemented by the zoning districts.

Communication Towers (under utilities) is a listed use in the RR-20 zoning district and use table of the development code. New towers must be reviewed through a Special Use Permit, and co-locating antennas requires a Zoning Review.

Most Master Plan policies are not applicable to the development of communication towers and do not address radio or cell towers. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics and efficient service provision.

Also see compatibility issues discussed under criterion 1 and environmental impact discussed under criterion 5. The proposed development must conform with the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** The tower is far from property lines and setbacks. As noted above, safety concerns cause the County to require that a tower be located to fall without crossing a property line, and the tower is so located. No known easements affect the proposed tower.
- **Parking and Landscaping:** There are no stated parking requirements for communication towers in the Code, so the Planning Director must determine the appropriate amount of parking. It is determined that no parking is needed for an unmanned communication tower, and that vacant space near the tower is adequate. The landscaping code only requires landscaping for parking lots, so no landscaping is required for this project.
- **Community Development Fees:** New business sites must pay applicable fees.
- **Generally:** No outside storage is proposed. No signage or lighting is proposed. No sewer or water service is needed for an unmanned cell tower.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

There are no public sewer and water services available at the site, and the tower will not need them. Private on-site sewer and water service are not needed or proposed for the unmanned tower. Power is already available at the site. Public road infrastructure is discussed below. Public facilities and services will not be impacted.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

Anticipated traffic generated by the tower will be negligible or non-existent. No impacts are expected.

5. *Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.*

The potential environmental impact issues to adjacent properties are visual impacts to nearby homes, safety concerns for aircraft operation, and attractive nuisance safety concerns for young people. Visual

impacts are discussed in Criterion 1. Safety of young adults prone to climbing a tower, is often raised as a concern regarding towers. Security fencing exists around the tower and equipment pads, and the site is remote and difficult to get to. Regarding electromagnetic interference, cell towers meet federal laws and are a proven technology with minimal interference issues. NAS Fallon has not provided comments. Regarding aircraft safety, the proposed tower will be shorter than the existing main tower, so no impacts are expected.

STAFF RECOMMENDATION: **APPROVAL - as provided below.**

MOTION FOR DECISION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE BEEN** met for conformance with the criteria found in in CCC 16.08.080(H) and therefore **APPROVE** the application for a Special Use Permit for a new communication tower at APN 007-021-65. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. The tower must obtain all required building permits and safety inspections.
2. All applicable community impact fees must be paid with building permits.
3. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.
4. If the facility is no longer used, the towers shall be removed. The Public Works Director may take action to enforce this requirement.

Application:	Special Use Permit
Use Table Listing:	Wood Pellet Processing – request to be similar to Crop Processing & Storage
Applicant:	Alex Peden for Basil Technology and Innovation (BTI)
Owner:	Tom Madole
Site:	1450 McLean Road (APN 008-731-04) – 6.31 acres
Designations:	Master Plan – Urbanizing // Zoning – A-5

Request for Similar Use Determination This application proposes to make wood pellets, normally used for a fuel source. The use table in County Code has a number of listings for Agriculture and Resource Related Industrial uses. The two listings at issue here are:

- Timber Processing and Storage (mills, paper, plywood), which involves breaking trees down into products.
- Crop Processing and Storage (mills, cereal processing, cold warehouses, canning, bottling, extracts, etc.), which involves turning crops into foodstuffs.

The use table does not address the use of byproducts from wood facilities to create wood pellets. Specifically, the project is proposing to use wood waste (including woodchips, sawdust, etc.) from sawmills and similar wood processing facilities to create wood pellets.

The use of wood would normally put the project into the same category of timber processing facilities, such as sawmills, paper mills, plywood mills, etc. But the processing of small particles uses the same machinery as used for making feed pellets. The use does not clearly fall into one listing or the other. The applicant has submitted a request (in the application material) to be considered as similar to a Crop Processing and Storage facility, because his operation is very similar to crop processing.

The Master Plan and Zoning Districts emphasize protecting agricultural lands from uses that make agriculture more difficult, especially converting agricultural lands. You would not normally want industrial uses going into the agricultural lands. Both Crop Processing and Wood Processing are industrial uses and would normally go in a centrally located Industrial or Heavy Commercial (C-2) zone, with resource products from a broad area brought to the facility to process them into something else. In Churchill County, the distinction between Crop Processing and Wood Processing comes in where they are allowed. Both can have sizable neighborhood and environmental impacts, with wood processing often having more noise impacts (i.e. sawmill) and odor impacts (i.e. paper mill). But because of the connection to crops, Crop Processing is ALSO allowed in agricultural zones (A-10 and A-5). Crop Processing in the agricultural zones requires a Special Use Permit because there may be special issues that need conditions of approval, and some locations may not be appropriate.

The applicant understands that the project would normally need to be located in a different zone, and requests to be temporarily considered as crop processing. This will allow him to test his startup business at this site, which has most of the needed equipment. Staff and the applicant discussed the likelihood that, if the project is a success and grows, it would probably have to move to an appropriate zone.

Since the requested use requires a Special Use Permit, the Director defers the final determination to the Planning Commission decision on the permit, and recommends that, based on (a) the small scale, (b) the similar facilities needed for the operation that exist on the site, and (c) the temporary start-up testing nature of the business, the operation could be considered as crop processing. However, a larger operation than the existing facilities can support would be inappropriate at this location. With this limit, the proposed operation would be similar to the operation that used to operate at the feedlot in terms of noise and relate impacts. Specifically, the operation should not be altered to increase capacity beyond the existing facilities; such as

hiring employees, additional structures, larger capacity equipment, or redesign of the equipment layout to increase capacity. The business should move to an appropriately zoned property as soon as possible.

Proposal The application proposes to be considered similar to a Crop Processing Facility. The operation will be the second use on a large feedlot property, occupying just a small area of the feedlot. The wood pellet manufacturing operation proposes to use the existing facilities at the dairy that were installed for a small-scale feed processing operation. These include the silos and conveyance systems, and the office building.

The site plan shows a layout of operations, and the application provides a detailed description of the process. The storage and particle milling operations will mostly be located in and around the existing silos next to the road. A component used in wood pellet manufacturing is a “hammer mill” to break down the larger wood pieces into sawdust sizes suitable for pellet extrusion. The office, restrooms, pellet pressing, packaging, warehouse, and storage yard are located in or near an existing building, located across an open area/parking lot from the silos. Another main component is the pellet press machine that forces the wood through the pellet extrusion phase. The project will be a one-man operation using largely automated equipment, and run by the applicant.

The application and conversation with the applicant describe the wood pellet manufacturing operation. The wood chips are picked up at their source facilities, and brought to the site with a pickup and dump trailer. They are dropped off and moved to a primary storage silo. Then chips are conveyed to be reduced to sawdust particles at the hammer mill, which the application states will be in a sound deadened shed-like building. The reduced particles are conveyed to another silo for storage. From there, particles are conveyed in an underground tube to the main building for moisture conditioning and extrusion through the pellet press.. The pellets are then cooled and dried, and then packaged. Packaged pellets are stored in the warehouse or storage yard until they are transported to sales destinations, possibly using a semi-truck. Operation hours are split, with silo and hammer-mill activities being daytime operations, while pellet pressing and packaging operations are continuous 24/7 operations. Since there are no employees other than the owner, the facility is highly automated. Nighttime operations in the main building will be automated without personnel, using remote monitoring equipment. Both machines create noise similar to lawn mower or wood chipper. Mills that create a lot of dust particles are a fire and explosion hazard. The application describes safety measures.

Initially, the applicant will be the only employee. But the application includes hiring employees in the future. Staff recommend that additional employees not be allowed to encourage the facility to find a new location when it grows to that extent.

Criteria Review: *CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:*

1. Is compatible with the existing surrounding land uses and development.

The property is zoned A-5 Agriculture, as are all surrounding properties on all sides. Further north is E-1 zoning with residential subdivisions. Nearby uses are agriculture with associated residences or residential lots that have been split off from the farm. Two homes lie to the east, at approximately 500’ and 750’. The subdivision is approximately 1000’ to the north.

The proposed agriculture related industrial operation includes interior machinery noise and exterior truck traffic and noise. This would normally be incompatible with residential uses, but such activity is found in other livestock operations in the area, such as the one taking place on the property. In addition the hammer mill and pellet press will be very noisy (sometimes as loud as a wood chipper). Again, this would

normally be incompatible with residential uses, but the mitigation should reduce noise to background agricultural noise levels.

County Code includes Friction Zone development standards that apply buffers between industrial uses and adjacent uses and agricultural lands. These are described under Criterion 2, and are adequate buffers. The proposed use is compatible with surrounding uses.

2. *Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.*

The **Master Plan** establishes land use districts that are implemented by the zoning districts. ***The proposed use is a listed use*** in the use table for the zoning district, needing a SUP to be approved. Most Master Plan policies are not applicable to the development of industrial uses or are neutral in terms of general business activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics and efficient service provision.

Compatibility issues are discussed under criterion 1, above; and other impacts are discussed under Criterion 5. The proposed development must conform to the County Development Code. Conditions of approval will address specific issues.

- **Setbacks and Easements:** No structures are being built that will affect setbacks or easements.
- **Friction Zones:** County Code includes Friction Zone development standards that apply buffers between industrial uses and adjacent uses and agricultural lands. Buffers largely rely on separation between uses. The proposed pellet manufacturing location will have extensive buffering to the SE, NW, and SW by the feedlot property that is leasing to the applicant. The nearest residences to the east will have large separations. The nearest farm field is to the NE across McLean Road. The silo operations are closest to the farm field. The east side of the silos have little business activity and are about 80' from the edge of the farm field. The west side of the silos have the most business activity and are about 100' from the edge of the farm field, with the silos in between. These separations provide adequate buffering. The proposed use is compatible with surrounding uses.
- **Office, sewer, and water facilities:** The processing facility will have an office and restrooms for employees and customers. The Building Department indicates these need to meet ADA accessibility requirements and may need changes.
- **Outside Storage Requirements:** The Code requires screening of outdoor materials storage for businesses, but not for agricultural operations. Overflow outdoor storage is located south of the office building, and it will have screened fencing installed.
- **Parking and Loading Requirements:** Parking and loading spaces are shown on the site plan as north of the office building in the large open area. The parking code provides calculations for determining required parking for manufacturing uses as 1 per employee plus 5 spaces for customers, including 1 ADA accessible space per 25 parking spaces. The Director has determined that 6 parking spaces are needed, and the large open area is adequate for general parking. One parking space must be hard surfaced for handicapped accessibility, which will be on an existing concrete slab.

Parking and loading spaces normally have some kind of surfacing. This is especially important for sites with muddy soils to prevent track out. Agricultural operations get special treatment regarding mud track out onto County roads, and the County deals with it. But industrial uses do not get special consideration. Staff recommend that the area around the processing operation, including the parking lot and driveways north and south of the silos, be graveled to help control mud and dirt track out on the local roads.

- **Landscaping:** New and expanding businesses must normally meet the landscaping code requirements, though this does not apply to agricultural operations. In a situation like this project, only the property near the processing facility must meet landscaping requirements. The road frontage near the silos includes trees and shrubs. The area around the office and parking area includes trees. These can serve as required landscaping. Parking lot trees are required at 1 tree/15 parking spaces. The processing facility will need 1 tree, which exists near the office. A 10' landscaping strip along the street frontage is required along McLean near the silos. Existing trees shrubs and gravel groundcover are adequate to meet the requirement.
- **Lighting:** The application does not mention outdoor lighting. Staff recommends that existing and new outdoor lighting must be replaced/installed to meet the Dark Skies Ordinance requirements so that lights shine down, and are screened to not shine horizontally or upward.
- **Signage Requirements:** The sign code requires that signage in the A-10 zoning district must be approved by the Planning Commission. The application includes a small proposed business sign on the office building, which meets code requirements.
- **Water rights and impact fees:** New businesses must pay impact fees as applicable.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

Power service exists on-site. No public sewer or water systems exist in the area. The property has a restroom in the office that is served by on-site septic system and water well. Public utility services will not be overburdened.

Demand for police service may be increased in minor ways, but existing services are adequate. Grain milling operations are notorious for explosions caused by milling dust. According to the applicant, wood particles are not as small and are less prone to such hazards. However, the applicant still proposes safety measures, including cleanliness, monitoring systems, sprinklers, dust collection, enclosed conveyors, venting, etc. Vacuum systems will prevent dangerous dust amounts in the air. The Fire Marshal and Building Official note that the State Fire Marshal approval is required. The Fire Marshal also noted the need for construction inspections of the fire system, and also annual inspections. Fire Service will not be overburdened. Public road infrastructure is discussed below.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

Access for the site is taken from McLean Road, a State-maintained paved road, which is located within a road easement. The State normally requires businesses to have a paved road approach, but no comments have been received from the State. As noted above, gravel surfacing will be needed for the parking lot and driveways to reduce mud track-out onto the road. The application estimates 10 visits (1 visit = 2 trips) or 20 trips, and indicates they might be large semi-truck deliveries and passenger vehicles. McLean Road has capacity to handle the volume.

5. Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.

Possible environmental impacts are:

- (a) Noise from general operational activity and on-site truck traffic could impact nearby residences. However, they are 500-1000 feet away, and such noises are of a small scale and mixed in with the livestock operation noise. The operation of the hammer mill and pellet press will be more noisy activities that might not be compatible with adjacent uses, as would power generators to power operations. But placing such machines within sound insulated buildings would greatly mitigate such impacts, and Staff recommends that such mitigation be required. With mitigation, impacts are expected to be minor.
- (b) Processing facility road traffic could impact nearby residences. However, the additional impact is minor.
- (c) Site activity and truck traffic can generate dust in the area and mud/dirt trackout on the State highway. Conditions are recommended to gravel the area around the processing facility and the driveways north and south of the silos.
- (d) Milling operations can pose a fire and explosion hazard. See Criterion 3 for additional details.

STAFF RECOMMENDATION:

APPROVAL

MOTION FOR DECISION: The motion should be modified by the Planning Commission as needed. ***Specifically***, if the similar use determination request is NOT granted, the SUP CANNOT be granted.

- ☐ Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE BEEN** met for conformance with the criteria found in CCC 16.08.080(H) and therefore **APPROVE** the application for:
 - (a) A Similar Use Determination to consider the proposed wood pellet processing operation as a Crop Processing Facility on a limited basis, and
 - (b) A Special Use Permit for a wood pellet processing facilitylocated at 1450 McLean Road (APN 008-731-04). This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

- 1. This permit is subject to annual review to confirm compliance with conditions and code requirements until such time as the Planning Commission determines it is no longer necessary.
- 2. The approval of the Similar Use Determination is limited in scope to encourage a successful business to relocate to a commercial or industrial zoning district, said limits being:
 - a. Other than specific changes described in the application, the operation may not be altered at a later date to increase capacity, including but not limited to hiring employees, building additional structures, larger capacity equipment, redesign of the equipment layout to increase capacity, etc.
- 3. The entire business must be in conformance with County Code, including but not limited to:
 - a. Business licenses must be maintained.
 - b. All necessary building permits must be obtained.
 - c. Only the proposed signage is approved. Any future signage must be approved through another Special Use Permit approved by the Planning Commission.

- d. Necessary modifications shall be made to meet code requirements, including lighting, sign, screening and other code requirements discussed in the staff report.
 - e. Payment of impact fees and water dedication requirements.
 - f. The area around the silos and office building shall be graveled, including the driveways to McLean Road.
- 4. Employee and customer facilities that meet applicable laws shall be provided, including restrooms, ADA accessible facilities, and an ADA parking space.
 - 5. The operation shall control internal dust and maintain other safety measures required by the Fire Marshal.
 - 6. Noisy machinery, such as the hammer mill, pellet press, any generator used to power operations, etc., shall be located within a sound insulated space.
 - 7. Operation of the business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.
 - 8. All state and/or federal permits required for this type of business shall be obtained and maintained.
 - a. Any paved approach apron or other changes required by NDOT shall be installed.
 - b. Safety improvements required by the State Fire Marshall shall be installed.
 - c. NDEP air and other permits shall be obtained.

Application:	Special Use Permit
Use Listing:	Expansion of Rail Based Services & Industrial Park >>> Addition of Warehousing Storage and Distribution Facility w/night operations, and w/high traffic volumes
Applicant:	Port of Nevada – AKA Fernley Business Park & Western Nevada Transload
Owner:	Fernley Business Park LLC
Site:	Located on APN 009-251-78 (at 58.18 ac.) – no address One of two parcels the Port of Nevada Rail Industrial Park operates on at 17127 Inland Port Drive. The other parcel being a portion of APN 009-251-77 on the 23.82 ac. extending west of the railroad tracks. NOTE that parcel numbers are expected to change soon
Designations:	Master Plan – Industrial & Hazen-Swingle Bench Planning Area // Zoning – Industrial

Site History: The Port of Nevada was established long ago at the county line – in fact its driveway is in Lyon County. The site has a history of uncompleted Parcel Maps, BLAs, and Subdivisions; however, only 2 lots have been created. In order for the lot east of the tracks (105.61 ac.) to have legal access to a public road, a small portion was extend to the west side of the tracks – that is where the existing facilities are sited. The remaining area west of the tracks is the west lot (58.2 ac.), which lies along the highway and surrounds the existing facilities. This existing parcel layout will change soon due to a parcel map that the owner submitted to separate the east side of the tracks as an independent property (legal access now exists), and also establish 3 separate lots on the west side. At that time, new APNs will be established. The new rail operations proposed in this application will not obstruct that parcel map.

The site timeline is provided below, along with previous SUPs approved for the properties:

- 1) Metals processing SUP (2002) – use ended;
- 2) Asphalt storage SUP (2005) – use ended. The asphalt business encompassed the entire existing facility at the time, and included the propane tank farm and the propane powered boiler (in the smaller building). It also included an asphalt storage tank farm and extensive piping (north of the main building), which have recently been removed.
- 3) Currently, the Crestwood gas supply business is using the tank farm (3 very large cylinders) area of the site, though a SUP was not submitted for it.
- 4) Multi-tenant laydown yard with rail SUP for Black Gold Terminals (July 2018). Project was not implemented.
- 5) In 2020, Industrial Realty Group LLC (a national company specializing in rail properties) purchased the property (both sides of the tracks) and adjacent lands in Fernley. They created the Fernley Business Park LLC to be the current owner, and has long range plans for major development of the larger site.
- 6) Continued transloading operations from 2020 with no immediate improvements.
- 7) Rail Service Facility SUP (March 2021) for Fernley Business Park of limited scope to do only rail spur replacement, reconfiguration, and extension near the building complex to facilitate rail car movements within the site, and also minor expansion of the transloading area.
- 8) Rail Service Facility SUP (July 2023) for Fernley Business Park of limited scope to do only rail track extensions southward, and additional spurs west of the building complex, and expansion of the transloading area.
- 9) Rail Service Facility SUP w/Variance (March 2024) for Western Nevada Transload / Fernley Business Park for a container storage yard and related facilities, as well as additional rail extensions located at the south tip of property and additional interior rail spurs.
- 10) Rail Service Facility SUP w/hazardous materials (Feb 2025) for Energy Transfer LP for butane railcar transloading with no structural facility changes. ***NOTE: Crestwood was recently acquired by Energy Transfer LP, which is the recipient of the butane transloading operation.***

For future reference, future development will require additional permitting. In addition to SUPs required in the Code for different land-uses, the Code also requires that uses that generate high volumes of traffic obtain a SUP and perform a traffic study. The Code also requires uses that handle hazardous substances to obtain a SUP, such as tanks of hazardous fluids. The Code also requires uses that may impact public health and safety to obtain a SUP, such as storing large quantities of flammable materials outside. In summary, future facilities can require a Special Use Permit on multiple grounds.

Summary of Proposal:

The application proposes a roughly 238,000 square foot building within the Rail Industrial Park, with the intention that it be leased for a future user. The expansion of the Rail Industrial Park requires a Special Use Permit. Included in the proposal is the consideration for the site to include nighttime operations and the large volumes of traffic associated with this big building, both of which also require Special Use Permit review. The use is largely set up as a warehouse storage and distribution facility. But other industrial users can be located within it as well without additional Special Use Permit review, such as:

- Indoor Light Manufacturing
- Indoor Fabrication
- Beverage Distributor
- Manufactured Home Construction
- Manufactured Home Sales
- Vehicle and Equipment Repair
- Trucking Company
- Package Delivery Company
- Indoor Recycling Station
- Etc.

Some other uses will require a new Special Use Permit, including most outside businesses, handling hazardous materials, and other uses listed as such in the zoning use table. Converting the site to a multi-tenant facility, or making sizable expansions will also require a SUP.

The site plan and application material describe the project in detail. The building fronts closely along the Reno Highway, where the small hills currently parallel the highway, which in turn will need extensive land leveling. It is mainly designed to serve large delivery trucks (18-wheelers, etc.) on the northeast side, including a parking lot for them. The passenger vehicle parking lot surrounds the building on the other sides. Access to the facility is integrated with the access driveway through the site to the container storage facility at the south end of the lot. At the north end of the building is a large water storage tank for fire storage and a large stormwater storage pond. Landscaping is integrated throughout the perimeter parking lot (see the landscaping plan).

Criteria Review:

CCC 16.08.080(H) Findings: Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

See Criterion 5 regarding impacts and discussion of the hazards to the public. The site is zoned industrial, and the limited nearby uses are also of an industrial nature. The surrounding land along US 50A is predominantly vacant desert land. The exceptions are the Patua geothermal and solar plant ~3/4 of a mile north, geothermal piping and related facilities in the nearby desert, and the Resource Way commercial development 1000-2000' to the south. The lack of other uses makes the proposal generally compatible with surrounding uses and development.

2. *Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.*

The **Master Plan** establishes land use designations that are implemented by the zoning districts. The Master Plan designation and Zoning District for the site are both Industrial. ***The proposed Rail-Based Services is a listed use*** in the use table of the development code, requiring a Special Use Permit in the Industrial zone. Most Master Plan policies are not applicable to the development of commercial and industrial uses, or are neutral in terms of general industrial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

Chapter 11 states: “The appearance of a community as seen from the main streets and highways expresses the community character and leaves a lasting impression on visitors and potential future residents and businesses. Special attention should therefore be given to the types of land uses that are permitted along these corridors... To promote a positive image of the County, all development within these gateways must adhere to appropriate landscaping and signage requirements and only those land uses that are aesthetically appealing should be encouraged.”

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics and efficient service provision.

Compatibility issues of aesthetic, character, and balance are discussed under Criterion 1, above. Impacts and safety hazards are discussed under Criterion 5. The proposed development must conform to the County Development Code.

- **Generally:** Legal and physical access requirements are met. Outdoor storage is not proposed, so screening is not needed. The application indicates permits for future signage will be submitted later
- **Height, setback, and easement:** The industrial zone height limit is 65', which the building meets. The setback from the highway property line is 60', which is met. The building is not near other property lines. An 18' utility easement parallels the highway property line, and includes fiber optic trunk lines.
- **Office, sewage, and water facilities:** The existing rail park office and restrooms are served by well and septic systems. This large building will need to provide its own offices, with restrooms that are served by separate well and septic systems. The well will need its own water right, which the applicant indicates is already acquired, and it will need to be a public water system approved by the state. The commercial septic system must also be approved by the State.
- **Outdoor Lighting** is not indicated, so Staff recommends a condition to meet the County's Dark Sky lighting standards.
- **Parking:** The application provides 143 parking stalls for passenger vehicles, plus approximately 27 future parking for a total of 170 spaces. The parking code establishes parking requirements for this type of use based on employee numbers. However, without a tenant, an employee count cannot be known. In such cases the Director must determine the parking requirements. Some other western Nevada jurisdictions base parking requirements on building size, at a rate of 1/1000 sf or 1/1500 sf. Using the 1/1500 rate, the proposed building would need 159 parking spaces. The Director determines that the proposed parking lot is adequate for the time being.
- **Landscaping:** The application provides a landscape plan that is focused within the parking lot. It exceeds the required parking lot tree requirement. The code also requires a 10' road landscape strip.

Such landscaping would be oddly placed by itself along the property line of the highway. Since the extensive landscaping in the parking lot around the building would be of far higher quality than a remote landscape strip, the Director determines that the parking lot landscaping will serve to meet both the parking lot tree requirement and the road landscaping requirement.

- **County impact fees** are required for roads and the payment in lieu of water dedication.
- **Signage Requirements:** The application indicates that signage will be determined and permitted later. Depending on the location, future signage would have to meet either Lyon County or Churchill County signage requirements. Comments were received from NDOT, which indicates that signs along the highway will have to meet NDOT signage requirements. In Churchill County, each property is limited to a given amount of signage – being 160 sf total sign area in this location.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

There will be no public sewer and water services available at the site. Private sewer and water service currently exist at the main office, and new facilities will be built for the new building. Extensive power will be needed for the project, and the applicant is working with NV Energy to extend additional power. Public road infrastructure is discussed below. The application discusses working with the Sheriff regarding security, particularly important given the plans for a gated entrance on Inland Port Drive. The Sheriff did not provide any comments on the project relating to police and security matters. The applicant has been consulting with the Fire Marshal regarding fire issues, and the building will need approval from the State Fire Marshal. The building will be sprinklered, and this requires a large water storage tank at the north end of the building.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

Nevada Dept. of Transportation (NDOT) controls access to the Reno Highway, and requires new businesses to obtain or update their access permits and authorizations. The existing NDOT access is highly constructed to control traffic at this access point, being called a “High-T”, and has been adequate for the existing traffic.

Existing traffic generated by the site is modest, with the last SUP for the container storage yard determining the site is a bit under the traffic study threshold. The new building triggers the requirement for a traffic study. The applicant has prepared one, and it is included in the application materials. Estimated daily trips generated (1 visit = 2 trips) are 3628 new daily trips, with 356 new trips during PM peak hours. The applicant has provided the study to NDOT for their review.

Staff contacted NDOT regarding their thoughts on the project. In addition, NDOT staff provided written comments that indicate some minor corrections are needed to the study before they fully review it. In conversation, initial thoughts are that the existing intersection infrastructure should be adequate, though some changes might be needed after full review is done. Staff recommends a condition that all changes required by NDOT be implemented.

5. *Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.*

The primary environmental impacts from the proposed project are:

- i) The soils on the property are very powdery and light, and prone to blowing dust. Dust from construction could be extensive and might impact downwind neighbors such as the residents of Hazen and the nearby farmland. NDEP construction permits are included in the submittal, which address dust and stormwater runoff. These will deal with most impacts. It is recommended that

extra attention is paid to dust control, and reputable construction companies are good at paying such attention.

- ii) Large truck noise from the increased traffic could affect neighbors, except that nearby properties are also industrial with similar truck noise, so impacts are minimal. Truck traffic is addressed in Criterion 4.

STAFF RECOMMENDATION: APPROVAL

MOTION FOR DECISION: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE BEEN** met for conformance with the criteria found in CCC 16.08.080(H) and therefore **APPROVE** the application for a Special Use Permit by Port of Nevada for Rail Based Services on 17127 Inland Port Drive (APN 009-251-78). This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. This permit is subject to annual review to confirm compliance with conditions until such time as the Planning Commission determines it is no longer necessary.
2. The Rail Industrial Park's existing Emergency Management Plan must be updated to include the new facilities in coordination with the Fire Marshal, and approved by the Fire Marshal.
3. The operation must be operated in conformance with County Code and building permit requirements, including but not limited to:
 - a. Business licenses must be maintained.
 - b. Dark Skies outdoor lighting requirements shall be met.
 - c. The extensive landscaping of the perimeter parking serves to meet the requirements for both parking lot trees and road landscaping.
 - d. Sign code standards shall be met.
 - e. Parking lot requirements will be checked during future tenant changes. Additional parking spaces may need to be provided.
4. Operation of the business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.
5. All authorizations from NDOT, including for signage, shall be obtained, and all required improvements shall be installed,.
6. All state and/or federal permits required for this type of business shall be obtained and maintained, including but not limited to:
 - a. State Fire Marshal approval.
 - b. State water right requirements for the new well system
 - c. State public water system approvals
 - d. State septic system approvals.
 - e. NDEP authorizations for stormwater and dust control.

Consent Agenda:

NOTE: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the commission or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

Please review the Consent Agenda to determine if you have any concerns.

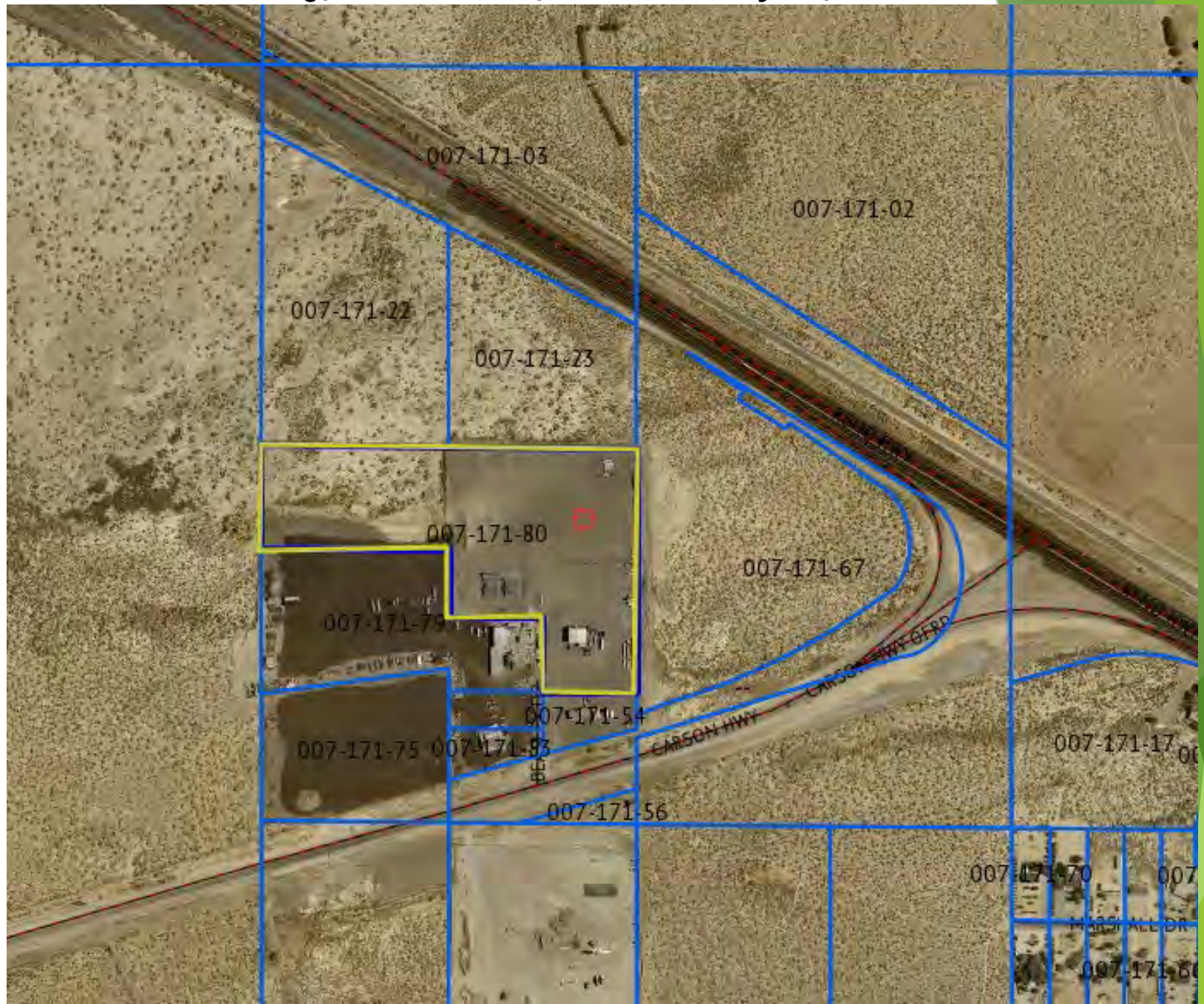
RECOMMENDED MOTION

- I move to **Approve** the Consent Agenda as submitted.
- ***[IF YOU WISH TO REMOVE ANY ITEM FOR FURTHER DISCUSSION]***
I move to ***remove Item*** ____ for further discussion, and to approve the remainder of the Consent Agenda as submitted.



**CHURCHILL COUNTY
PLANNING COMMISSION
HEARING
May 14, 2025**

Card Trucking, SUP Review, 2555 Beasley Dr, APN 007-171-80

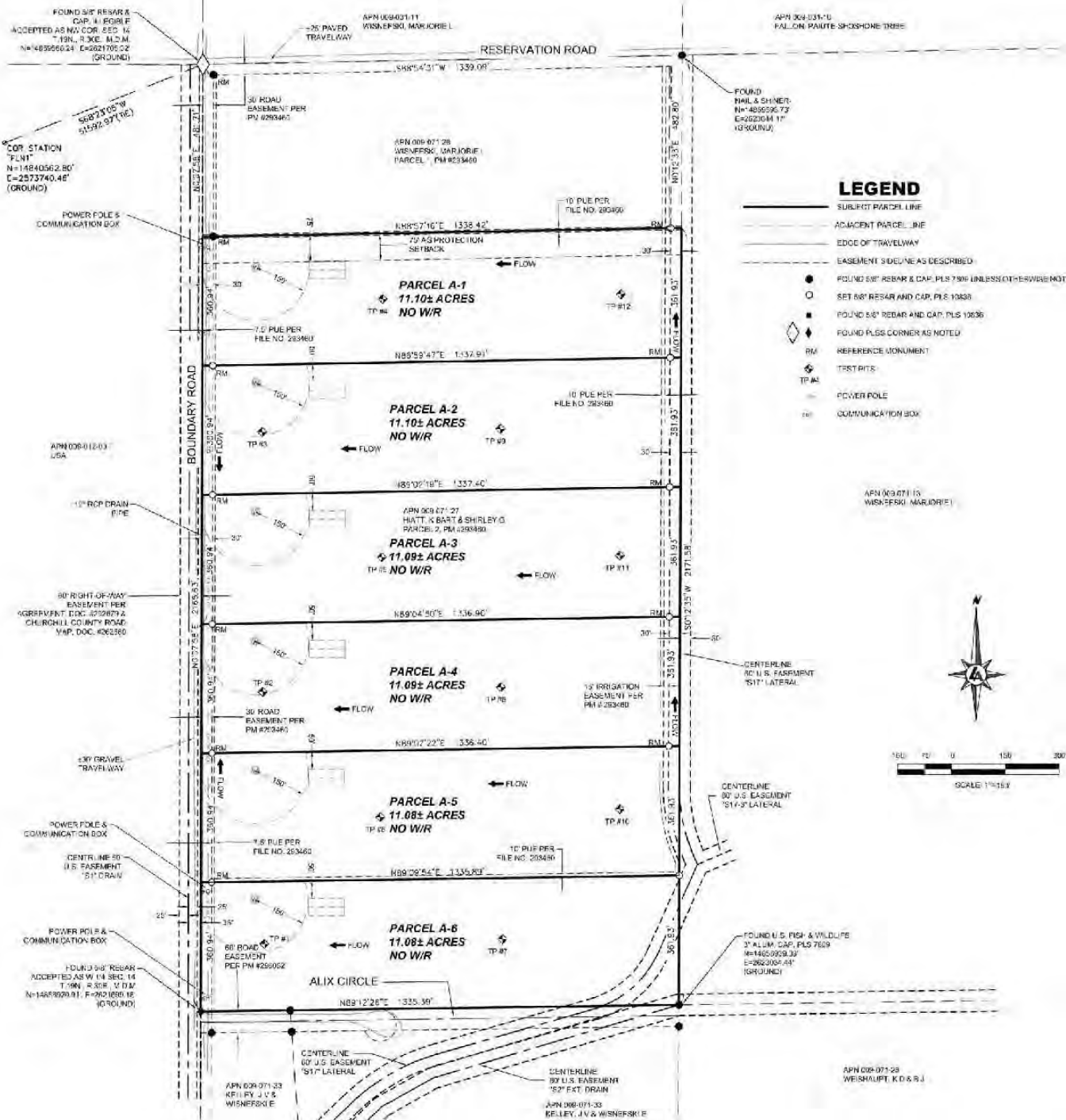


Bryant, SUP Review, 3205 Brookside Circle, APN 008-421-23

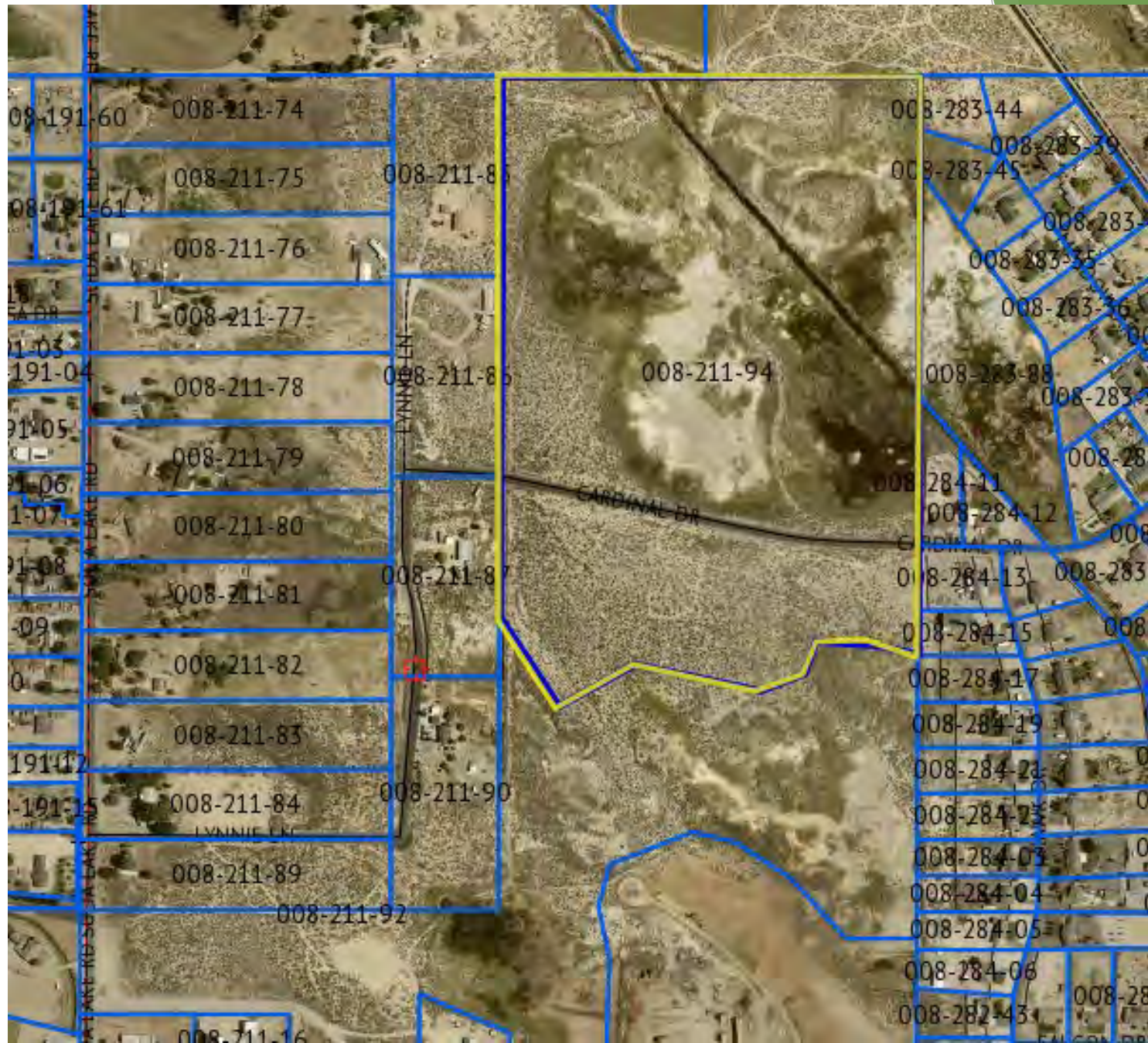


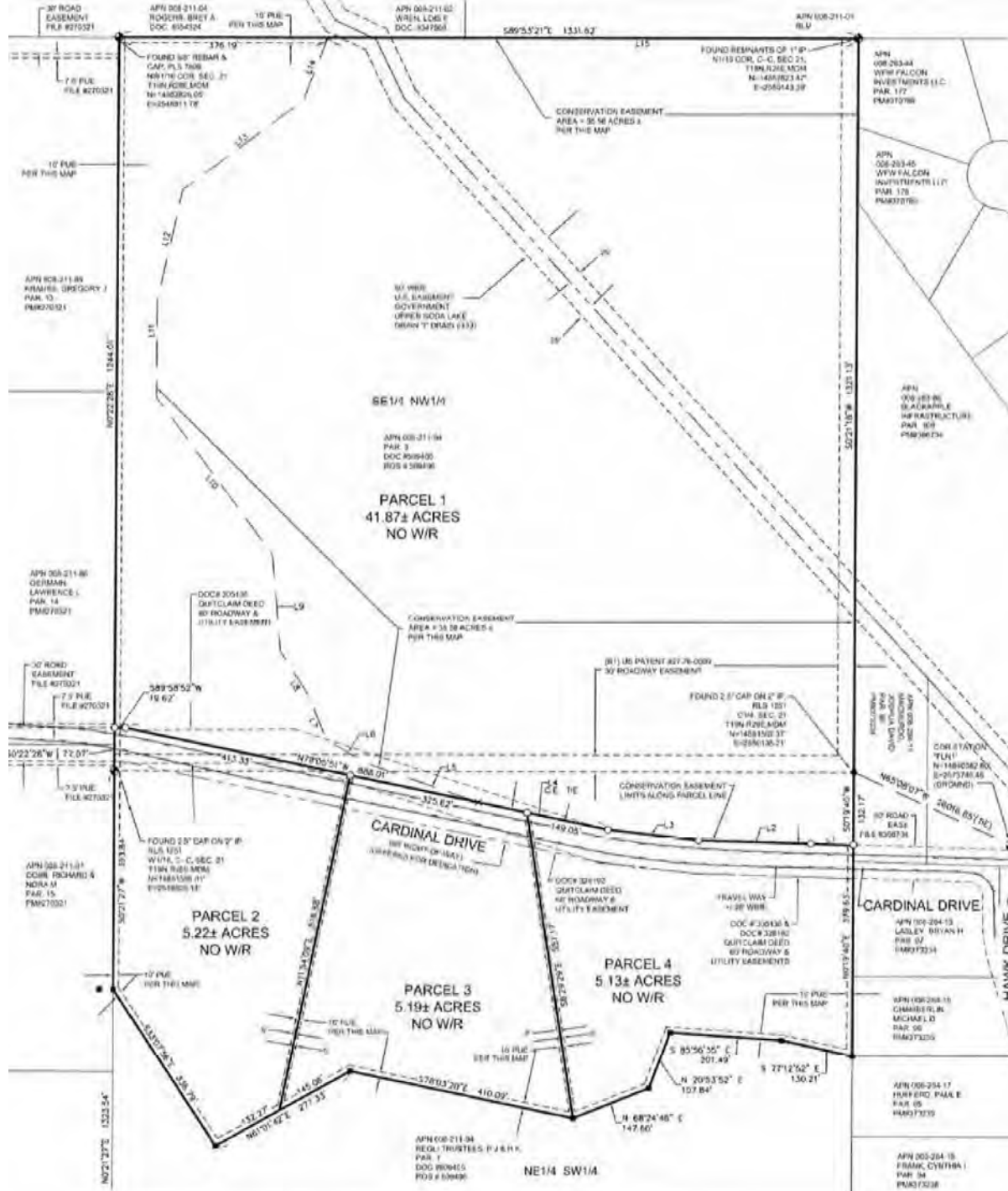
Hiatt, Tentative Parceling Plan, Boundary Rd, APN 009-071-27





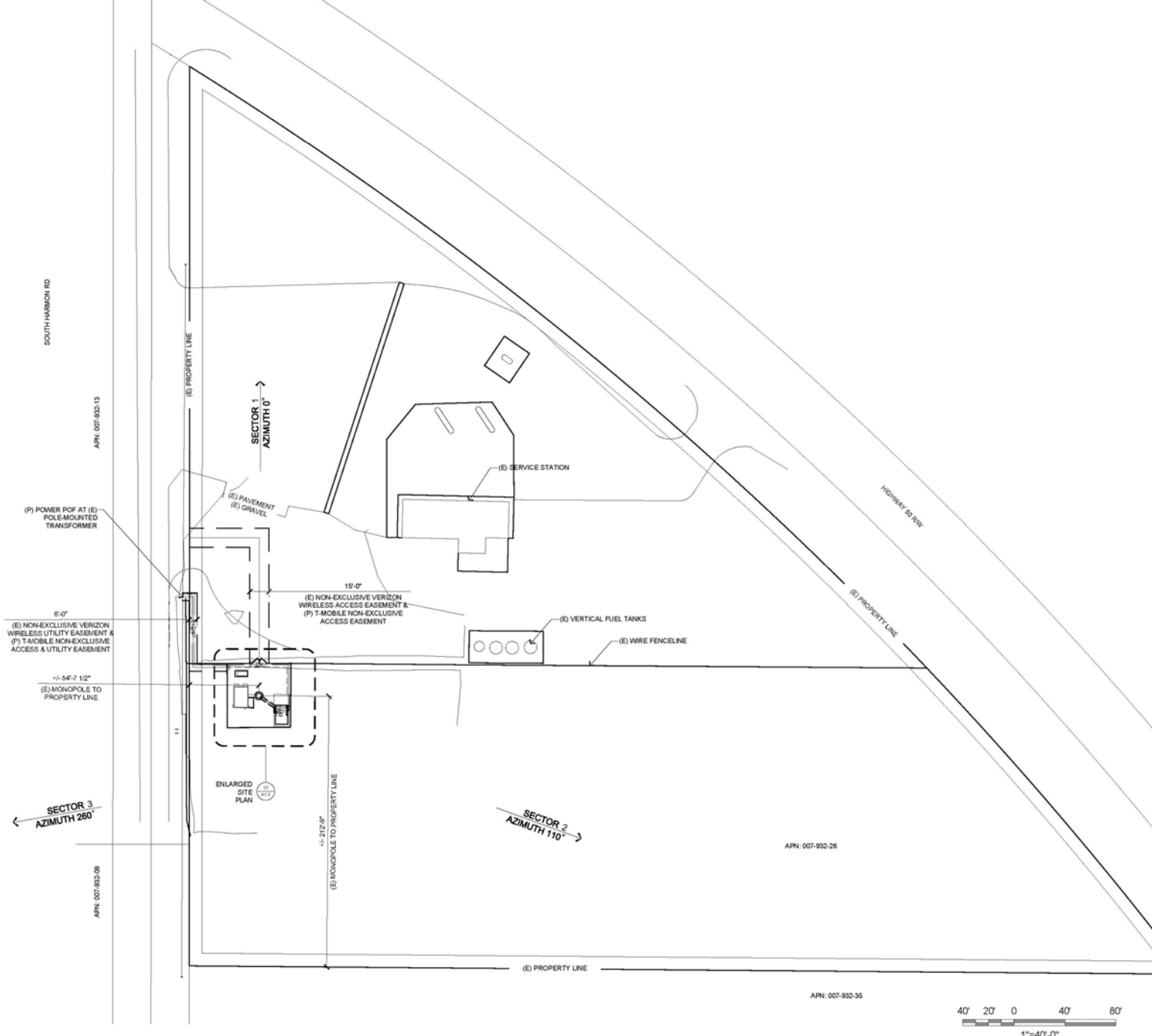
Quintana, Parcel Map, Cardinal Dr, APN 008-211-94

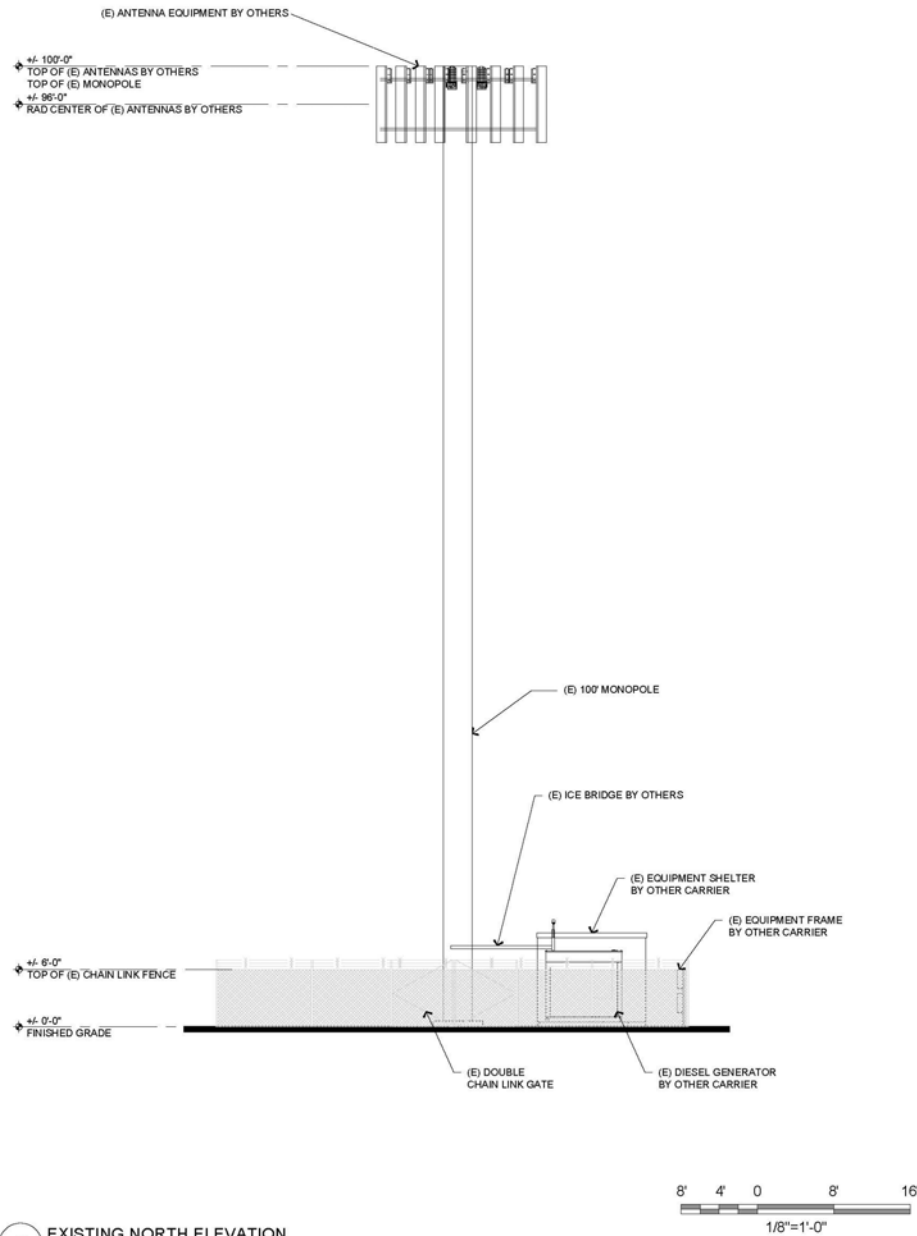




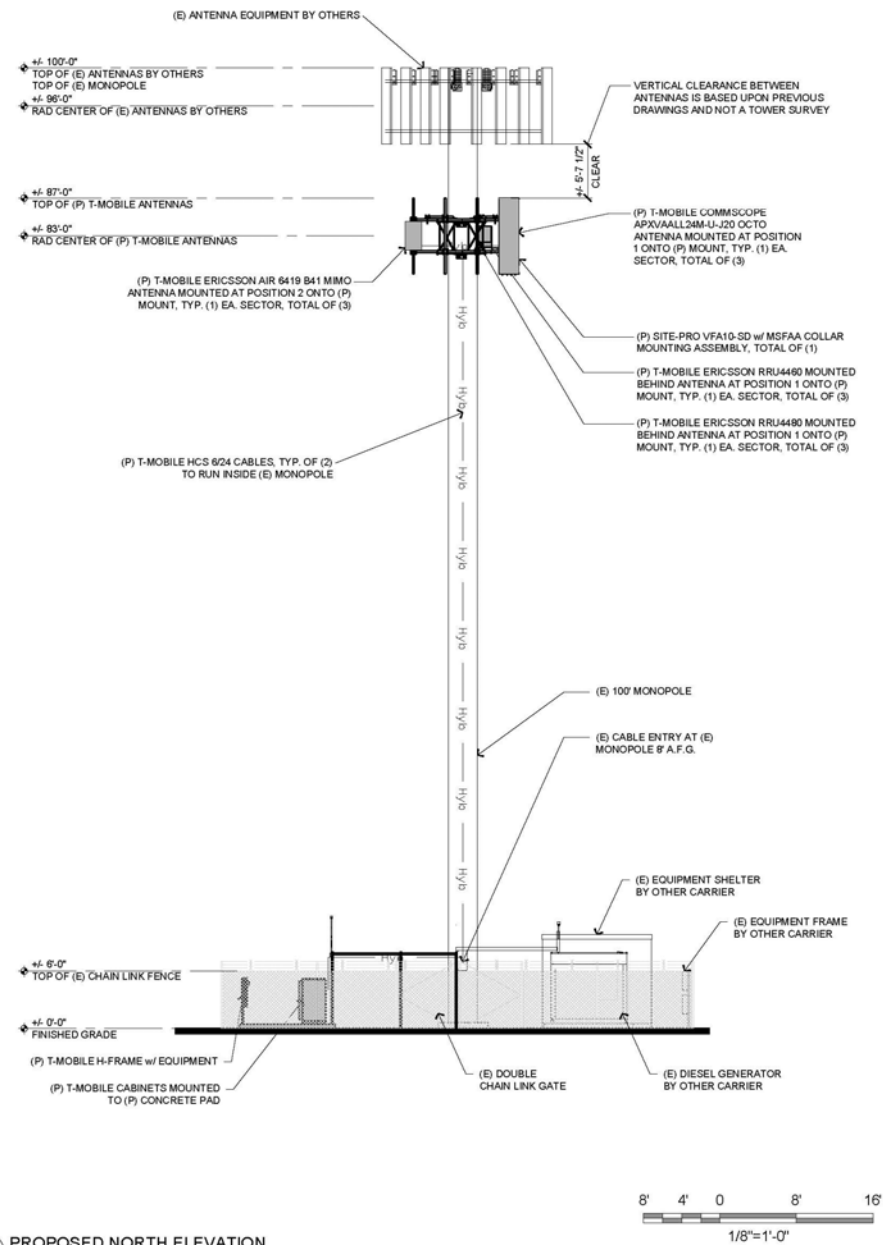
T-Mobile, SUP Application, 25 S Harmon Rd, APN 007-932-26



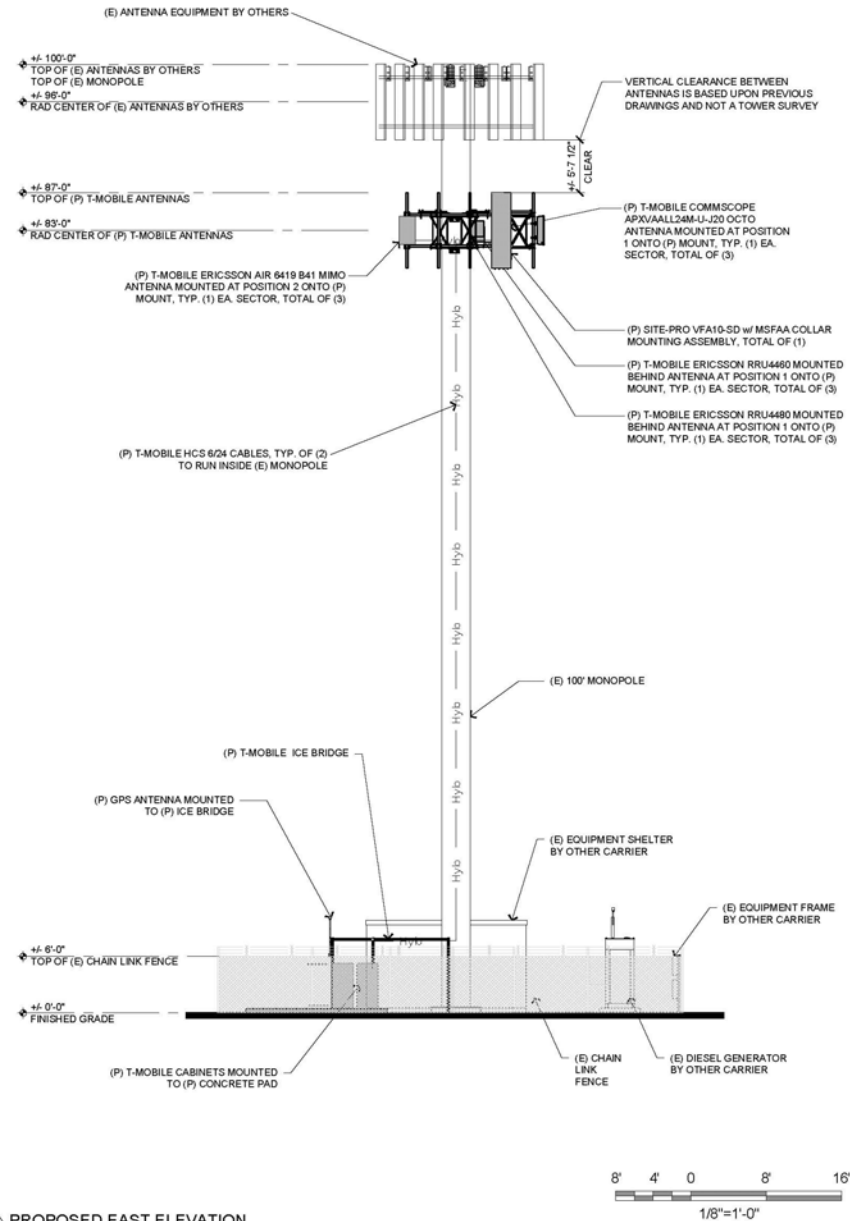
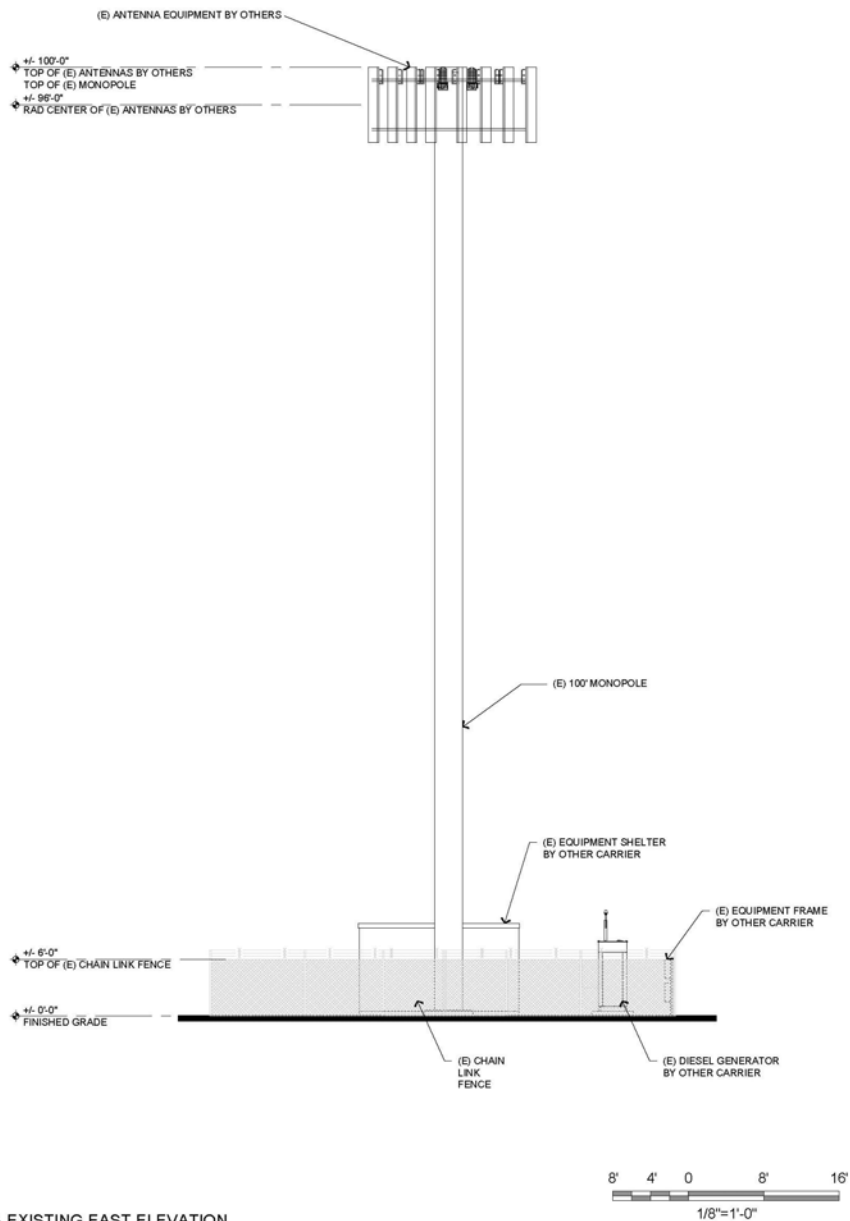




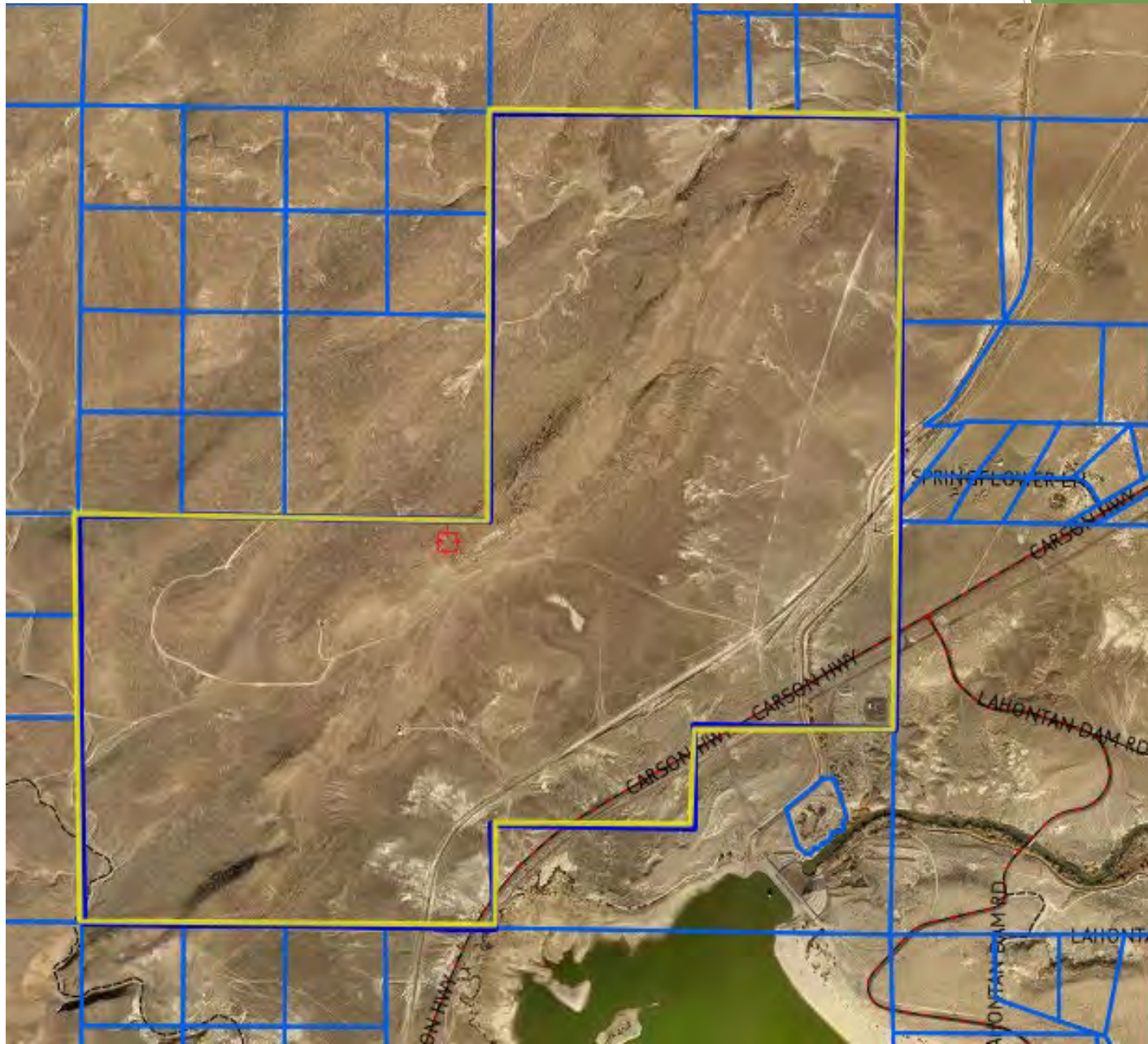
13 EXISTING NORTH ELEVATION
1/8" = 1'-0"

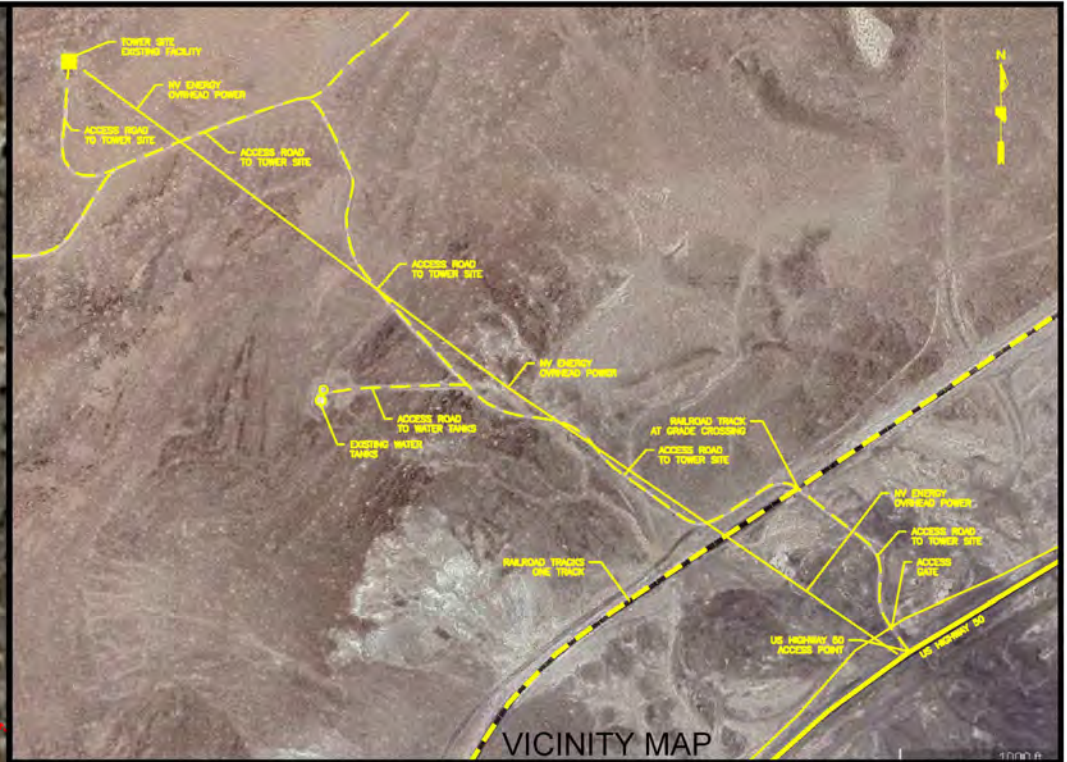


5 PROPOSED NORTH ELEVATION
1/8" = 1'-0"



NNE Construction/CC Communications, SUP Application
16799 Carson Hwy, APN 007-021-65

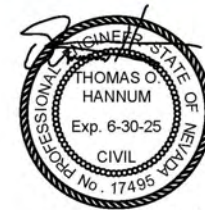




OWNER & LOCATION

CC Communications
17000 Carson Hwy
Lucky Tower
Fallon, NV 89406

Coordinates:
39°28'17.7" N, 119°05'17.7" W



3/14/25

Avoid cutting underground utility lines. It's costly.
Call before you Dig
1-800-227-2800
MISSISSAUGA SERVICE (905)

SCALE: 1"=20'

JOB #:

*

*

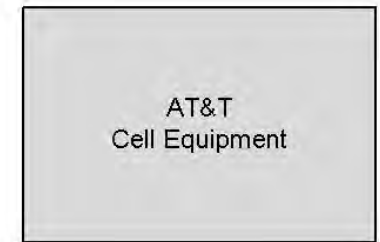
DESIGNED BY: TOH

CHECKED BY: TOH

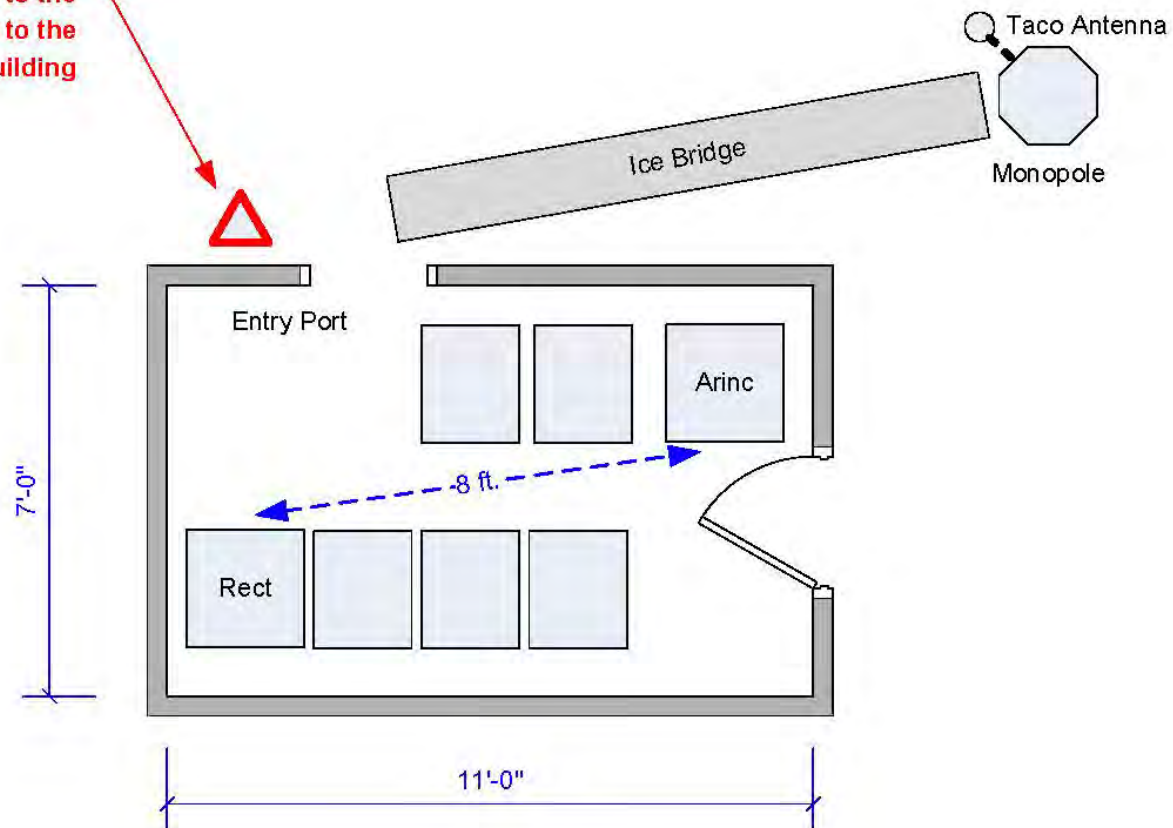
DRAWN BY:

NEW COMMUNICATIONS TOWER ARINC FALLON SITE VICINITY & SITE PLAN

SHEET
1
OF
1

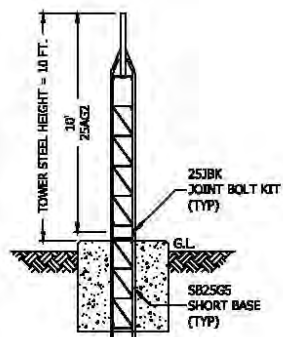


Proposed 30 Ft. Tall
Rohn 25 G Tower Bracketed to the
building (in two places) near to the
North East corner of the building

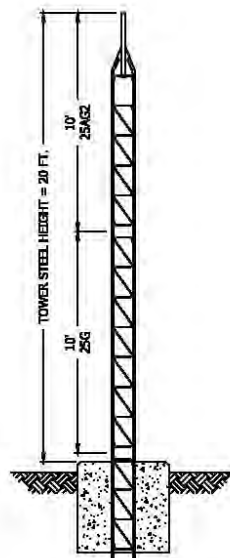


NOTES:

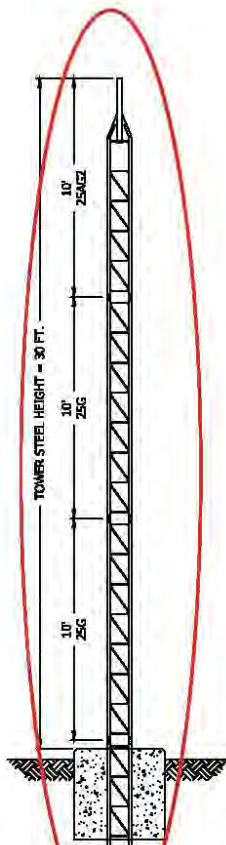
1. REFER TO DRAWING NO. DWG-0617 FOR TOWER EFFECTIVE PROJECTED AREAS AND GENERAL NOTES.
2. REFER TO DRAWING NO. DWG-0128 FOR FOUNDATION DETAILS.
3. REFER TO DRAWING NO. 8090548 FOR STANDARD FOUNDATION NOTES.
4. REFER TO DRAWING NO. A810214 FOR FOUNDATION AND ANCHOR TOLERANCE.
5. ROHN PRODUCTS, LLC. WILL PROVIDE A GROUNDING KIT FOR EACH TOWER ASSEMBLY.



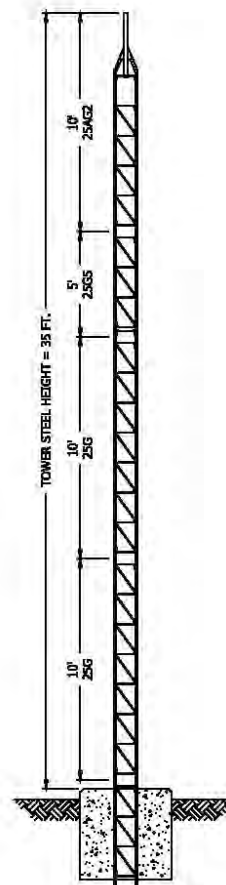
P/N: 2599010
10' 25G SERIES TOWER ASSEMBLY



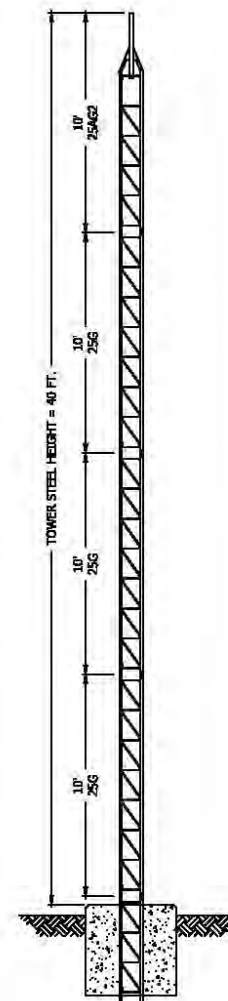
P/N: 2599020
20' 25G SERIES TOWER ASSEMBLY



P/N: 2599030
30' 25G SERIES TOWER ASSEMBLY



P/N: 2599035
35' 25G SERIES TOWER ASSEMBLY



P/N: 2599040
40' 25G SERIES TOWER ASSEMBLY

FILE NO.

REVISIONS

REV.	DESCRIPTION	OWN	CHK	APP

ROHN
PRODUCTS

PO BOX 9999
PEORIA, IL 61601-9999
TOLL FREE 800-727-ROHN

THIS DRAWING IS THE PROPERTY OF ROHN. IT IS NOT TO BE REPRODUCED, COPIED OR PLACED IN WHOLE OR IN PART, WITHOUT OUR WRITTEN CONSENT.

25G SERIES TOWER ASSEMBLY
10' - 40'

OWN:	CHKD:	DATE:
JHY	JDM	Jan/9/2013

ENGR:	SHEET #:
HA	1 OF 1

PRJ. ENGR:	PRJ. NAME:
JPK	

DRAWING NO:	REV:
25GSS	0

Peden, SUP Application, 1450 McLean Rd, APN 008-731-04



Plot # or Address

Parking
Disabled Parking

Trees/Landscaping

Drive Way/Road
4' x 2.5'
Storage Silos

Septic 1
Office Studio

Hush House/Hammer Mill
Grain Elevator
In Ground Chip Conveyor
High 2 Bay Building
Septic 2

Pelleting and Bagging Area
Power
Well

In Ground Flexible Screw Auger/Motor
Truck Loading Area
6' Screening
Indoor Storage Area
Outdoor Storage Area

Maxar, Inc. Geo. Maintained By Church Il County Public Works, Planning & Zoning Department.

Logo and Sign



LEVEL OF NOISE in decibels (dB)

Faint

20 dB

Leaves rustling

Soft

30 dB

Whisper

40 dB

Quiet library

Moderate

60 dB

Conversation

Loud

70 dB

Traffic

80 dB

Alarm clock

Extended exposure to noise levels above 85 dB can cause permanent hearing loss

Very Loud

90 dB

Power tools

100 dB

MP3 Players

110 dB

Sporting events

Uncomfortable

90 dB

Dance clubs

Painful

130 dB

Ambulance

140 dB

Fireworks/Guns

Always avoid exposure to very loud noises and protect your ears with hearing protection

To better understand how loud 85 decibels is, here are some common and specific sources of sounds reaching this level:

Common Sources of the Sound

Some common sources or examples of 85-decibel noise are:

- Noisy restaurant
- Noisy hotel lobby
- The inside of an airport
- Heavy road traffic
- Train or truck passing

Common Sources of the Sound

Here are a few specific sources or examples of 85-decibel noise:

- Garbage disposal
- Hairdryer
- Vacuum cleaner
- Tractor
- Police car siren
- Snowblower

Sound Attenuation Calculator - Inverse Square Law

The formula to calculate sound attenuation over distance for a **point source** is:

$$Lp(R2) = Lp(R1) - 20 \cdot \log_{10}(R2/R1)$$

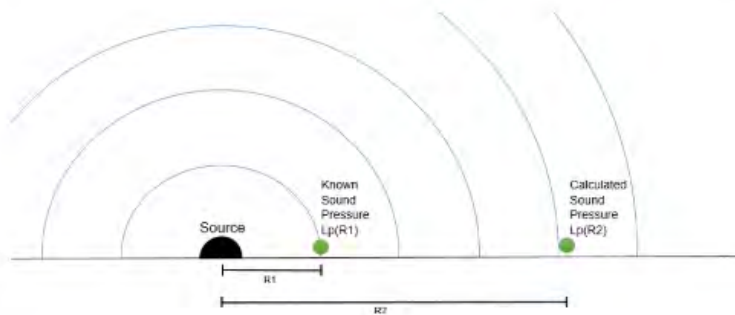
Where:

$Lp(R1)$ = Known sound pressure level at the first location (typically measured data or equipment vendor data)

$Lp(R2)$ = Unknown sound pressure level at the second location

$R1$ = Distance from the noise source to location of known sound pressure level

$R2$ = Distance from noise source to the second location



Known sound pressure level (dB(A))

85

Select Metric or Imperial Units:

☐ Metric

☒ Imperial

Distance from source for known sound pressure level (R1) (ft)

5

Tested sound pressure levels are commonly given at 1m or 3ft (R1)

Distance from source to position R2 (ft)

500

Attenuated sound pressure level (dB(A))

45.0

Known sound pressure level (dB(A))

85

Select Metric or Imperial Units:

☐ Metric

☒ Imperial

Distance from source for known sound pressure level (R1) (ft)

5

Tested sound pressure levels are commonly given at 1m or 3ft (R1)

Distance from source to position R2 (ft)

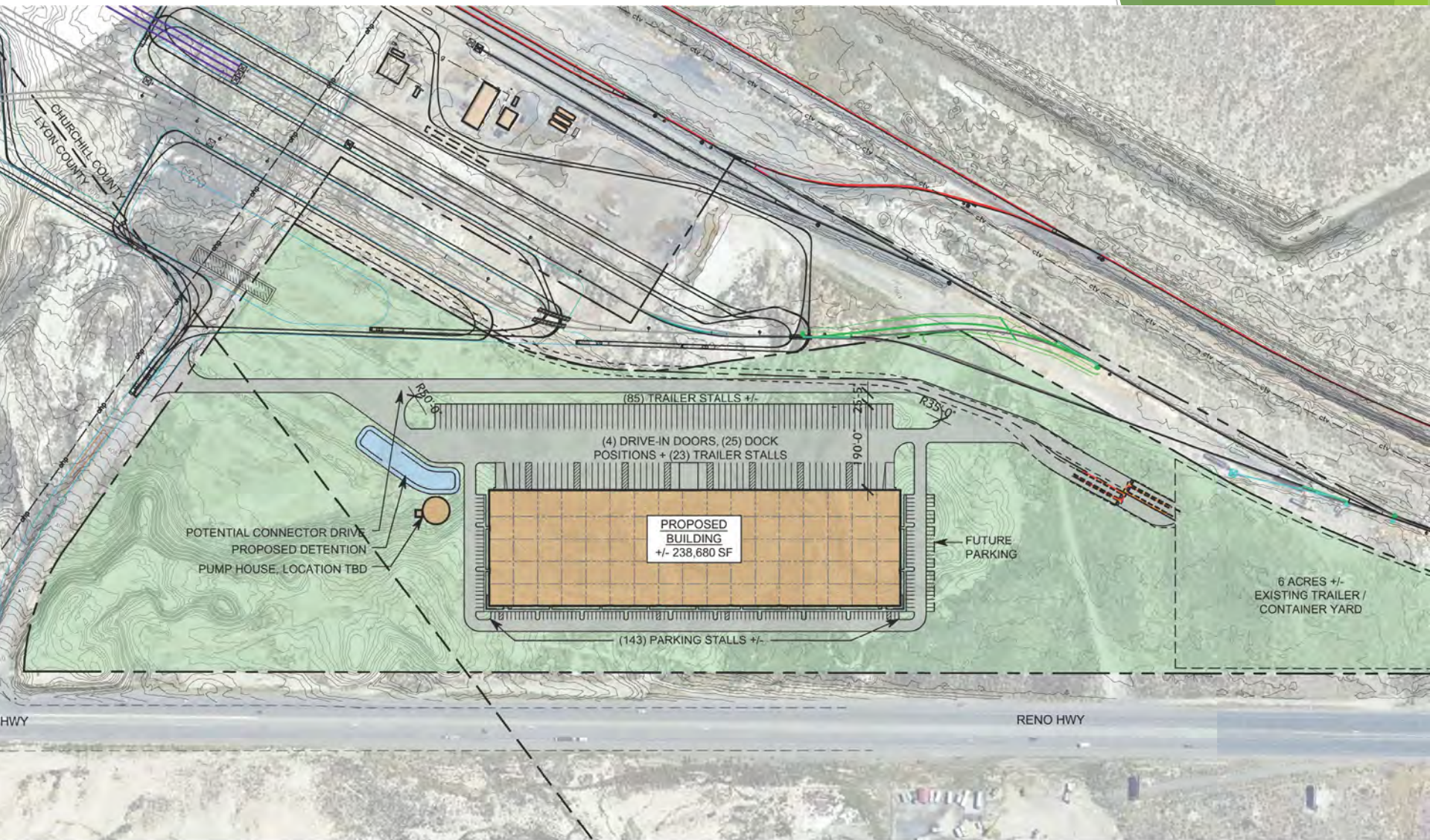
1000

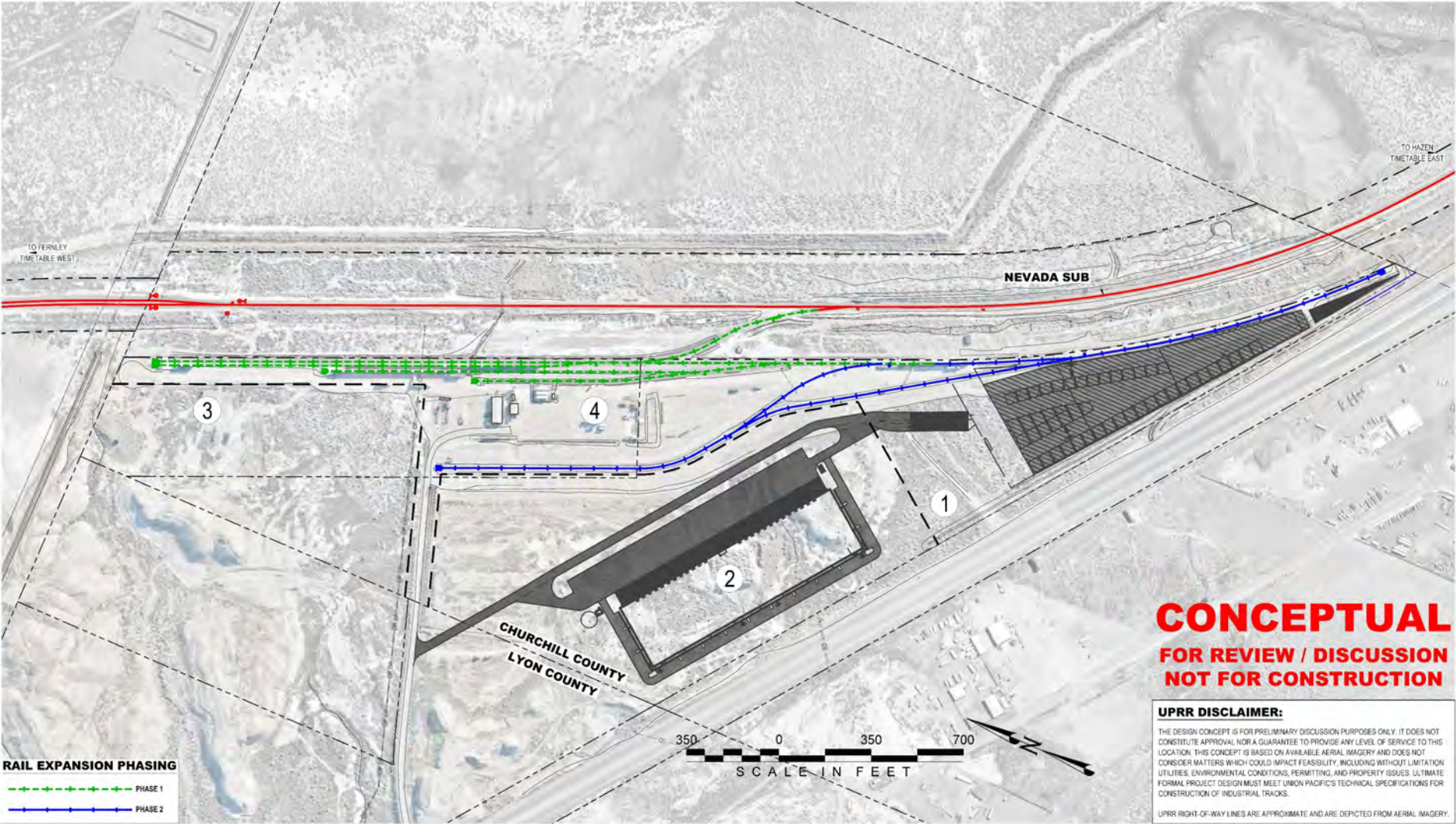
Attenuated sound pressure level (dB(A))

39.0

**ARCO National/Port of Nevada, SUP Application, 17127 Inland Port Dr
APN 009-251-77 & 009-251-78**







CONCEPTUAL FOR REVIEW / DISCUSSION NOT FOR CONSTRUCTION

UPRR DISCLAIMER:
THE DESIGN CONCEPT IS FOR PRELIMINARY DISCUSSION PURPOSES ONLY. IT DOES NOT CONSTITUTE APPROVAL NOR A GUARANTEE TO PROVIDE ANY LEVEL OF SERVICE TO THIS LOCATION. THIS CONCEPT IS BASED ON AVAILABLE AERIAL IMAGERY AND DOES NOT CONSIDER MATTERS WHICH COULD IMPACT FEASIBILITY, INCLUDING WITHOUT LIMITATION UTILITIES, ENVIRONMENTAL CONDITIONS, PERMITTING, AND PROPERTY ISSUES. ULTIMATE FORMAL PROJECT DESIGN MUST MEET UNION PACIFIC'S TECHNICAL SPECIFICATIONS FOR CONSTRUCTION OF INDUSTRIAL TRACKS.

UPRR RIGHT-OF-WAY LINES ARE APPROXIMATE AND ARE DEPICTED FROM AERIAL IMAGERY.

RAIL EXPANSION PHASING
PHASE 1
PHASE 2

REV#	BY	DATE	DESCRIPTION

- EX UPRR TRACK

PROP UPRR TRACK

REMOVE UPRR TRACK

SHIFT UPRR TRACK

EX IND TRACK

PROP IND TRACK

REMOVE IND TRACK
- SHIFT IND TRACK

FUTURE IND TRACK

PROP LEASED IND TRK

EX LEASED IND TRK

NO RR OPERATIONS

OTHER IND TRK

RIGHT OF WAY

- HAND THROW TURNOUT
- POWER TURNOUT
- HAND THROW DERAIL
- POINT OF CURVE
- BRIDGE
- SIGNAL

**Horrocks**

4246 S Riverbend Rd. Ste 200 | Salt Lake City, UT 84123
P: 801.355.5565 | www.horrocks.com

2024-0085



DESIGN: 48290	DOCUMENT TYPE:	EXHIBIT
DRAWN BY: T. BUEHLER	UNION PACIFIC RAILROAD	FOR USE IN AGREEMENT WITH FERNLEY BUSINESS PARK, LLC
CHECKED BY: C. ALLEN	LOCATION & DESCRIPTION:	MP 285.91, NEVADA SUB DARWIN, CHURCHILL Co, NEVADA
DATE: 2025-03-10	SHEET TITLE:	OVERALL PLAN VIEW
SHEET NUMBER: 1 OF 1		

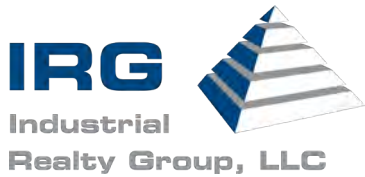
Consent Agenda

INLAND PORT PROJECT
17127 Inland Port Drive



PORT OF NEVADA





- Nationwide real estate development and investment firm specializing in acquisition, development, and management of commercial real estate
- 50+ Years
- Nationally recognized as a leading force behind the adaptive reuse of commercial real estate
- We solve some of America's most difficult real estate challenges
- Projects benefit the greater community through job creation & economic growth



- IRG's independently founded property management company
- Offices throughout the U.S.
- Manages over 115 million square feet
- Completed over 1,000 commercial transactions (\$1 Billion+)
- Construction/ Project Management leadership \$500 Million+.



**100 MILLIONSF
PORTFOLIO**



300+ EMPLOYEES



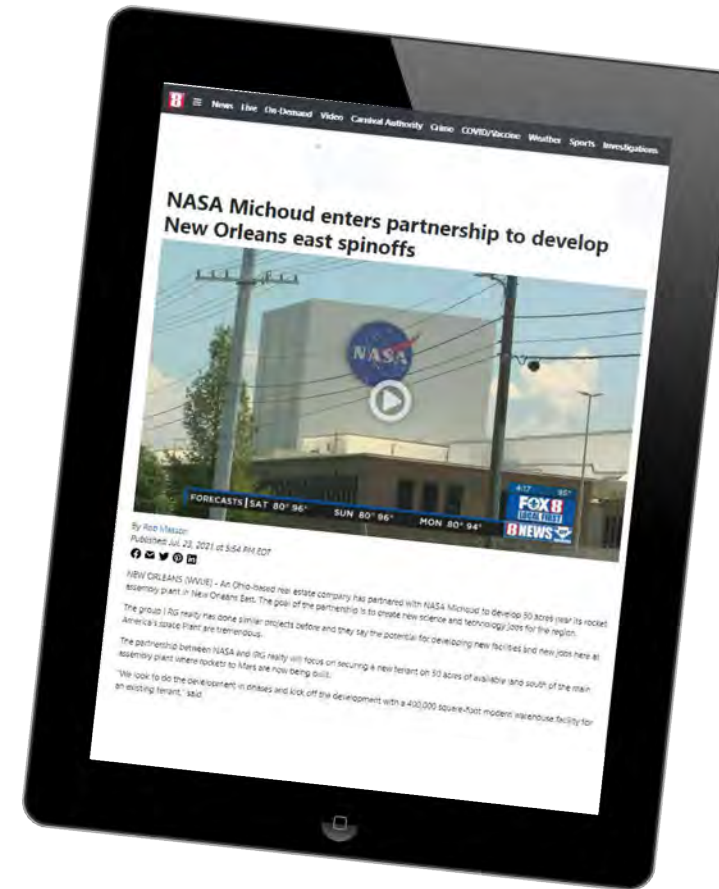
150+ MAJOR PROJECTS



12 AFFILIATED OFFICES

PUBLIC /PRIVATE PARTNERSHIP

- Our team is a leader in the conversion and privatization of federal properties, including closed military bases.
- We are owner and master developer of three closed military and Air Force bases, a former NASA manufacturing facility and a closed Veterans Affairs complex.
- We have worked extensively with local, state, and national government entities to locate tenants, secure incentives and solve problems that others simply were unable to resolve.
- We have long -established experience navigating complex entitlement and environmental processes.



Our mission is to deliver substantial environmental and social benefits to countless communities, residents, watersheds, companies, and their employees. While providing modern space, our projects are a catalyst for new job opportunities and mutually benefit all stakeholders to ensure the greatest positive impact.

TENANTS

- Our tenants range from large, Fortune 100 companies, to local and regional small businesses.
- **More than 2,000 tenants currently operate in our facilities.**
- This tenant base includes distribution companies, manufacturers, governmental agencies, assembly operators, warehouse companies, third party logistic operators, construction suppliers, freezer and cold storage operators, and many other retail of office space users.



ENVIRONMENTAL

- IRG works with regulators and stakeholders at all levels.
- Experience navigating local, state and federal agencies (USEPA Regional Administrators, State regulatory agency directors, local government environmental leaders).
- No “one size fits all” solution, and every project is treated separately with its own unique environmental risk transfer solution.
- Our team can deliver a property with a lower carbon footprint and environmental impact. We strive to provide a positive, transparent, rewarding and philanthropic workplace, recognizing that diversity of people and opinion creates a more resilient and profitable company in the long run.



✓ ANALYSIS
✓ ENVIRONMENTAL INSURANCE
✓ ENVIRONMENTAL RISK TRANSFER
✓ ENVIRONMENTAL LIABILITY

✓ INDEMNITY STRATEGIES
✓ RISK MODELING
✓ STATE AND FEDERAL REGULATION
✓ SUPERFUND SITES

✓ BROWNFIELD SITES
✓ PUBLIC RELATIONS
✓ PROPERTY MANAGEMENT

FINANCIAL CAPABILITIES

- ✓ Long-standing relationships with banks and other funding sources
- ✓ Creative and quick to execution
- ✓ Team of investors
- ✓ Various funding partners from public agencies, banks, both regional and national, and equity partners, both big and small
- ✓ Shared risk/ reward environment

JPMORGAN
CHASE & CO.

Goldman
Sachs



usbank

ZIONS
BANK®

PNC

Huntington

CIBC

Morgan Stanley

Associated

KeyBank

In December 2020, IRG received an inaugural investment-grade credit rating from DBRS Morningstar; a rare accomplishment for a private real estate company. As a result, IRG closed on an aggregate principal amount of \$335 Million of senior unsecured notes in an institutional private placement.

Following this success, IRG received another institutional bond issuance of \$275 Million, resulting in \$1 Billion of new financings in 2021.

NATIONWIDE RESOURCES

49

Regional offices in major markets nationwide

\$6.2B

2024 ARCO Enterprise revenue

4th

Largest design-build firm in the U.S. ranked by ENR

75%

Approximate annual revenue attributed to repeat customers

6,000+ 2,000+

Projects performed in our 33-year history

Associates in offices and on jobsites from coast to coast



ARCO

REGIONAL EXPERIENCE



Scannell / Confidential End-User

464,000 SF Automated Distribution Facility
Sparks, Nevada



FedEx Ground

343,447 SF Automated Sorting Facility
Reno, Nevada



OnTrac

184,600 SF Build-to-Suit Distribution Facility
Reno, Nevada



Performance Food Group / Vistar

324,564 SF Foodservice Distribution Facility
Renovation | Reno, Nevada



Mohr Capital

596,400 SF Speculative Warehouse
McCarran, Nevada



Tahoe Reno Industrial Center

354,640 SF Speculative Warehouse
Sparks, Nevada



**PORT OF
NEVADA**

CHURCHILL COUNTY PLANNING COMMISSION MEETING

155 North Taylor Street, Commission Chambers

May 14, 2025 at 6:00 p.m.

Name	Item of Interest	Contact Info
Joan Johnson	Wood Pellet	775-217-7713
Alex Peden	Wood Pellets	775-217-4255
Dennis Rebar	wood Pellets	775 426 8024
John Bryant	Deadeye Ditchworks	775 427 9707
Kate McGowan	wood pellets	775 427-2997
Terrance McGowan	wood Pellets	775-427-4997
David Craig	Lumas & Assoc	775-423-2188
Nancy Soule	Wood Pellets	775-354-8352
Judy Scherr	wood pellets	775 867-3189
Chris Henning	Pellet facility	775-217-1944
Amber Sanchez	Pellets	408-318-2287
Alonzo Williams	NNE Construction Inc.	775 340 0681
Jill & Jeff Christiansen	Wood Pellets	775-427-0022
Jenny Anderson	Wood Pellets	775 217 4329
Joseph Hernandez	Wood Pellets	775 427 2352
Alex/Janelle Quintana	cardinal ln.	775 351 5315
Carla Gractsch	wood Pellets	775 217 5089
Lindie Larkin	wood pellets	217-82106
Brett Larkin	Wood pellets	775-846-7716
Julie Jadowsky-Lynch	wood Pellets	775-219-9235
Carl & Kristi Lundestad	wood Pellets	775-493-1476
Trom+Jessica Huckley	wood pellets	775 217 4142
Shirley & Bart Hight	Parcel approved	775-221-1600
Pete & Nancy Haver-	Rural-pellets	775-867-3237
Beverly Lettlin	wood pellets	775-427-3604
Carla Hoyt & Susan	wood Pellets	775-423-4297

Wasley

PLEASE SIGN IN & PRINT YOUR NAME AND CONTACT INFO

May 14, 2025 at 6:00 p.m.

PLEASE SIGN IN & PRINT YOUR NAME AND CONTACT INFO

May 4, 2025

Churchill County Planning Commission

RE: Proposed Wood Pellet Facility on 1450 McLean Road

I begin by stating that a wood pellet processing facility certainly cannot be considered agricultural in nature. I am curious about what type of agricultural plant produces wood pellets. It is certainly a stretch for the company proposing this Timber Industry to make the comparison.

As a resident of the area surrounding this proposed site, living within .3 miles of said location I am concerned about the type of upheaval that will result. As a result of a study done on the south's wood pellet boom in the state of Mississippi the hidden health impacts of this type of industry are discussed. This article appeared in The Jackson Advocate April 25, 2024. This industry faces scrutiny over environmental, health and social impacts similar to fossil fuel refineries. The study concentrates specifically on noise, particulate matter (excessive dust), black carbon, ozone, nitrogen dioxide and volatile organic compounds (VOC) which exceed the threshold established by the Clean Air Act by up to 5 times. There are many articles regarding plants across the country where they address problems associated with chemicals leaching into the water supply, hazardous chemicals such as methanol, acrolein and formaldehyde. This according to the Southern Environmental Law Center. In addition, there is concern over decreased property values.

Please, as a planning commission, research this and designate an Industrial site that is not within the residential areas of the county and certainly not within yards of subdivisions, where families participate in outdoor activities and will be exposed to increased levels of traffic, noise and many emissions. Of concern is also the amount of water that will be required since this area is on individual wells and leaching from this Timber plant may impact those wells.

I implore you to reject this request as it is not agricultural and it is misleading to even try to make that proposal. I have not found any mention of an Environmental Impact Statement in the application and I am concerned that the McLean road is not constructed in a manner that would support the continual traffic of heavy-duty trucks. This proposal must be denied until the establishment of a formal Industrial Center located several miles from residential areas.

Sincerely,

Dennis Adair

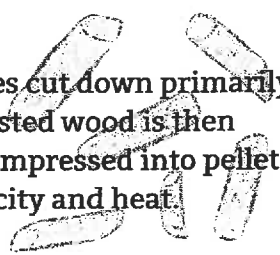


1025 Rosewood Dr
Fallon, NV

IMPACTS OF WOOD PELLET PRODUCTION

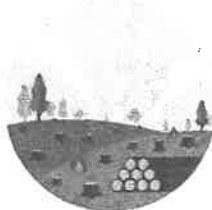
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WHY ARE WOOD PELLETS AND WOOD PELLET BIOMASS A PROBLEM?

While wood pellets are touted as carbon neutral, scientists and conservation groups raise concerns about these false claims and impacts to communities and the environment. Production involves deforestation, with the American South supplying the world's pellets to major importers like Europe and the UK.



The process brings its own set of problems, including increased dust and noise pollution from trucks, grinding equipment, and extended facility operation, along with a rise in harmful fine particulate matter and forest degradation.



RESOURCES

Educate yourself on the impacts of wood pellet manufacturing in your community using trusted sources of information such as:

- EPA.org
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HEALTH & QUALITY OF LIFE IMPACTS



Impacted sleep hygiene which can lead to other health issues.



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Communities are more susceptible to climate change's negative impacts, decreased photosynthesis, including flood water absorption, increased rainfall, and less shade to protect populations from rising temperatures.



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Despite public comments about EJ and cumulative impacts, NCDEQ does not consider these concerns when granting air quality permits.

From: [Jera Reidenbach](#)
To: [Planning Admin](#)
Cc: [Dean Patterson](#); [Randy Hines](#)
Subject: RE: Churchill County Planning Commission agenda item for May 14, 2025 meeting -- Peden Wood Pellet Production special use permit on McLean Road
Date: Monday, April 21, 2025 2:56:47 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Hello,

Plans and construction must meet or exceed the currently adopted Building Codes per Churchill County Code. No work or construction may be carried out until the issuance of a building permit by the Churchill County Building Department.

All commercial businesses with employees and/or public access are required to have means of accessibility for people with disabilities. These requirements include but are not limited to the following items:

- Means of Egress
- Parking
- Restrooms

Nonresidential construction projects are required to have an appropriately licensed contractor oversee all work performed pursuant to NRS 624.

Churchill County Building Department has no jurisdiction over septic system installations or repairs for commercial use. All designs, installations, and inspections must be performed by a State of Nevada licensed engineer and permitted by the Nevada Department of Environmental Protection (NDEP).

Jera Reidenbach

Building Official
Jera.Reidenbach@ChurchillCountyNV.gov

Public Works, Planning, & Building
270 S. Maine St
Suite A
Fallon, NV 89406-2754
O: (775) 428-0264
Fax: (775) 423-8185





From: Planning Admin <planning-admin@churchillcountynv.gov>

Sent: Tuesday, April 15, 2025 4:48 PM

To: D2Traffic@dot.nv.gov; jgraham@dot.nv.gov; Jera Reidenbach
<Jera.Reidenbach@churchillcountynv.gov>; Loren Borst <lborst@ndep.nv.gov>;
'ndepairadmins@ndep.nv.gov' <ndepairadmins@ndep.nv.gov>

Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines
<Randy.Hines@churchillcountynv.gov>

Subject: Churchill County Planning Commission agenda item for May 14, 2025 meeting -- Peden
Wood Pellet Production special use permit on McLean Road

Importance: High

Please review the attached application that is scheduled for the May 14, 2025 Planning Commission meeting. Please provide comments by April 25, 2025 to Dean Patterson and myself to have this included as part of the staff report to the commissioners.

Diane Moyle

Administrative Assistant

planning-admin@churchillcountynv.gov

Public Works, Planning & Building Department

270 S Maine Street, Suite A

Fallon, NV 89406

775-423-7627 Main Phone

Churchill County is an equal opportunity employer and provider.

From: [Jera Reidenbach](#)
To: [Planning Admin](#)
Cc: [Dean Patterson](#); [Randy Hines](#); [myoung fallonfire.org](#)
Subject: RE: Churchill County Planning Commission agenda item for May 14, 2025 meeting -- Peden Wood Pellet Production special use permit on McLean Road
Date: Monday, April 21, 2025 2:33:54 PM
Attachments: [Peden SUP Application.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[Reclassification Letter.pdf](#)
[Site Plan and Sign.pdf](#)

Hello,

Review also needs to include local and state fire as combustible dust is regulated by Chapter 22 of the International Fire Code as adopted by Churchill County.

Jera Reidenbach

Building Official
Jera.Reidenbach@ChurchillCountyNV.gov

Public Works, Planning, & Building
270 S. Maine St
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Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
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Administrative Assistant

planning-admin@churchillcountynv.gov

Public Works, Planning & Building Department

270 S Maine Street, Suite A

Fallon, NV 89406

775-423-7627 Main Phone

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From: myoung@fallonfire.org
To: [Jera Reidenbach](#); [Planning Admin](#)
Cc: [Dean Patterson](#); [Randy Hines](#)
Subject: RE: Churchill County Planning Commission agenda item for May 14, 2025 meeting -- Peden Wood Pellet Production special use permit on McLean Road
Date: Thursday, April 24, 2025 10:34:35 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

All,

Based on the projects proposed design and operational safety features, fire would have no initial issues with this project with the following caveats:

1. The suppression system will need to be approved by the State Fire Marshal's Division.
2. Any fire system installed will require annual inspection from a licensed sprinkler company.
3. The safety features that are built in shall have a final inspection and approval by a third-party inspection company who is qualified on this type of operation and equipment.

Regards,

Mitch Young
Fire Marshal, FCFD
775 427-7911

Please note that any correspondence for the Fallon/Churchill Fire Marshal's Office will now have a new e-mail address of FM@fallonfire.org

From: Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>
Sent: Monday, April 21, 2025 2:34 PM
To: Planning Admin <planning-admin@churchillcountynv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines

<Randy.Hines@churchillcountynv.gov>; myyoung [fallonfire.org](mailto:myyoung@fallonfire.org) <myyoung@fallonfire.org>

Subject: RE: Churchill County Planning Commission agenda item for May 14, 2025 meeting -- Peden Wood Pellet Production special use permit on McLean Road

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Jera.Reidenbach@ChurchillCountynv.gov

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Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>

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Diane Moyle

Administrative Assistant

planning-admin@churchillcountynv.gov

Public Works, Planning & Building Department

Kim & Cynthia Hayes
4170 Bottom Rd
Fallon, Nevada, 89406

May 11, 2025

Randy Hines, Chair
Churchill County Planning Commission
155 N. Taylor Street, Suite 194
Fallon, NV 89406

Re: Formal Protest Regarding Special Use Permit
Application SUP 25-000011 filed by Alex Peden

Dear Mr. Hines and Members of the Churchill County
Planning Commission,

We are writing to express our formal opposition to Special Use Permit Application SUP 25-000011 filed by Alex Peden, which seeks approval for the proposed industrial development of a pellet manufacturing facility. As relatively new residents who moved to Churchill County a few years ago to be with family, we are deeply concerned about the serious and lasting impacts this industrial proposal may have on our environment, infrastructure, and quality of life.

Of particular concern is the potential pollution and depletion of our groundwater resources. Churchill County's water supply is vital for residential use, agriculture, and the natural ecosystem. The water demands and risks of contamination from an industrial pellet manufacturing facility present an unacceptable threat to our aquifer and long-term water sustainability.

Additionally, the development is likely to cause significant noise pollution, disrupting the rural peace and quiet that residents rely on. Industrial operations, machinery, and increased vehicle traffic will degrade the acoustic environment of the area.

Air quality is another critical concern. The proposed

facility would contribute to air pollution through dust, industrial emissions, and increased truck traffic, all of which are hazardous to human health—particularly for vulnerable populations such as children, the elderly, and those with respiratory conditions.

Moreover, the increased volume of traffic associated with the project will put additional strain on local roads, many of which are not designed for heavy industrial use. This raises safety risks for residents and will lead to faster degradation of public infrastructure.

In light of these serious issues, we respectfully urge the Planning Commission to deny approval for this special use permit. We also request that a comprehensive environmental impact assessment be conducted and that public concerns be fully considered as part of a transparent and responsible decision-making process.

Please enter this letter into the public record. Our community deserves thoughtful planning that prioritizes the well-being of residents and the sustainability of our environment.

Thank you for your time and consideration.

Sincerely,
Kim & Cynthia Hayes

Handwritten signatures of Kim Hayes and Cynthia Hayes in cursive script.

TO: Churchill County Planning Department
FROM: Linda Holland, 1055 Rosewood Dr., Fallon
RE: Proposed Wood Pellet Processing Facility at 1450 McLean Road
DATE: 9 May 2025

RECEIVED

MAY 09 2025

Churchill County Public Works,
Planning & Building

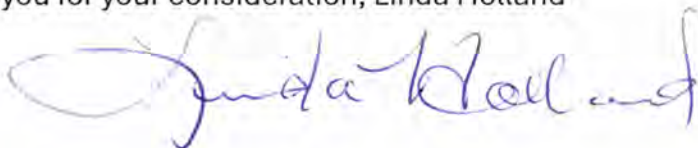
First let me state that the project description describing this as a conversion of a vacant grain handling facility is misleading. This property operated as a dairy for decades and quite possibly the grain stored there was to feed the dairy cows not to package and sell. It is a stretch to equate an industrial facility that processes cut trees or wood manufacturing by-products into pellets as a facility for crop processing and storage. Just because the shape of the wood pellets is similar to animal feed pellets, the purpose and raw materials used are not synonymous. Also, the age of the existing silos; conveying systems; and grain bucket elevator to be repurposed to handle lumber by-products is concerning.

Many studies have been conducted as to the environmental and health impacts of wood pellet production facilities in the southern and eastern United States where this industry has proliferated. The results do not lend themselves to positive impacts upon the communities where this industry insists upon building within close proximity to neighborhoods and homes. The studies found pollutants resulted in thousands of tons of toxic health harming emissions that included nitrogen oxide, volatile organic compounds, black carbon, ground-level ozone formation, known carcinogens, formaldehyde, dioxins, acrolein, methanol, and polycyclic aromatic hydrocarbons. So, the adults and children living nearby suffered significant health problems including asthma, respiratory diseases, cardiovascular diseases, and even cancers. Also of concern is the noise pollution from increased truck traffic to the facility and the 24/7 operation of the hammer mill. Sound level emissions can be 85-110 decibels which can result in hearing, sleep, and health disorders. The majority of respondents to these studies living within a half mile or further reported dust and pollutants that limited outdoor activities. With significantly gusty winds consistently prevalent in Churchill County, the possibility for far reaching drift of pollutants is highly probable.

This special use permit application must not be approved. The pollution that will be caused by the particulates emitted from the wood pellet production facility will linger in the soil, will percolate to the ground water, will collect on the vegetation that livestock will eat, will collect on the produce collected from vegetable gardens, will infiltrate homes through windows and HVAC systems, will trouble us with noise and traffic, and will affect our property values. We will breathe it, eat it, and absorb it. Protect our community, our children, our animals, and our property. This is not similar to grain processing. This is timber processing, and approval will introduce a harmful industry into our rural and agricultural surroundings.

Several years ago, Churchill County experienced a devastating cancer cluster. Extensive testing and studies could not pinpoint a specific and conclusive cause. We lost several children to the ravages of the disease. The approval and the ultimate operation of a wood pellet processing facility could lead to serious health conditions, especially in vulnerable populations and children. However, in these cases, the cause can lead to only one conclusion.

Thank you for your consideration, Linda Holland



IMPACTS OF WOOD PELLET PRODUCTION

WHAT ARE WOOD PELLETS?

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WHY ARE WOOD PELLETS AND WOOD PELLET BIOMASS A PROBLEM?

While wood pellets are touted as carbon neutral, scientists and conservation groups raise concerns about these false claims and impacts to communities and the environment. Production involves deforestation, with the American South supplying the world's pellets to major importers like Europe and the UK.



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RESOURCES

Educate yourself on the impacts of wood pellet manufacturing in your community using trusted sources of information such as:

- EPA.org
- DogwoodAlliance.org
- CleanAIREnc.org



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Despite public comments about EJ and cumulative impacts, NCDEQ does not consider these concerns when granting air quality permits.

RECEIVED

MAY 09 2025

Churchill County Public Works,
Planning & Building

May 8, 2025

Planning Department

270 S Maine Street Suite

Fallon, NV, 89406

To Whom It May Concern:

RE: WOOD PELLET PRODUCTION

My Concerns:

1. Air Quality – What would the impact be for the exiting residents across the canal, north of this facility? What effect would the tiny particles have on the organically grown fruit and vegetables grown by Lattin Farms? (I've included some research papers that were given to me for your inspection.) (They may also have been submitted by others.)

There was a time many, many years ago when my friend who lived close to the River Bridge called me and said, "Joan, What are you going to do about Jernigan's Dairy? I said nothing as there was a dairy there before I moved here to 1220 Mc Lean Road, in about 1957. My friends was complaining about the aroma put out by the dairy. The River Bridge is about a mile from the projected Pellet site. So, would there be any odor created by this facility which could reach one mile or more. Again, could the possible particles flow a mile from the site?

2. Traffic – Mc Lean Road is already an "Unofficial Truck Route", my opinion. The projected traffic into the Wood Pellet Plant would cause additional stress onto this already fairly, heavily used road. When heading south on Mc Lean toward Lattin Farms, the bridge across the canal is elevated and if you're driving a car you cannot see the driveway into the Wood Site until you are on the bridge.

3. Sound - I'm concerned about the 24/7 noise to be caused by this facility. It should be noted that sound is intensified in this area during the summer due to the irrigation canal being full of water. Currently there is some noise when Mr. Madole's people are "off-loading" cattle at night. I can hear the sounds of cattle being moved and the occasional sound of chains rattling. Also, many of us are retired and enjoy a quiet night's sleep.
4. Light - How will the light affect the nearby neighborhood? My personal experience is, on occasion, Mr. Madole's workers deliver cattle to the feed lot across the canal from me. When, it's dark they use a bright light for their work that I can see from my bedroom window. I fortunately have "black out" curtains that I close to prevent the light(s) from bothering me.
5. -Age of existing metal silos? Earl Jernigan, prior owner, has a daughter Rita who graduated from Churchill County High School in 1978. The silo's were in existence then, which makes them 47+ years old.

Respectfully,



Joan Johnson

1220 Mc Lean Road

Fallon, NV 89406

775-217-7713

THIS IS TIMBER PROCESSING:

Wood pellet production facilities process cut trees or wood manufacturing by-products by chipping, drying, grinding, and forming wood pellets.

HEALTH, ENVIRONMENTAL, AIR, AND NOISE CONSEQUENCES:

According to a study conducted by the **EPA**: Wood pellet facilities release huge amounts of harmful air pollution, including dust and hazardous chemicals like acrolein and methanol. More than 67 percent of people living within a half-mile of pellet mills experience dust every day and a majority of respondents, no matter how far they live from the facility, said air pollution and dust concerns prevent them from regularly doing things outdoors.

Dust and air pollution cause significant health problems for people living nearby, including asthma, respiratory diseases, and even cancers. In four of the five surveyed communities, 86 percent of households reported at least one family member diagnosed with a disease associated with pellet mill pollution.

The study also found that people living near pellet mills are also forced to deal with constant traffic and noise. Nearly 70 percent of families living a half-mile from wood pellet facilities reported daily traffic, and nearly 80 percent reported daily noise that some described as “loud booms” and “banging”.

According to an article by **Science Direct**: Wood pellet manufacturing involves processing full green trees into dried pellets, a process that emits significant amounts of black carbon and volatile organic compounds (VOCs). These emissions contribute to ground-level ozone formation, posing severe health risks. Particularly alarming is the release of toxic Polycyclic aromatic hydrocarbons (PAHs) during wood preparation, which are known carcinogens.

The study concentrates on the emissions from the industry, specifically noise and particulate matter which potentially exceed the thresholds established by the Clean Air Act by up to five times.

In an article published in **The Jackson Advocate** from research in conjunction with Jackson State University, Brown University, and Tougaloo College: Researchers also discovered that the time of day matters, identifying a spike in pollution levels during the night. Additionally...the team found that the maximum concentration of air pollutants, especially in particulate matter and total volatile organic compounds, is a cause for concern.

In comparing sound levels being emitted from a pellet production facility and more distant communities, emissions are 10-12 decibels higher—that 10 decibel difference is a doubling of perceived loudness.

The researchers point out that vulnerable populations and children, in particular, are impacted by air pollution emitted from wood pellet production. Proximity to these plants is associated with a statistically significant higher risk of hospitalization for respiratory illnesses and increased asthma-like symptoms in children.

In an article published by **Mongabay**: Forest and air quality advocates in the United States have long argued that manufacturing wood pellets from leveled forests...is neither a green nor clean climate solutions...

A recent study in **Renewable Energy**...these facilities emit on average 2.8 times the amount of pollution as that emitted by traditional fossil fuel facilities like oil and coal. A wide range of hazardous air pollutants are emitted...including particulate matter and dioxins that are harmful to human health...

The study finds that thousands of tons of toxic, health-harming air pollutants, from nitrogen oxide to volatile organic compounds, are also emitted in the pellet-making process...Researchers report 55 hazardous pollutants collectively.

IN CONCLUSION:

This special use permit application must not be approved. The pollution that will be caused by the particulates emitted from the wood pellet production facility will linger in the soil, will percolate to the ground water, will collect on the vegetation that livestock will eat, will collect on the produce collected from vegetable gardens, will infiltrate homes through windows and HVAC systems, will trouble us with noise and traffic, will affect our property values. We will breathe it, eat it, and absorb it. Protect yourselves and your children and your animals and your property by going to the Planning Commission meeting on **Wednesday, May 14, at 6 p.m.** or submit your comments in writing **by 5 p.m. on May 13** and loudly protest the approval of this special use permit. This is not similar to grain processing. This is timber processing and it's approval will introduce a harmful industry into our rural and agricultural surroundings.



clean
AIRE
nc

Protecting what connects us

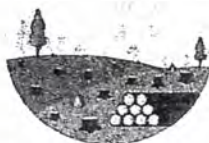
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CleanAIRE NC Health
www.cleanairenc.org



clean
AIRE
nc

For more information, please
contact Daisha Wall at
daisha@cleanairenc.org

Dear Members of the Planning Commission,

I am Vicki Lattin of Rividen Inc., which owns a significant portion of the property adjacent to the proposed wood processing facility. While I appreciate the applicant's desire to repurpose an unused facility, I believe this proposal would be detrimental to our farm.

I am writing to express my strong opposition to the proposed wood pellet production facility being considered in close proximity to our family's farm, which has been in operation for over 100 years. As the stewards of this multi-generational farm, we are deeply concerned about the numerous risks such a facility poses to our land, our livelihood, and the surrounding community.

Our farm specializes in alfalfa and row crop production, both of which are highly sensitive to changes in air and water quality. The particulate matter and dust generated by a wood pellet operation could significantly affect crop health and yields. Furthermore, the facility's operations could impact soil conditions and make pest and disease management more difficult and costly.

The proposed noise mitigation to 85 decibels (dB) is substantially higher than the typical rural ambient noise level, which generally ranges between 30 to 40 dB. An 85 dB noise level is not only significantly louder but is also considered potentially harmful to human health with prolonged exposure. At this level, it can create a constant disruptive environment.

Additionally, the impact on the bees placed on our property, is a major concern. Bees are highly sensitive to environmental changes, including noise. Prolonged exposure to loud noise can disorient them, interfere with their ability to communicate through vibrations, and even reduce their foraging efficiency. The applicant stated that the area only occasionally has waterfowl and that loud operations would be scheduled during normal business hours to minimize impacts. However, livestock and waterfowl do not adhere to normal business hours. Nesting waterfowl, including wood ducks using nesting boxes installed by Bill Lattin in partnership with the Nevada Waterfowl Association, may have their nesting behaviors disrupted by the noise.

Given the proximity of our farm to the proposed facility, such noise levels will be clearly audible on our property, impacting the quality of life for our family. The tranquil rural setting that we and our neighbors depend on would be fundamentally compromised by this increase in noise pollution.

In addition to the noise concerns, we are also worried about the potential for herbicide and pesticide contamination in the sawdust processed by the facility. Sawdust sourced from treated or contaminated wood could carry chemical residues, which may become airborne as dust or enter the soil and water through improper disposal. This poses a direct threat to our crops, livestock, and the health of our family. Contaminants could

also affect neighboring properties, disrupting local ecosystems and threatening the integrity of our agricultural community.

One of the most alarming issues is the potential for groundwater contamination. The introduction of industrial chemicals, runoff, or improper waste management from the proposed facility could irreversibly harm the quality of this vital resource.

Additionally, our farm hosts a seasonal fall festival that welcomes hundreds of visitors each year, including school groups and families with young children. This long-standing tradition not only supports our farm economically but also serves as an important educational and cultural experience for our community. The presence of noise, increased truck traffic, air pollution, and dust from the wood pellet facility would directly impact the health and enjoyment of our guests.

Beyond the specific impacts to our farm, allowing this facility to proceed would set a dangerous precedent for industrial development in a predominantly agricultural area. It would jeopardize the integrity of the rural character we and our neighbors have worked so hard to preserve.

For these reasons, I respectfully urge the Planning Commission to deny approval of the proposed wood pellet production facility. We ask that you prioritize the health, safety, and long-term sustainability of our agricultural community over short-term industrial interests.

Thank you for your attention and consideration.

Vicki Lattin
Dennis Lattin
Richard Lattin
Rividen, Inc.

Jill Lattin Christiansen
Lattin Family Trust
3300 Sheckler Road

Jeffery L & Jill L Christiansen
Spring Valley Trust
3655 Sheckler Road

Rick & B. Ann Lattin
Lisa & Ryan Voigtlaender
1950 McLean Road
Owners & Operators of
Lattin Farms, Local Produce Market and Agritainment Business

John & Shelley Schafer
3300 Sheckler Road

Bill & Suzette Benecke
3661 Sheckler Road

Mandi & Cameron Mills
Mills Dairy & Lessee of Lattin Family acreage producing alfalfa and corn

PS: Increased traffic on McLean Road is also a serious worry for the above signers. In the last few years there have been a concerning number of accidents where McLean Road dead ends at Sheckler Road and near the bridge where Casey and Bottom Roads cross McLean Road. If more trucks and cars are travelling on McLean Road, the possibility for accidents at these vulnerable intersections becomes more likely.

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MAY 12 2025

Churchill County Public Works,
Planning & Building

May 9, 2025

Planning Commission
c/o Diane Moyle
Public Works, Planning, and Building Department
270 South Main Street, Suite A
Fallon, NV 89406

Dear Planning Commissioners,

I am writing this letter to document my opposition to the re-classification of uses from "Timber Processing and Storage (mills, paper, plywood, etc.)" to "grain processing" for the wood pellet manufacturing facility being proposed at 1450 McLean Road. I moved to this area fully accepting of its agricultural nature and its zoning for Agricultural District, A-5:

"This district is intended to preclude premature development of rural land on the fringes of the urban area while protecting the environment and providing for large lot single-family uses (five acre minimum) that may include agricultural uses. The purpose of this district is for agricultural uses, with large lot single-family residences."

This re-classification request is just disguising the industrial nature of the intended development and is in contradiction to the intent of the uses authorized by the current zoning. My house on Rosewood Drive is a stone's throw away from the old dairy and I would like to see the agricultural nature of this area remain intact. Both the City of Fallon and Churchill County have plenty of areas designated for industrial development where this type of facility could be located. I know there are existing facilities at the old dairy that could be utilized in the production of wood pellets, but I dislike Mr. Peden trying to deliberately mislead residents of the county that they are "existing county resources" in his letter to the Planning Commission dated 4/10/25.

This will have a negative impact on the environment and the health of the people that live in the area that is supposed to be protected by the current zoning. Wood pellet manufacturing plants are known to release significant emissions, potentially causing respiratory illness, asthma and other health issues. Noise pollution and increased traffic are also significant factors. I chose to live in a rural area zoned for agriculture to reduce these undesirable factors.

In his letter to the county, Alex Peden has contradicted himself in stating that he would start at 300lbs per hour but could increase to 1500lbs per hour. But then in the next paragraph, he states that in reclassifying the use "it will be under the condition that the operation remains temporary and is not intended for extensive expansion." I do not believe his intent is temporary or not to be expanded.

I humbly request the Planning Commission deny this re-classification of uses and the Permit Application for what is an obvious industrial use. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Lunderstadt", with a long horizontal flourish extending to the right.

Carl Lunderstadt
1205 Rosewood Drive
Fallon, NV 89406

From: [Vicki Linton](#)
To: [Planning Admin](#)
Subject: Opposition to SUP25-000011
Date: Tuesday, May 13, 2025 1:48:55 AM

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Rividen, Inc
Rick Lattin
Dennis Lattin
Vicki Lattin

Dear Members of the Planning Commission,

I am Vicki Lattin representing Rividen Inc., which owns a significant portion of the property adjacent to the proposed SUP25-000011 for establishment of a wood processing facility with the additional application of wood being classified as a grain. This letter represents the views of all the owners of Rividen – Rick Lattin, Dennis Lattin, Vicki Lattin.

We oppose trying to call a wood pellet processing facility a crop processing facility. We oppose the reclassification of wood processing to grain processing in order to establish a wood pellet processing facility.

While we appreciate the applicant's desire to repurpose an unused facility, we believe this proposal would be detrimental to our farm which has been in operation for over 100 years. As the stewards of this multi-generational farm, we are deeply concerned about the numerous risks such a facility poses to our land, our livelihood, and the surrounding community.

Our farm specializes in alfalfa and row crop production, both of which are highly sensitive to changes in air and water quality. The particulate matter and dust generated by a wood pellet operation could significantly affect crop health and yields. Furthermore, the facility's operations could impact soil conditions.

Another alarming issue is the potential for groundwater contamination. The introduction of industrial chemicals, runoff, or improper waste management from the proposed facility could irreversibly harm the quality of this vital resource.

The proposed noise mitigation to 85 decibels (dB) is substantially higher than the typical rural ambient noise level, which generally ranges between 30 to 40 dB. An 85 dB noise level is not only significantly louder but is also considered potentially harmful. At this level, it can create a constant disruptive environment.

The applicant stated that the area only occasionally has waterfowl and that loud operations would be scheduled during normal business hours to minimize impacts. However, agricultural workers, livestock and waterfowl do not adhere to normal business hours. Nesting waterfowl, including wood ducks using nesting boxes installed by Bill Lattin before his passing, in partnership with the Nevada

Waterfowl Association, may have their nesting behaviors disrupted by the noise. Given the proximity of our farm to the proposed facility, such noise levels will be clearly audible, disruptive, and potentially harmful.

Additionally, the impact on the bees placed on our property, is a concern. Bees are highly sensitive to environmental changes, including noise.

In addition to the noise concerns, we are also worried about the potential for herbicide and pesticide contamination in the sawdust processed by the facility. Sawdust sourced from treated or contaminated wood is known to carry unsafe chemical residues, which may become airborne as dust, or enter the soil and water.

Additionally, our farm hosts a seasonal fall festival that welcomes hundreds of visitors each year, including school groups and families with young children. This long-standing tradition not only supports our farm but also serves as an important educational and cultural experience for our community. The presence of noise, air pollution, and dust from the wood pellet facility would directly impact the health and enjoyment of our guests.

Beyond the specific impacts to our farm, allowing this facility to proceed would set a dangerous precedent for industrial development in an agricultural area. It would jeopardize the integrity of the rural character of the area.

For these reasons, we respectfully urge the Planning Commission to deny SUP25-000011, the reclassification of wood processing to grain processing in order to establish a wood pellet production facility.

We ask that you prioritize the health, safety, and long-term sustainability of our agricultural community over any short-term industrial interests.

Thank you for your attention and consideration.

Rick Lattin

Dennis Lattin

Vicki Lattin

Rividen, Inc.

vlinton@vlcm.com

Request to be read into the minutes of the Churchill County Planning Commission meeting of May 14, 2025 held at 6:00 pm.

To Whom it May Concern,

Regarding the proposed application for Special Use Permit for Wood Pellet Production by Alex Peden, I submit the following comment.

There are very many concerns surrounding this application that need to be addressed and most, I fear cannot ever be mitigated to satisfy the most egregious of them.

The first thing I notice is that Mr. Eden has requested that his proposed pellet mill production company be considered under “grain processing”. Pellets, while made from wood is a by-product of an agricultural product. If Mr. Peden were growing trees, then I would agree that he was engaging in an “ agricultural “ endeavor, but to take old wood in and make it into a by-product hardly rises to the level of classifying his pellet manufacturing business as “agricultural“. Nice try, but no cigar.

Mr. Peden attempts to use the benefit statement that he would be utilizing a “ facility that would otherwise be underutilized and vacant”. I want to go on record here to say that I do not mind that the property in question remains “underutilized”. As is, it bothers no one and further, those silos are very aged...having sat for decades. How safe are they for any usage?

On page 6 of the application for a special use permit the question “Will your project have characteristics that are normally objectionable to neighbors (noise, smells, spoilage of products, traffic, lights, late hours of operation, etc.” That question is answered in the affirmative.

The noise is of grave concern as this would be a 24/ 7 manufacturing operation. I am woefully unsatisfied with the explanation of “noise mitigation” verbiage and feel that there would, indeed be detectable noise. I do not want to hear ANYTHING akin to a mechanical sound of ANY KIND OR SORT on a 24/7 basis. I want to be crystal clear here!!!

I am concerned about unsafe ingress and egress from that location due to the heavy usage by big trucks already heavily utilizing that route and no one drives the posted 45 MPH.... In addition, if you do not already know how treacherous that bridge over the canal is very near that location, you need to familiarize yourselves. This will only add to the already existing danger.

On page 5 of the Special Use Permit application there are many concerns answered in the affirmative as well as follows:

1. Wildlife present

2. Stream beds nearby
3. Generate noise from outside activities or excessive indoor noise
4. Large truck traffic
5. Generate fumes
6. Operate after normal business hours or on weekends
7. Hazardous materials, combustible, or explosive materials

Taken singly, the above concerns would be reason enough to deny this Special Use Permit request, but taken in the aggregate, these concerns are extremely serious and deserve more than a glance.

The sound of 85 DB's is like having a hair dryer on constantly. Day and night...non-stop...super annoying.

I sleep with my window open at night...enjoying the cool, QUIET , sawdust-free, night air. We've lived in this house at this location for 14 years...within direct earshot of the proposed location of the pellet manufacturing business. We did not and would not have purchased this property had it been within earshot of a manufacturing plant and knowing that this area was zoned as agricultural and residential, we never dreamed that someone would think that it would be acceptable to to put a noisy, dusty manufacturing plant so close to neighborhoods.

I see that Mr. Peden has mentioned that a tumbler dryer will be installed if necessary, but fails to address the noise mitigation efforts or operating hours for that tumbler.

Mr. Peden writes that there is potential for "concentrations of airborne sawdust". There are residents in the surrounding neighborhood who suffer from various medical conditions including COPD, Chronic Bronchitis, Emphysema and allergies to airborne particulates and VOC's. There are small children who absolutely should never be breathing ANYTHING but fresh air. If the wind is blowing from a certain direction on any given day or night, anyone within the surrounding area could and would be forced to breathe in the airborne particulates being emitted from this sawdust processing business.

Mr. Peden lists the detrimental health effects of the wood dust, but only really addresses mitigation by saying that PPE and dust masks for employees will be utilized but what about the surrounding neighborhood?

We, as residents of an agriculturally and residentially zoned area deserve to be respected and heard. We currently enjoy a rural, peaceful, quiet agricultural neighborhood with

clean, fresh air and we aim to see that it remains just that. We cannot and will not tolerate our rights to a peaceful, quiet, clean neighborhood being sacrificed for anyone else's financial gain. It would be disturbing the peace...24 hours a day...7 days a week.

The request for a Special Use Permit must be denied due all of the above concerns. I wish Mr. Peden much luck and I applaud his entrepreneurial efforts...just not where he wants to build it.

Thank you,

Amber and Ricardo Sanchez

4007 Cimarron Rd.

Fallon, NV 89406

408.318.2287

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MAY 08 2025

Churchill County Public Works,
Planning & Building

May 7, 2025

Churchill County Planning Commission

Re: Proposal of a wood pellet production
facility to be located at 1450
McLean Road.

My statement is regarding the emissions
into our environment and the safety
of placing the facility in an agricultural
area and near many homes jeopardizing
the health and well being of our county
and city.

Emissions from wood products manufacturing
are listed as "hazardous air pollutants (HAP)
and volatile organic carbon (VOC) as
found in the Wood Products MACT Study 1999

I stand with my family and friends
of Churchill County and the City of Fallon
to oppose this facility.

Nancy Soule
4554 Alcorn Road
Fallon, Nevada
775-354-8352

From: [St Ledger, Craig S CTR USN NAVSURFWARCEN COR CA \(USA\)](#)
To: [Planning](#)
Subject: reply to special use permit request
Date: Thursday, May 08, 2025 8:12:58 AM

Sir,

It has come to my attention that a request has been made regarding a manufacturing permit for the address 1450 McLean rd.

I am a nearby neighbor on Magnolia rd. and I am disturbed by the request. Such a manufacturing plant in our area with the traffic, noise and smell will drive down our home values. Will disrupt the traffic flow and create a dust hazard in our area. We have enough dust and sand to contend with already. Having asthma and other health issues, my wife and I already struggle to breathe when outdoors, with the cattle kept on that property. When we bought our home in 2015, that property did not have cattle on it.

We have improved our home and our property, and if you allow this permit to go through, you will be robbing us of our investment in our home, as well as our health and the quiet we have enjoyed over the last several years. Please consider the lives you will affect when you make the decision.

Any questions you may have, I will gladly confer with you.

Thank you,

Craig St.Ledger

4128 Magnolia Rd.

775-428-2732

May 13, 2025

Churchill County Planning Commission
270 S. Maine Street, Suite A
Fallon, Nevada 89406

RECEIVED

MAY 13 2025

Churchill County Public Works,
Planning & Building

Dear Honorable Planning Commission,

I am writing this to inform you all regarding a number of issues that would should affect or impact your consideration of this special use permit for a timber processing and wood pellet production facility at 1450 McLean Road (Parcel 008-731-04) in Fallon, Nevada.

My main concern is regarding public health. This parcel is in the A-5 zoning district, however hundreds of residences surrounding this property are on much smaller lots and are condensed situated compared to that parcel. The surrounding area is noted for many people who jog, bike, walk dogs, ride horses and are basically outside enjoying the quality of life that had, when they purchased their properties. McLean Road is a State Road through this residential and ranching section of Fallon, but it is not equipped to handle more or excessive heavy traffic especially through this residential area. The bridge adjacent to this parcel is noted for being narrow and there have been numerous vehicle incidents, including burned trucks and human fatalities that have happened there because it is a deceivingly narrow and poor traffic infrastructure.

The air pollution emitted from this potential wood pellet production can linger in the air, soil and water. The particulate matter on hay production can impact livestock. The same particulate matter can impact the safety of vegetable production to one of the largest vegetable and cantaloupe ranches which was formally an organic farm. The particulate matter in the air also will impact the people picking the vegetables, especially early in the morning when there is an inversion in the air column. This same particulate matter will impact visitors to this legacy vegetable tourist facility and corn maze. The air contamination has a significant impact year-round by infiltrating heating and cooling systems in the hundreds of residences within a few square miles of this parcel.

There is known evidence that this type of wood processing has serious adverse effects on health and respiratory complications and this community does not have the health infrastructure to deal with an increase in such potential threat and harm.

There is a grain elevator and inground conveyor, I believe on this parcel. However, a hush house and hammer mill can be constructed anywhere and more importantly, outside of a residential community. This seems like a foolish place to allow this type of business just because there is minor infrastructure currently on site. Is the value of business worth more than the value of public health and quality of life for the residents of Churchill County?

As a resident living within a mile from this facility, I am dead against granting this special use permit as there are too many variables, known and unknown that will affect public health. The most serious are contamination and pollution to air, water, soil, and human breathing. The other is increased traffic. McLean Road has excessive traffic each morning with NAS workers travelling in from Fernley, etc. Having slower moving truck traffic is a variable with serious risks, not to mention the water delivery canals.

 Nancy Upham

From: [Vicki Linton](#)
To: [Planning Admin](#)
Subject: Opposition to SUP25-000011
Date: Tuesday, May 13, 2025 1:43:30 AM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Rividen, Inc.
Vicki Lattin
Acting President, Rividen, Inc.
1955 McLean Road
Fallon, Nevada 89406
vlinton@vlcm.com

Churchill County Planning Commission
Fallon, Nevada 89406

Subject: Formal Objection to SUP25-000011 and the subsequent classification of wood processing to be considered crop processing

Dear Members of the Planning Commission,

I am writing to formally object to the special use permit application SUP25-000011 for crop processing and storage. I strongly oppose the reclassification of a wood processing facility as a crop processing facility. This proposed classification is inconsistent with accepted definitions of agricultural products and threatens the integrity of local zoning regulations.

Classifying a wood pellet processing facility as a grain processing operation is misleading and poses serious health and safety risks. Grain is universally defined as the harvested seeds of grasses—such as wheat, corn, rice, oats, and barley—and is considered a food-grade product. Wood, by contrast, is a fibrous material derived from trees, unsuitable for consumption and fundamentally distinct from grain. Misclassifying wood processing as grain processing contradicts scientific and agricultural standards.

Allowing this reclassification could result in the facility bypassing essential safeguards—such as air quality controls, noise mitigation, and groundwater protections—typically required for wood processing operations. This poses a direct threat to public health, the environment, and the character of our rural community.

I respectfully urge the Planning Commission to deny any attempt to classify a wood processing facility as a grain processing facility. I also request that this letter be included in the official record for any hearings related to this matter.

Thank you for your attention to this important issue. Please feel free to contact me if you require further information or clarification.

Sincerely,

Vicki Lattin

Rividen, Inc.
vlinton@vlcm.com

May 7, 2025

Susan Wasley & Carla Hoyt

4130 Bottom Road

Fallon, NV 89406

RE: WOOD PELLET PRODUCTION, Special Use Permit Application SUP25-000011/Alex Peden

1450 McLean Road, Fallon NV 89406/Assessor's Parcel Number 008-731-04.

To Whom This Concerns:

As property owners within the vicinity of the property in question and the proposed plan for a pellet manufacturing plant, we are writing to weigh in on this HIGHLY sensitive topic. To be sure this is a business with numerous red flags for all in close proximity! While we mean no ill towards Mr. Peden on his desire to establish this business, we are entirely sure this location is not a good fit on MANY levels. We have multiple concerns from environmental impact, to air quality, and even traffic studies. We started with some research! Environmental studies on wood pellet production reveal significant impacts on air quality, water quality, and ecosystems, particularly in and around communities where these facilities are located. The studies highlight the release of harmful pollutants, negative health effects, increased noise pollution and traffic issues. This type of business is generally not favorable to resident's long-term health and the quality of established neighborhoods like ours.

We, and I speak for many, are not a marginalized community of The City of Fallon. We do not want to breathe wood dust particulates 24/7. Not to mention the potential for chemical binders and polymers used in the heating and compression of pellets, and any other potential additives. My mother has chronic lung issues. She and my father moved here 22 years ago because the air was so much more conducive to her overall well being. Why would we agree to have this right compromised? This production seems better defined as an industry. It truly does not fit the description of an agriculture business. In fact it presents as one that would work against agriculture, not promote and ensure it. This area is zoned for agriculture and residential. As property owners that is what we agreed to and pay our taxes to protect.

We are counting on our Commissioner to honor the validity of our concerns.

Thank you in advance, Susan Wasley and Carla Hoyt