



## MINUTES

### Planning and Zoning Commission

Tuesday, February 4, 2014  
Grant County Administration Building  
1400 Hwy 180 East  
Silver City, New Mexico

#### **Commissioners Present**

Sherry Clements, Chair  
Lita Furby  
Carmon L. Steven

#### **Commissioners Absent**

John Lawson

#### **Staff Present**

Peter F. Russell, Community Development Director  
Jaime L. Embick, Planner

The regular meeting of the Planning and Zoning Commission was called to order at 6:05pm by Chair Sherry Clements. The Pledge of Allegiance was recited. A roll call of commissioners was taken and a quorum was present.

#### **Approval of Agenda**

Commissioner Steven moved to approve the agenda as corrected. Commissioner Furby seconded the motion. A voice vote was taken and the agenda was unanimously approved as corrected.

#### **Approval of Minutes**

Commissioner Furby moved to approve the minutes of the December 3, 2013 meeting as written. Commissioner Steven seconded the motion. A voice vote was taken and the minutes were unanimously approved as written.

#### **Public Hearings**

**CU 14-01:** This is a request for a Conditional Use permit to allow a powder coat business to be operated at 212 S Bullard. The property is located in the Historic Downtown Commercial (C-HD) District. The applicant is Stuart Egnal, the property owner.

Five people were sworn in for testimony. Jaime Embick presented the staff report and testified that it is the staff's opinion that the application should be approved with the following two conditions:

1. No volatile organic compounds will be used in the treatment, finishing or manufacture of a commercial product at this site.
2. No powder coating products that produce off-gas will be used in the treatment, finishing or manufacture of a commercial product at this site.

Peter Russell answered questions from the Commissioners.

Melanie Pierson, President of Conservation by Design, stated in her presentation to the Commission, that the four required findings for the Conditional Use Permit will be met by the following:

1. All of the products used are contained within a spray booth, non-hazardous and contain less than 1% of volatile organic compounds. MSDS are available upon request. All of the powder coating will be done inside the building and the equipment has been inspected by the Fire Marshal. A filtration system within the booth will collect all of the over-sprayed powder. A fire protection system has been installed.
2. There will be no associated smells or increased noise associated with this business. The residential and commercial neighbors directly adjoining the property were contacted by the applicants and signed a petition in favor of the business. Increased production will not create additional odors.
3. The building is located across the street from a welding shop and a small engine repair shop is located within the same building as the powder coating business. A tile manufacturing business and a furniture store are also located near 212 S Bullard. There should be no significant increase in freight traffic at the location.
4. The use is listed as a Conditional Use in the C-HD, so if approved, it complies with the Land Use Code.

Commissioner Furby moved to approve CU 14-01, with the following conditions:

1. No products will be used containing more than 1% volatile organic compounds.
2. No powder coating products that produce off-gas will be used in the treatment, finishing or manufacture of a commercial product at this site.

Commissioner Steven seconded the motion and it passed by a unanimous roll-call vote.

**Old Business**

None

**New Business**

None

**Community Forum**

None

**Reports from Staff**

None

**Reports from Commission**

Commissioner Steven reported that the preservation of the Silco Theater is making progress.

**Community Input**

None

**Adjournment**

Commissioner Furby moved to adjourn the meeting. Commissioner Steven seconded and the motion passed unanimously by voice vote. The meeting was adjourned at 6:43 pm.

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Sherry Clements, Chair  
Planning & Zoning Commission

Approved March 4, 2014