

**FREMONT COUNTY  
PLANNING COMMISSION MEETING MINUTES  
December 3, 2024, AT 3:00 P.M.**

**MEMBERS PRESENT**

John Hamrick  
Larry Brown  
Rudl Mergelman  
John Carper

**STAFF PRESENT**

Dan Victoria, Planning Director  
Joanne Kohl, Office Manager  
Danielle Adamic, Senior Coordinator

**1. CALL TO ORDER**

Chairman Hamrick Called the meeting to order at 3:00 pm.

**2. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

**3. APPROVAL OF THE DECEMBER 3, 2024, PLANNING COMMISSION AGENDA**

Chairman Hamrick asked if there were any changes, additions or corrections to the December 3, 2024, Fremont County Planning Commission Agenda.

**MOTION**

Mr. Brown motioned to accept the December 3, 2024, Fremont County Planning Commission Meeting agenda.

**SECOND**

Mr. Carper second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

**4. APPROVAL OF THE SEPTEMBER 9, 2024, PLANNING COMMISSION MEETING MINUTES**

Chairman Hamrick asked if there were any changes, additions or corrections to the September 9, 2024, Fremont County Planning Commission Meeting Minutes.

**MOTION**

Mr. Carper motioned for approval of the September 9, 2024, minutes.

**SECOND**

Mr. Brown second the motion.

Vice Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

**5. UNFINISHED BUSINESS**

None

## **6. NEW BUSINESS**

### **MM SRU 24-002 Southwest Energy**

Chairman Hamrick asks Director Victoria for the staff report.

Director Victoria states that Southwest Energy is proposing a Major Modification to their existing permit to reduce the number of ammonium nitrate prill silos to one 100-ton silo, add drop trailer parking, add a security trailer, correct the orientation of the north arrow and reconfigure the interior emergency road from the magazine storage area to the existing County Road 123 access, located at 61001 U.S. Highway 50, Penrose, CO 81240.

### **BACKGROUND / ASSOCIATED CASES**

Southwest Energy has held a valid Special Review Use permit at the 61001 U.S. Highway 50, Penrose location since July 14<sup>th</sup>, 2020.

A minor modification was approved administratively on September 28<sup>th</sup>, 2023. Since the original permitting, no complaints have been received regarding this facility. Code Enforcement has not found this facility to be out of compliance during yearly inspections.

### **ACCESS:**

**Number of Access Points:** 2

**Primary access point:** U.S. Highway 50, Penrose

**Secondary access point:** County Road 123

**Drainage:** Applicant states the modification will have no impact to the approved drainage from the 2020 approval.

**PUBLIC COMMENTS/CONCERNS:** None Received

### **AGENCY COMMENTS:**

Staff requested comments from various review agencies. Staff have incorporated comments received to date either in their entirety or in part into this staff report.

**CDOT:** No concerns

### **FREMONT COUNTY ENGINEER:**

No comments.

### **FREMONT COUNTY BUILDING AND ENVIRONMENTAL HEALTH DEPARTMENT:**

Applicant is in compliance with Fremont County OWTS regulations.

### **Fire Protection Plan:**

The Florence Fire Protection District does not have any opposition to these plans.

## STAFF COMMENTS

### WAIVERS:

1. Landscaping plan

### RECOMMENDATION

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Special Review Use Permit Major Modification application with the following contingencies/Conditions:

### CONTINGENCIES:

Site plan redlines

### CONDITIONS:

N/A

Director Victoria also states that staff have also checked with the Airport Manager and the Airport has no issues with the height of the Silos.

Chairman Hamrick asks Angela Bellantoni to speak about this application.

Representative Angela Bellantoni states that now instead of 2 gates in the fence line, there is 1 gate in the southwest corner and the emergency road out to the county road was constructed from the access road down to the contractor's yard. The 100 prill silo is a drive-thru, that's why it sits back further from the fence so the trucks can go underneath it. There are not any new structures, there is just a re-arrangement of what was approved. The truck parking was approved for the contractor's yard and was moved to a different yard. Mr. Sendek is present to answer any questions.

Director Victoria states that there have been zero issues with the existing permit.

Mr. Tony Sendek states that he is the engineering manager for Southwest Energy. He was involved with the original project back in 2020. Southwest Energy is based out of Tucson Arizona. Originally started out servicing large open pit copper mines in southern Arizona. Now they are in every state in the western US except California. They have always called themselves a Drilling and Blasting contractor, recently they have gotten out of the drilling portion and are now a blasting contractor for open pit and underground mines and quarrying constructions.

Chairman Hamrick asks how much they are storing and will be storing under this major change.

Mr. Sednek states there will be no change in the amount of ingredients products they are storing. Currently what they have for the storage of the prilled ammonium nitrate, which is like fertilizer, they have two 50-ton capacity ground mount silos, then they have an inclined augur that's driven hydraulically by the trucks. They plan to remove the two 50-ton ground mount silos and put in one 100-ton overhead silo, where the trucks will drive underneath it and the product will flow into the trucks. No increase on the hazards of having the 100-ton silo.

Chairman Hamrick states he is open to a motion.

**MOTION**

Mr. Carper Motioned to Approve MM SRU 24-002 Southwest Energy as a Major Modification to the existing permit with the waiver for landscaping and site plan redlines set forth by staff.

**SECOND**

Mr. Brown second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

**7. ADJOURNMENT**

Chairman Hamrick adjourned the meeting at 3:16 p.m.

  
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CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION

2-4-25  
DATE