

Items for Council Presentation

Variance and Findings.

There was no reasonable argument to justify the Findings

APPENDIX B - MINTURN DESIGN STANDARDS AND GUIDELINES

B. - GOALS, OBJECTIVES, AND GUIDING PRINCIPLES

Building Compliance with code.

Does not comply with the design standards and guidelines for development Minturn has developed.

MINTURN COMMUNITY PLAN

The Design Standards and Guidelines within Appendix B of the Town Code outline a framework for the 100 Block that is both practical and inspiring. To achieve the vision for the 100 Block described in this chapter, the Town of Minturn should use the Design Standards and Guidelines to guide future development/redevelopment efforts.

Does not comply with Appendix B Sec 16-6-35 (b)

The purpose of this area is to provide convenient commercial services to residents and visitors and to promote the development of the Town's primary retail commercial district. Accommodation of sales tax-generating commercial uses and non-street level residential units can enhance Old Town vitality while maintaining the visual character and scale.

Street level space within the 100 Block Commercial Zones shall be dedicated to lodging in historic properties and retail uses. Non-street level space within the 100 Block Commercial Zones may be used for compatible retail, office, and residential uses.

Large monolithic buildings and are not allowed.

100 Block Commercial Zones

Sec. 16-6-70. - Old Town Character Area use table the 100 Block B

Manufacturing Light **Conditional Use** Designation C

Tasting Room **Not Allowed**

Storage **Not Allowed**

Warehouse **Not Allowed**

Sec. 16-3-60. - Use not listed.

Uses that are not listed in the Character Area use tables shall be considered to be uses that are not allowed, unless one (1) of the following occurs:

- (1) Code amendment
- (2) Determination of similar use.

ARTICLE 2 - Definitions, Illustrations and Lot Standards

Sec. 16-2-20. - Definitions

Manufacturing, light means an establishment engaged in manufacturing, assembly, compounding, processing, packaging, treatment or distribution of products, including primary product production from raw materials or production of services, **but excluding establishments which produce or emit toxic or noxious gases, odors or fumes**, excessive noise, vibration or electrical interference or similar substances or conditions onto adjacent or other properties; **or dangerous to the comfort, peace, enjoyment, health and safety of the community.**

Conditional use **means a use listed in the Character Area** use tables and permitted upon approval of the Town Council upon **showing that such use in a specified location will comply with the conditions and standards for the zone** and location proposed.

Conditional use permit means **a use permit** issued by the Town **stating that the conditional use meets all the standards and conditions set forth in this Chapter**

Do distilleries produce toxic or noxious gases.

Yes, distilleries can produce toxic or noxious gases, primarily including ethanol vapors which are flammable and can be hazardous in enclosed spaces, along with carbon dioxide generated during the fermentation process, which can be dangerous in high concentrations due to its ability to displace oxygen; depending on the specific process, other potentially harmful gases like sulfur dioxide may also be present.

Key points about distillery gases:

- **Ethanol vapors:**

The main hazardous gas produced in distilleries, flammable and can build up in poorly ventilated areas.

- **Carbon dioxide (CO₂):**

A byproduct of fermentation, can be toxic in high concentrations and cause asphyxiation.

- **Potential for explosions:**

Due to the presence of flammable ethanol vapors, distilleries require proper ventilation and safety measures to prevent explosions.

What are the fumes from distilling?

The process of making hard alcohol, such as whiskey, bourbon and gin is fraught with danger, with the potential for fire occurring from the release of flammable compounds such as ethanol (alcohol).

These vapors can come from leaks in tanks, casks and equipment such as transfer pumps, pipes and flexible hoses.

What are the odors from distilling?

Yes, distilleries definitely produce noticeable odors, particularly during the distillation process, due to the release of various chemical compounds like alcohols, aldehydes, and sulfur compounds, which can smell strong depending on the stage of production and the type of spirit being made; some of these smells can be unpleasant, especially during the "heads" phase when unwanted compounds are removed.

Key points about distillery odors:

Varying smells depending on the process:

The smell of a distillery can change depending on whether they are mashing, fermenting, or distilling, with each stage having its own distinct odor profile.

"Heads" and "tails":

The initial part of the distillation process, called the "heads," often has a harsh, chemical smell due to impurities like sulfur compounds, while the later "tails" can also have undesirable odors.

A by product of producing Whiskey

does whiskey mold need alcohol to continue to grow

Yes, whiskey mold, also known as *baudoinia compniacensis*, needs alcohol to grow. It feeds on the ethanol vapors released from whiskey barrels during the aging process, which is known as the "angel's share".

Explanation

- The fungus grows on the sugar in the ethanol emissions.
- The fungus can spread across any surface it can find, including buildings, trees, cars, and outdoor furnishings.
- The fungus can cause aesthetic and potential property damage.
- The fungus can be removed using high-pressure water jets or bleach.

Factors that contribute to whiskey mold growth

- **Porous wood barrels:** The barrels expand and contract as the seasons change, which allows some of the maturing spirit to evaporate.

- **Alcohol-saturated air:** The air in the warehouse is filled with alcohol vapor.
- **Temperature changes:** Temperature changes can stimulate the growth of the fungus.
- **Nutrient source:** The fungus can feed on the sugar in the ethanol emissions.

This dark, sooty growth feeds on alcohol vapors from barrel-aged whiskey and spreads across any surface it can find.

CLOSING REMARKS

How did Eagle River Whisky acquire a permit or Business License for a manufacturing process that is expressly forbidden in Chapter 16?

Who was responsible for issuing this License?