

Minutes
REGULAR MEETING OF THE PLANNING & LAND USE COMMISSION

Date: Wednesday, May 4, 2011

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Laura Cameron, Mary Beth Fitzburgh, Marie Hawkins

Absent: Eddie Morandi

Others Present: None

Clerk/Recorder: Faylene Roth

CALL TO ORDER at 7:02 P.M.

1. Open Public Comment.

None

APPROVAL OF MINUTES

2. Regular Meeting April 6, 2011.

Members reviewed suggested changes to the Working Draft Minutes. One of the changes was rescinded after clarification and Faylene will spell out the acronym CLUC.

Laura motioned to approve the Minutes of the April 6, 2011, Meeting as amended. Marie seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

REPORTS

3. Town Council Meeting – Chair.

Mary Beth did not attend the last Town Castle Meeting but she learned from Dave Erley that the Town Council approved the amendments to Ordinance 2007-5 to adopt the 2009 International Building Code, etc.

The Town Clerk recently e-mailed Mary Beth on behalf of the Roads Committee. They are concerned about the time it takes for the Road Manager to conduct drainage reviews and the wear and tear on the roads from big construction projects. They wondered whether there should be an increase in the Building Permit fee to cover Greg's time. Mary Beth felt that since we have so few permits per year, fees would most likely have to be raised significantly to cover road damage costs and impact fees might be a more appropriate way to recoup this expense. Marie felt that a fee increase would be received more favorably by property owners than would an impact fee. Mary Beth will get more information from both Dave and Greg. Laura suggested finding out what other rural communities do about impact fees.

Also discussed were comments from Jim Lindheim and others regarding the regulation of alternative energy installations in Castle Valley. The Town Council has requested that the PLUC consider this issue and submit recommendations to them by the end of this year.

4. Building Permit Agent.

The Building Permit Report lists two electrical permits for solar installations issued in March 2011 and one electrical permit for a solar installation issued in April 2011. A septic permit and an electrical permit were also issued in April 2011 for a lot on Cliffview Drive. Faylene mentioned an upcoming renewal of an expired Conditional Use Permit and a renewal of a Temporary Dwelling Permit that will be presented at the next PLUC Meeting.

Faylene also reported on a discussion with Jeff Whitney, Grand County Building Department, about the minimum square footage that requires a building permit. The County follows to the 2009 IBC code which sets the minimum size of a building that does not require a permit at 200 S.F. Castle Valley will retain its current minimum building size that does not require a permit at 120 S.F. Any structure between 120 S.F. and 200 S.F. will require Castle Valley zoning approval even though a Grand County Building Permit is not required. All buildings, regardless of size, must adhere to Castle Valley zoning setbacks.

Faylene explained the changes in contact names on the current permit fee sheet that is included with the building information packet and is available on the Town website. She then presented a cost analysis of time spent on building permit processing and the amount of fees received by the Town. Members discussed how well the permit fees covered the cost of processing. Mary Beth noted that the time Greg Halliday spent conducting drainage reviews was not included in the table presented by Faylene. After a discussion of the need for a fee increase or an impact fee, it was decided that Mary Beth will get more information from Greg about the time he spends and the potential impact from increased traffic on CV roads that result from building. Laura will research impact fees imposed by other towns in the region.

5. Procedural Matters.

Faylene reported on how to handle corrections to the Minutes. Corrections that do not change the meaning or correct a misunderstanding by the recorder can be made and adopted. If a change is needed to correct the meaning of what was accurately recorded, then the clarification should be made in the current Meeting Minutes without changing the Minutes from the previous Meeting. Faylene will ask for further clarification of this at the upcoming Open Meeting Act Training to be held on May 19.

NEW BUSINESS

6. Discussion re: Open Meeting Act Training May 19, 2011.

Mary Beth reminded those present that the Open Meeting Act Training is an annual requirement.

7. Discussion and possible action re: regulations for solar panels, windmills and other alternative energy structures.

Mary Beth presented the following ideas regarding regulation of solar panels: (1) measurement of height and square footage of solar panels should be separated from the height/square footage requirements of buildings on a lot; (2) establish a baseline sq footage and height limit for solar panels based on what an average size home (2000 sq ft or less?) in Castle Valley would need; anything larger would require a Conditional Use Permit (Windmills currently require a CUP); (3) establish setbacks and height limits for all alternative energy structures.

Faylene reported a conversation with Rob Soldat who suggested that a property owner's right to solar access should also be considered.

Mary Beth reviewed comments and a 2009 e-mail from Jim Lindheim, which he presented at the last Town Council Meeting. Lindheim suggested that impact on visibility, glare, current requirements for “gas” tanks, solar farms, and wind farms be examined by the PLUC in establishing guidelines for solar installations.

PLUC members discussed whether the current ordinances governing “gas” tanks referred to propane tanks or to tanks for other types of fuel. They will gather information from solar installers, Bruce Keeler, and other communities before the next PLUC Meeting.

OLD BUSINESS

8. Discussion and Possible Action Re: Communication with the public and real estate agents regarding zoning regulations via the Town website and by other means.

Mary Beth reviewed revisions made to the information sheet on the website and suggested distributing this sheet to realtors. She also revised the website information on Temporary Dwellings to include a discussion of living in temporary dwellings and manufactured mobile units.

Mary Beth asked PLUC members to review these documents before the next PLUC Meeting.

Marie motioned to table Item 8. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

9. Discussion and possible action re: reviewing and amending Ordinance 96-1: Watershed Protection Ordinance (tabled).

Laura motioned to untable Item 9. Marie seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

Laura reported on her findings regarding proper management practices for septic systems. The use of risers on septic tanks is helpful in locating the tanks for inspections and pumping. She and Dave Erley had discussed the possibility of requiring risers on new construction. She also reported a conversation with a business owner of a local septic tank pumping service regarding his recommendations and experiences. He considered the average life of a leach field to be 20 years and suggested septic tank pumping every 4-5 years for a two-person household. In addition, Laura had reviewed the Castle Valley “Don't Flush Guidance List” that is issued with the Building Permit Information Sheet. She thought it was good but would like to add a further information sheet that would be provided to property owners when a septic permit was issued

stating recommended maintenance practices such as when to pump, how to install risers and how to do self inspections once a riser is in place..

Further discussion included requirement of a certificate of pumping upon sale of property and annual workshops for property owners. Laura offered to draft language over the next few months to amend Ordinance 85-3 and Ordinance 96-1 where septic system practices and regulations are referenced.

Regarding other watershed issues, Mary Beth noted that memorandums of understandings with agencies that manage land surrounding Castle Valley are still planned. However, the Town Council's request that the PLUC research regulations regarding alternative energy installations puts the MOUs farther down the priority list.

Marie motioned to retable Item 9. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

Marie motioned to adjourn the Meeting. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

ADJOURNMENT: 8:29 P.M.

APPROVED:

ATTESTED:

Mary Beth Fitzburgh, Chairperson Date

Denise Lucas, Town Clerk Date