

MINUTES
REGULAR MEETING OF THE PLANNING & LAND USE COMMISSION

Date: Wednesday, August 3, 2011

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Laura Cameron, Mary Beth Fitzburgh, Marie Hawkins

Absent: Eddie Morandi

Clerk/Recorder: Faylene Roth

CALL TO ORDER at 7:02 P.M.

1. Open Public Comment.

None.

APPROVAL OF MINUTES

2. Regular Meeting July 6, 2011.

Marie motioned to approve the July 6, 2011, Minutes as presented. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

REPORTS

3. Town Council Meeting – Chair.

Mary Beth summarized the discussion at the last Town Council Meeting about why the PLUC was considering ordinances related to solar installations. Mary Beth relayed to them the need to change wording in the current ordinance to ensure that solar installations meet current building setbacks. There was a suggestion that any restrictions on the size of a solar installation should allow systems large enough to accommodate the use of batteries anywhere in Castle Valley, not just in the Upper 80 where users are off the electric grid.

Mary Beth reported briefly on the status of the CIB grant for a road shed and the new database system and server proposed for the Town.

4. Building Permit Agent.

In response to the July 2011 Building Permit Report, Mary Beth asked Faylene to contact Danny Prickett and inform him that he, or the future owner of Lot 227, will need to fill out a new Temporary Dwelling Permit to reflect changes made in the trailer placed on the lot or in ownership of the lot.

Laura raised concern about the structural safety of the carport on Lot 76. Mary Beth reported that the PLUC sent a letter to the owner asking them to verify the size of the structure.

Structures with less than 120 S.F. roof area do not need a permit from Castle Valley. Structures under 200 S.F. do not require a permit from Grand County.

5. Procedural Matters.

None.

NEW BUSINESS

6. Discussion and possible action re: Decommissioning Contract for Lot 56 (Lazaris).

The owners of Lot 56 are planning to build a new residence on the property, which already has a manufactured home on it. The manufactured home is currently rented, and the owners want to continue the rental until the new residence is completed, then convert the structure to a storage building.

Since there was no building permit in the Lot 56 File for the manufactured home, Faylene contacted the Grand County Building Department to determine if a new one would be required. Jeff Whitney said that the County would not require a new building permit for a structure as old as this one. According to Jeff, if the property had no building permit to begin with, they would have been notified by the Grand County Appraisers office and would have initiated the building permit process at that time.

Mary Beth contacted the Town's attorney, Gerry Kinghorn, and reviewed an email from him. According to Kinghorn, the Town of Castle Valley would not be liable for the safety of the manufactured home and he did not think the Town could require the owners to bring the building up to code. Both Kinghorn and Whitney said that plumbing fixtures should be removed to decommission the structure so that it could not serve as a second residence. The Castle Valley Land-Use Ordinance requires that either the kitchen or bath be decommissioned.

Mary Beth reviewed the Decommissioning Contract written for the owners of Lot 56. It states that the owners must remove the stove, range, and refrigerator in order to decommission the structure and defines the terms and timeline for decommissioning and cessation of the current rental arrangement.

Changes to the wording of the signature pages will be made at the recommendation of John Cortes, Grand County Recorder.

Laura motioned to approve the Decommissioning Contract for Lot 56 as presented. Marie seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

OLD BUSINESS

7. Discussion and possible action re: assessing building permit fees (tabled).

Marie motioned to untable Item 7. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

Mary Beth reviewed the revisions made to the Building Permit Fee Sheet. The fee for new construction between 120-200 S.F. was reduced to \$30.00. The fee for construction projects in excess of 200 S.F. was increased to \$55.00 to cover the Road Manager's time to conduct a drainage review. The fee for a Certificate of Land Use Compliance was removed since state law does not require a permit for agricultural structures. A few minor changes were also presented.

Since it is not clear to us what the process is for approving permit fee changes, we have forwarded this revised fee sheet for the Town Council to review and approve.

Laura motioned to pass the Building Permit Fee Sheet as amended. Marie seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

8. Discussion and possible action re: regulations for solar panels, windmills and other alternative energy structures (tabled).

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

PLUC members first reviewed comments on solar installations submitted by Rob Soldat. Then, Mary Beth reported on her discussion with Brian Murray. According to Brian, a 4-5 KW solar installation is considered an average size for residential use. He said it was difficult to set an upper range because the needs of individuals could be very different.

In Brian's opinion, wide systems were faster to install than tall systems, but he is using a new type of mounting that makes it faster. He recommended ground mounts over roof units that use thin cell technology (which are less efficient and require twice the panel size). He said that not much could be done about glare.

Brian also reported that 5-10% efficiency is gained when the angle of the panels is changed, but that most people will choose to buy extra panels rather than spend the money for a tracking system. Panels are set at the same angle as latitude of the property—between 35-40 degrees in this area. A typical panel provides 200-300 watts and is about 5 feet wide. Properties close to the rim would require larger systems because of less access to sunlight during winter months.

After some discussion, PLUC members felt that a 9 KW system would be appropriate for an upper limit; larger systems would require a Conditional Use Permit. Property owners would be required to mitigate the negative impacts of larger systems and justify why a larger system is needed through a Conditional Use Permit

The only restrictions imposed on solar installations by Grand County is height. Solar installations are considered an accessory structure and their height is restricted to 25 feet. The County inspects the mounting and wiring of the installations.

Laura motioned to retable Item 8. Marie 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).

Left tabled.

10. Closed Meeting (if needed).

None.

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

ADJOURNMENT: 7:59 P.M.

APPROVED:

ATTESTED:

Mary Beth Fitzburgh, Chairperson Date

Denise Lucas, Town Clerk Date