

**MINUTES**  
**REGULAR MEETING OF THE PLANNING & LAND USE COMMISSION**

Date: Wednesday, July 11, 2012

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Laura Cameron, Mary Beth Fitzburgh, Marie Hawkins

Absent: None

Others Present: Damian Bollerman, Susan Roche

Clerk/Recorder: Faylene Roth

CALL TO ORDER 7:08 P.M.

1. Open Public Comment.

None.

APPROVAL OF MINUTES

2. Regular Meeting June 4, 2012.

PLUC Members agreed that changes made by Mary Beth in Item 6, paragraphs 3, 5, and 8 reflect the decisions made at the last PLUC Meeting. A change in terminology used in Item 3 and two minor grammatical changes in Item 6 were accepted.

Marie motioned to accept the Minutes of June 4, 2012, as amended. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

REPORTS

3. Town Council Meeting – Chair.

Mary Beth will report comments from Town Council members about the General Plan Survey as needed during discussion of Item 7.

4. Building Permit Agent.

Faylene reported that one building permit for a 2330 S.F. residence was issued for Lot 410 (Cliffview). She also presented a new format for building permit reports that can be generated from the Town database.

Laura motioned to suspend the Order of Business and move to Item 6. Marie seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

NEW BUSINESS

6. Discussion and possible action re: non-routine CUP approval for Damian Bollerman, Lot 181.

PLUC Members discussed ways to reduce lapses in renewing Conditional Use Permits and whether every two years or four years would be more convenient for residents. Mary Beth noted that annual renewal provides the opportunity for more oversight of home businesses and premises occupations if conditions were not being met. She said that she and Faylene have discussed changes to the renewal letter and form that would verify whether a business was being discontinued if there was no response to the renewal request.

PLUC Members interviewed Damian regarding his application to re-establish his lapsed Conditional Use Permit for a non-routine premises occupation for his Sweetwater Well Service business. Most work is done off-premises. Occasional repairs are done on site but do not cause noise or other disturbances that would be apparent to adjacent property owners. He does require a storage building.

Mary Beth reviewed the General Operating Requirements in Ordinance 85-3, Section 4.8.2, regarding hours of operation, number of customers coming to the premises, signage, truck size, and storage. There was discussion about whether his work truck exceeded the one-ton limit. According to Damian, there is some ambiguity in how trucks are rated now compared to how they were rated in the past. Some trucks with 13,000 lb. GVW are currently rated as one-ton trucks, so he considers his 11,000 lb. GVW Dodge W400 to be fairly interpreted as a one-ton truck.

Faylene reported that two neighbors responded with support for the business and no negative responses were received.

Damian reported that professional licensing through the State Department of Professional Licensing is not required, but he is licensed through the State Department of Water Rights as a pump installer.

PLUC Members agreed that the operation of the Sweetwater Well Service business has a low impact on Castle Valley residents and imposed no further conditions on its operation other than those outlines in Ordinance 85-3.

Marie motioned to approve Damian's Conditional Use Permit application as presented. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

Mary Beth told Damian that the application will now be referred to the Town Council for final approval at its next meeting and that he will need to attend.

Laura motioned to resume the Order of Business and return to Item 5. Marie seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

5. Procedural Matters.

Faylene reported on the Open Meetings Training which she attended in June. Some of the items noted were that board member qualifications included being a registered voter at the location of residence; full disclosure of conflicts of interest is required and should be recorded in the Minutes, but there is no requirement for a board member to recuse her/himself because of a conflict; electronic messaging between board members during open meetings is forbidden; suggestion by LeGrand Bitters that draft Minutes be made available one week before next scheduled Meeting; verbatim record of Motions; required use of Utah Public Notice website as of December 31, 2012, which the PLUC is already doing.

Faylene also reported that the notice for PLUC positions has been revised to include two current vacancies. She also proposed that the PLUC Agenda change the wording for “Old Business” to “Unfinished Business” to parallel the format now used by the Town Council, as suggested in Robert’s Rules of Order. There were no objections.

## OLD BUSINESS

### 7. Discussion and possible action re: General Plan Review (tabled).

Mary Beth presented two copies of the revised draft—one showing edits and one showing final format. The reorganizations she made in the question format have reduced the survey to five pages which will be printed front and back to reduce the amount of paper being mailed.

Changes made to questions in the draft of the General Plan Survey presented at this Meeting are as follows:

A11 – may reinsert an approximate cost for risers. Faylene is researching approximate costs.

C3 – clarified the land swap in question as the “BLM/SITLA land swap” and identified its location in “the upper part of the valley” and changed “for conservation purposes” to “from being developed.”

I1 – changed question to read “Which community values and policies do you believe the Town should continue to protect and maintain”?

I2 – changed “Which issues do you believe the Town has a high priority to...” to “...should make a high priority...”

I4 and I5 were deleted from the Survey as they will be discussed at public hearings for amended budget proposals.

A few minor grammatical changes were also made in the Introduction and in Sections F and G.

Mary Beth will present this revised draft to the Town Council. The PLUC hopes to produce a final draft at its next Meeting which will be emailed to Town Council Members for final comment. PLUC Members discussed whether the final draft survey should be sent to a consultant for review. Laura has already sent a copy for review to a Ph.D. Psychologist who is a professional test-question writer for the State of Utah. Mary Beth will discuss the need for further review with Mayor Erley. It is hoped that the survey can be mailed in August 2012.

Marie motioned to retable Item 7. Laura 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).

Left tabled.

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

Left tabled.

10. Closed Meeting (if needed).

None.

#### ADJOURNMENT

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

The Meeting was adjourned at 8:58 P.M.

**APPROVED:**

**ATTESTED:**

\_\_\_\_\_  
**Mary Beth Fitzburgh, Chairperson    Date**

\_\_\_\_\_  
**Alison Fuller, Town Clerk                      Date**