

**REGULAR MEETING OF THE CASTLE VALLEY PLANNING AND LAND  
USE COMMISSION**

WEDNESDAY, JUNE 6, 2007 AT 6:30 P.M.

CASTLE VALLEY COMMUNITY CENTER

#2 CASTLE VALLEY DRIVE, CASTLE VALLEY, UT 84532

Call to Order by Marie Hawkins at 6:38 pm

Commissioners Present: Gil Gonzalez, Greg Halliday, Marie Hawkins

Absent: None

Others Present: Mayor Damian Bollerman, David Rhoads, Jack Campbell,

David Erley, Karen Nelson, Leta Vaughan, Mary Beth Fitzbaugh, Mayor Bollerman gave oath of office and swearing in to Karen Nelson, new member of PLUC

Election of Chairperson to replace Michael Peck, who recently resigned. Greg motioned to table to July meeting in hope of others applying

for the commission. Gil seconded. All "aye".

Communications from the public:

None

Approval of Minutes:

Special Meeting of November 8, 2006;

Regular Meeting of December 6, 2006;

Regular Meeting of January 3, 2007;

Special Meeting of January 10, 2007;

Regular Meeting of February 14, 2007.

Regular Meeting of May 2, 2007. Greg motioned to approve minutes, Gil Seconded. All "aye:

Reports:

Building permits update:

Simmons-lot 58-addition

Hensley-lot-36-barn

Wolcott lot-230-modular home

New Business:

Discussion and possible action re: Conditional Use Permit application of David Rhoads, Lot 430, for a Mobile Repair Shop.

Greg spoke w/ Dave reviewing concerns in storing oils and fuels so no leaching or contamination of ground water would be possible.

Dave has found company that will haul out used oil and toxins for him if he uses their products. He is looking for storage unit with cover and retaining wall. Marie asked if it is concrete. Dave will use containers, with an awning and an overflow container. Best is 55 gallon drum in a circle with concrete basin.

Karen: What will prevent leaking?

Dave: Storage is not to be overfilled.

Greg: What will keep rainwater out?

Dave: Awning will prevent.

Gil: Fire danger?

Dave: Not volatile.

Marie: Work only certain hours.

Jack Campbell asked for a description of CUP application.

Marie read the application submitted by Dave.

Dave Erley: With Town of Castle Valley buying equipment, how will they store fuels and oil?

Karen: About disposal-is this to be done weekly or monthly?

Mayor: CUP must be compared to all prior CUPs. PLUC cannot require Dave to do more than others have.

Mayor: Put in CUP application that business that has potential toxic waste has proper storage and disposal.

Jack: Other businesses have been required- like a photography business that would have chemicals also.

Karen: How can commission know what conditions are required?

Greg- You can't. You must be aware that new conditions cannot be added to new applications.

Marie: Ordinance 85-3 covers it.

Marie: Do solvents need special storage too?

Dave: Some solvents can be disposed of together, others separate.

Marie: Should we hold off until Dave has all disposal and storage issues resolved?

Mayor: No, he needs to know the conditions ahead of time.

Gil: Noise?

Dave: Some noise during business hours only, possibly until 10:00 pm, like impact gun and pounding. Normal shop noise, in an area covered with a 2,000 sq ft awning. A 2400 sq ft barn could be used for working on agricultural equipment only.

Marie: Welding?

Dave: Use caution with platform or inside building. Has fire equipment, and will be prepared.

Marie: Concrete or gravel area?

Dave: Yes.

Greg: Seen shop; it is organized and clean.

Dave: Shop owner with 25 years experience. Community could administer and take responsibility of fluids once set up for town's equipment.

Marie: Additional employees?

Dave: No. Plan to stay very small. Like to work on the community vehicles and pick jobs and keep low-key.

Greg proposed to accept application with conditions: follow the ordinance -nothing is to escape. Use safety precautions in all operations:

Fire suppression equipment, Toxic fluids will be removed when Town has the capacity to store

Gil seconded the application.

All voted in favor of accepting David Rhoads CUP for lot 430.

Old Business:

Discussion and possible action re: General Plan.

Karen and Gil suggested a time to set up workshop to revise the draft, and then the Public Hearing.

Greg: must have official map of town, one registered with county.

Survey showed public opinions on the issues to guide PLUC.

Workshop on General plan was set for June 8, 1:00pm at Town office.

Dave Erley cannot attend meeting but wants roads drainage, fire breaks to be addressed in plan with a holistic approach. Gil motioned to retable the General

Plan until after the workshop. Karen seconded with comment that a Public hearing is also held. All "aye".

Report and possible action re: updating the Deer Fencing Ordinance

Greg motioned to open; Gil seconded. All "aye".

Gil suggested making fencing a conditional use application; only neighbors involved. Taking fence down or reducing when property sold. Still needs some work.

Mayor: Now 4 ft is ok; more than 1 acre of exclusionary fencing above 4 ft is only for commercial agriculture.

Jack: Years ago, language is hard to understand and needs to be more clear. He sent to Michael Peck a copy of a better one. Gregg has copy from Michael.

Karen motioned to table. Gil seconded. All "aye".

Gil found an official map is in with Incorporation papers. He will have Town Clerk or PLUC clerk make copy.

Report and possible action re: streamlining the Conditional Use Permit Process

Karen moved to untable; Marie seconded. All "aye".

Marie: Requests have been made to make application simpler. The process could be split into two forms: Form A is for simple business that has no real impact.

Form B is more detailed for business and other uses that might generate negative impacts.

Karen: Continue sending letters to neighbors?

Greg: Yes, send letters.

Dave E: Add category C- toxic & hazardous materials. This is non-commercial zone and neighbors should know and have guarantees that they will be protected.

Jack: Need for question-does plan conform to all ordinances?

Leta- If no impact business, why should resident apply?

Jack- history shows a small catalog business soon grew to large business on many lots. Ordinance 85-3 protects us from that now.

Gil: Good form but needs tweaking.

Karen: Add that it complies with all applicable ordinances. Noise, nuisance, fencing, lighting. etc.

Gil: Add the ordinances to application.

Jack: If licensed by state? Do you comply with DOPL?

Gil: Not all businesses get licensed or report to Federal government.

Mayor: Protect the residential zone with Conditional Use. Small home offices are still commercial.

Gil: Attorney may know if Town is liable if a small business in noncompliance.

Jack: signature on front page is required

Karen: Suggested to table.

Marie: Can go to Town Council after Gil makes changes. Greg makes a motion to make the changes, give to TC. Gil seconded, All “aye”.

Discussion and possible action re: updating Aquifer Protection

Ordinance/Fuel Storage Ordinance (tabled).

Discussion and possible action re: Town Council's request to review all Town Ordinances for consistency and effectiveness of all enforcement and penalty provisions (tabled).

Greg requests a letter of appointment to commission with term and act on behalf of town, mayor, council to be more formalized.

Mayor says a verbal is first given, then written statement.

Karen moved to adjourn; Gil seconded. All “Aye”.

Adjournment at 8:03 pm

APPROVED

\_\_\_\_\_ Date \_\_\_\_\_

PLUC Member

ATTESTED

\_\_\_\_\_ Date \_\_\_\_\_

Denise Lucas Town Clerk