

**Minutes
Regular Meeting
Planning & Land Use Commission
March 7, 2007
Castle Valley Community Center**

Call to Order: Chairperson, Michael Peck, called the meeting to order at 6:35 PM.

Commissioners Present: Michael Peck, Marie Hawkins, Greg Halliday

Absent: Vickie Kress, Gil Gonzales

Others Present: Dave Erley, Jack Campbell, LaRetta Rhoades, David Rhoades, Damian Bollermann, Eveline Bruenger.

Temporary Clerk: Lou Taggart

Greg and Marie joined Michael in welcoming Greg Halliday to the Commission.

1. **Communications from the Public:** None
2. **Approval of Minutes of February 14, 2007 PLUC Meeting:** Tabled.

Reports:

3. **Building Permits Update:** Michael reported that no building permits were issued this month and that, according to the County Building Inspector, Damian Bollermann will currently be handling any issues re: building permits in Castle Valley, as Leta Vaughn has resigned.

4. **Town Council Information and Requests:** None.

New Business:

5. **Discussion and Possible Action re: Hiring PLUC Clerk:** Michael reported that Lou Taggart may fill this position.

6. **Discussion and Possible Action re: PLUC Training on New Septic Systems:**

Michael reported that on Thursday, March 15th from 5:00 p.m. - 6:00 p.m. Judy Simms will be teaching a class at the Community Center offering updates on the latest and "best available technology" re: septic systems. Town officials may choose to attend; a recording of the training will be available to anyone else who is interested.

7. **Discussion of Conditional Use Permit for Dave Erley's Lot (#328):**

Dave Erley presented his request that he be granted a CUP allowing him to

erect a windmill to aerate a multi-use pond which was built on his property last year. Dave said that he has been using a process involving bacteria to aerate the pond and keep it clean and fresh, but this is a short-term solution. He said that he has been advised by experts in the field not to use solar to power the necessary equipment, that it would be best to use a windmill. Dave would like the windmill to be at least 20 ft. tall, as anything shorter would not be as efficient. The metal finish would be matte, and could be brown or forest green. He said the windmills don't even have a decible rating because they're so quiet. He pointed out that it could also be advantageous for the town to have access to a large water source at the upper end of the valley. Michael pointed out that during the last big fire in the upper part of the valley a pond would have been very beneficial.

Discussion then ensued: Dave's neighbor, Eveline Bruenger said that she is very concerned about the windmill being an eyesore because it wouldn't fit in with the landscape. She said it's not the noise issue that concerns her - it's the visual impact. Michael suggested the pole be 16 ft. instead of 20 ft. tall. Dave expressed disappointment with this suggestion. Greg pointed out that there's not much difference between 16 ft. and 20ft. re: any negative visual impact, whereas the extra 4 ft. would generate lots of additional power. Jack Campbell pointed out that residents are allowed to build houses that are 30 ft. tall. Dave said that almost any community in America and Canada allows windmills and Marie added that you see windmills all over the west providing energy.

Dave said that he has thought about the issue on multiple levels and is willing to be flexible and work with Eveline on a compromise. He's willing to pay to have the windmill powder-coated so it doesn't shine, and will even have it painted a camouflage color if that helps, but he does want it to be 20 ft. tall. Michael suggested that Eveline and Dave get together and that Eveline learn exactly what the windmill will look like, etc. and that Dave go to Eveline's property to better understand her concerns. Both agreed. Dave asked if the CUP request could be tabled until next month. A motion was made to withhold approval of the CUP pending Dave and Eveline resolving the issue before the March 21st Town Council meeting. The motion was carried. Eveline accepted some printed material from Dave to review.

Old Business:

8. Discussion of the Public Survey re: the Castle Valley General Plan: The following subjects were addressed:

A. Number of Surveys to be Mailed to Each Household: Marie suggested that, to be fair, each adult in a household should receive a survey because we're supposed to be surveying people, not lots, and household members may not share the same views.

Michael said that doing this would double the cost of the survey to approximately \$2,000. Greg suggested adding the line: "If you want to submit more than one survey in your household, make a copy for yourself and submit it." He also pointed

out that the purpose of the survey is to get general ideas of what the majority of property owners want and that it's just a survey, not a vote. Michael agreed and said it would cut down on work and expenditures to send one survey per household. Damian added that a line could be added saying, "There are two in our household, and we disagree." Greg pointed out that this could create a problem with subterfuge, because one person could send in duplicate surveys. It was agreed that one survey will be mailed per household.

B. Deadline to Receive All Completed Surveys: It was agreed that the deadline for surveys to be returned would be one month after they're mailed.

C. Changes in the Draft: Much detailed discussion ensued re: changes to many specific questions. Please see the attached Draft and the Final Questionnaire. The final questionnaire reflects the changes that the Committee agreed should be made to the Draft.

9. Discussion and Possible Action re: Update of Aquifer Protection: Tabled.

10. Discussion and Possible Action re: Proposal to Initiate a 5,000 Sq. Ft. Above-grade House Size Limit:

Michael expressed his concern that two lots above his property are owned by a developer. He said he has spoken with Damian re: a six-month moratorium on building houses over 5000 ft. of living space above grade. During the moratorium we could learn from the Survey how the majority of people feel about this issue. Michael suggested a motion be made to send the Town Council a request for a moratorium on new construction of houses with 5000 ft. of above-grade living space, that is, 5000 sq. feet of roof area. Damian suggested the wording be changed (e.g., a huge garage would not be considered "living space"). Michael added that you can also have 5000 sq. ft. of living space and have a roof that's smaller than 5000 sq. ft. Marie made a motion that the wording be amended to "...a moratorium to limit new construction of houses for 5000 sq. ft. of above grade living space and/or roof area of 5000 sq. ft." All were in favor of the amendment being passed. (NOTE: MY NOTES ON THIS ISSUE ARE NOT ACCURATE- THE ABOVE MAY NOT BE CORRECT.)

Adjournment: Marie moved to adjourn the meeting at 7:50 p.m. Michael Peck seconded the motion and it passed unanimously.

Attest:

Lou Taggart, Temporary Town Clerk