

**MINUTES**  
**Tuesday, August 4, 2009**  
**Planning and Zoning Commission Work Session**  
**Grant County Administration Building**  
**Silver City, New Mexico**

**Commissioners Present**

Chair David Gershenson  
Doug Abbott  
Lori Ann Bonomo  
Ken Foster  
Teri Matelson  
Gillian Sherwood  
Alice Jones

**Commissioners Absent**

**Staff Present**

Peter Russell  
Alexandra Perrault

**Members of the Public**

Herbie Marsden

The work session of the Planning and Zoning Commission for the Town of Silver City to discuss the Land Use Code Task Force's recommendations for revisions to the town's land use code was called to order at 7:25 p.m. by Chair David Gershenson. The Pledge of Allegiance was recited. A roll call of commissioners was taken and all commissioners were present.

Mr. Herbie Marsden spoke to the commission regarding solar rights and requested that the commission read the written information he handed out and include a stronger support of solar rights in the revision of the Land Use Code. Chair Gershenson explained that it would be better discuss the solar rights question as a stand-alone issue, rather than combining it with the revisions of the current code. While everyone agreed this is an important issue, Commissioner Jones and Commissioner Matelson in particular were very supportive of Mr. Marsden's request. Commissioner Jones asked if the building inspector could be asked to determine whether any active or passive solar units were being employed by neighbors of any new construction, or when a variance or conditional use was being requested. Peter Russell commented that since there is no direction by the land use code or the town ordinances regarding solar rights at this time, that it would be adding an unnecessary burden to the building inspector's already busy schedule. He said he would want to wait for direction from the town manager before instructing the

building inspector to do that. Chair Gershenson assured Mr. Marsden that he would be notified when the subject is scheduled to be addressed.

The commission members discussed the additions, deletions and corrections to the introduction and the definitions portions of the land use code document. Occasional minor changes were made. Commissioner Jones offered to rewrite the definition of child care, child care center and family child care home. Commissioner Sherwood will craft a clearer definition of gas station/convenience stores and neighborhood stores.

The next meetings will be, August 12, 19, 26 and September 1.

**Adjournment**

The meeting adjourned at 9:25 pm.

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David Gershenson  
Planning & Zoning Commission Chair