



REGULAR MEETING OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION

April 19, 2012
Garden Valley School Flex Room
1053 Banks Lowman Road
Garden Valley, Idaho 83622

ORIGINAL

Commissioners: Present: Chairman Clint Evans, Vice-Chairman Jake Kane, Commissioner Jon Bart and Commissioner Lois K. Murphy.

Absent: Commissioner Rosemary P. Ardinger

Commissioner Dan Gasiorowski arrived after roll call.

Staff Present: Planning & Zoning Interim Administrator Rora A. Canody, Administrative Assistant Nola Yonker, Deputy Administrative Assistant Mindy Dorau, Deputy Prosecuting Attorney Cherese McLain.

Roll Call was taken and five of the six members were present. Chairman Clint Evans declared a quorum was present and called the meeting to order at 6:37 p.m.

Selection of Chairman and Vice Chairman

Chairman Clint Evans requested to table the election of new officers until Commissioner Rosemary P. Ardinger could be present. Commissioner Jon Bart made a motion to table the selection of Chairman and Vice Chairman until the May 17, 2012 meeting. Commissioner Lois K. Murphy seconded the motion. All Ayes, motion carried.

Review and Approval of the March 15, 2012 Regular Meeting Minutes

Commissioner Lois K. Murphy made a motion to approve the minutes of the regular meeting held on March 15, 2012 as written; seconded by Commissioner Jon Bart.
All ayes, motion carried.

Review and Approval of the April 4, 2012 Special Meeting Minutes

Commissioner Jon Bart made a motion to approve the minutes of the special meeting held on April 4, 2012 as written; seconded by Vice-Chairman Jake Kane.
All ayes, motion carried.

Severance Sand & Gravel Amended – Conditional Use Permit

Interim Administrator Rora Canody appeared before the Commission and gave a visual power point presentation to supplement the staff report that had been emailed to the P&Z Commission member and the Applicant; and, stated that the complete Planning and Zoning file was entered into the record at this time. This application, by Lynn, Cari & Kevin Severance, is requesting to amend the original Conditional Use Permit approved June 7, 2004 to allow the operation of a

portable/temporary asphalt plant and a change in operating hours. On April 12, 2012, the Applicant withdrew the request for the temporary asphalt plant. Late Exhibit #22 letter from "Citizens for Responsible Government" and late Exhibit #23 copy of Award Letter to Valley Paving & Asphalt and sheet 1 of 26 of the Special Provisions of Idaho Federal Aid Project No. A011 (577) was entered into the record. The subject property is located in the Garden Valley area, off Banks Lowman Road on Severance Road. Staff recommends the following be considered by the Commission if their decision is to Conditionally Approve the request by Lynn, Cari & Kevin Severance to extend hours of operate for Severance Sand & Gravel.

1. All conditions in the original Conditional Use Permit as approved on June 7, 2004 (a copy attached) will remain in full force and effect.
2. Days and Hours of Operation shall be as set forth: The Applicant shall comply with set days and hours of operation of 10:00 p.m. on Sunday through 6:00 a.m. on Friday, as set by the contract with Idaho Transportation Department, Project A011(577). And, shall revert back to the original hours of operation, "daylight to dusk" as approved in the June 7, 2004 CUP upon completion of ITD Project A011 (577). A copy of the ITD contract is to be furnished to the P&Z Department upon award of the contract.
3. The Applicant shall provide for traffic control measures when necessary.
4. The Applicant shall provide additional dust abatement on Severance Road, if necessary, during the duration of the ITD project of their Reclamation Plan as presented in the original CUP application and provide a copy of the Reclamation Plan to the P&Z Department.
5. The Applicant shall comply with all state, federal and local applicable laws.

Commissioner Dan Gasiorowski made a motion to reject Exhibit #22 for late submittal and unsigned. Seconded by Commissioner Jon Bart. All ayes, motion carried.

Chairman Clint Evans requested the Applicant's presentation. Representative for the applicant Bill Collins Attorney at Law gave the presentation to the Commission.

Chairman Clint Evans then proceeded with the public hearing from the sign up sheets.

The following spoke in opposition of the application: Bibiana Nertney, Jayne Reed, Steve Groff, Ruth Richter, Marvin Morrison, William Cyr, Chris Parker, Peggy Parker, Richard & Georgianna Goetsch, Ken & Marla Patterson, Jim Tucker, Clyde Porter, Marlo Glauser, Douglas Haines, and Ronald Richter.

Spoke in favor of the application: Shauna Fry, Bill Hadzor, Sandy Donley, Joe Morrison, and Dan LaBare. And were neutral: Chris Seubert, Valley Paving & Asphalt, Jacque Cadotte, Jayme Coonce and Keith Nottingham, ITD

Chairman Clint Evans called upon the Applicant for any rebuttal testimony to the comments given by the public. Representative Bill Collins and Cari Severance gave rebuttal testimony.

Chairman Clint Evans closed the public hearing and brought the issue back to the Commission for deliberation. Chairman Clint Evans suggested that a motion be made and then discussion upon the motion. The Commission deliberated possible conditions in order to conditionally approve the CUP application.

Commissioner Lois K. Murphy moved that the Commission Conditionally Approve the Severance Sand & Gravel Conditional Use Permit, with all of the following conditions.

7.1.1 All conditions in the original Conditional Use Permit as approved on June 7, 2004 will remain in full force and effect.

7.1.2. Days and Hours of Operation shall be as set forth: The Applicant shall comply with set days and hours of operation of 10:00 p.m. on Sunday through 6:00 a.m. on Friday, as set by the contract with Idaho Transportation Department, Project A011(577). And, shall revert back to the original hours of operation, "daylight to dusk" as approved in the June 7, 2004 CUP upon completion of ITD Project A011 (577). A copy of the ITD contract is to be furnished to the P&Z Department upon award of the contract.

7.1.3 The Applicant shall provide for traffic control measures when necessary.

7.1.4 The Applicant shall provide additional dust abatement on Severance Road, if necessary, during the duration of the ITD project. Work for this project is restricted to using Severance Road to access Banks/Lowman Road.

7.1.5 The Applicant shall comply with all the terms and conditions of their Reclamation Plan as presented in the original CUP application and provide a copy of the Reclamation Plan to the P&Z Department.

7.1.6 The Applicant shall comply with all state, federal and local applicable laws.

7.1.7 Per the scope of work within the contract for this project there will be no crushing at night and the work will begin before July 9, 2012 and continue until complete-no more than 30 days or to the time or the scope of that contract.

7.1.8 The request for an asphalt plant is denied because Planning and Zoning Commission did not have time to review this issue. But, the applicant may resubmit the application at any time.

Commissioner Jon Bart seconded the motion.

Roll Call: Chairman Clint Evans –yes, Commissioner Jack Kane -yes, Commissioner Jon Bart – yes, Commissioner Lois K. Murphy – yes and Commissioner Dan Gasiorowski – yes.
Motion carried.

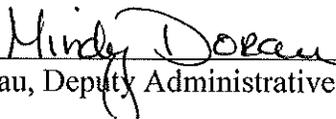
Having no further business, Chairman Clint Evans adjourned the meeting at 9:30 p.m.

Approved by the Commission this 17th day of May 2012.



Chairman Clint Evans

Attest:



Mindy Dorau, Deputy Administrative Assistant