



REGULAR MEETING OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION

June 17, 2010
Idaho City Court House
319 Main Street
Idaho City, Idaho

ORIGINAL

Commissioners Present: Vice Chairman John Cottingham., Commissioner Clint Evans, Commissioner Rosemary P. Ardinger and Commissioner Lois K. Murphy. Excused: Chairman Jon Bart & Commissioner Jack Kane

Staff Present: Planning & Zoning Administrator Patti Burke, Administrative Assistant Rora Canody, Deputy Administrative Assistant Mindy Dorau. Boise County Engineer Steve Rae, Centra Consulting, Inc.

Roll Call was taken; four of the six members were present. Vice Chairman J Cottingham declared a quorum was present and called the meeting to order at 6:37 p.m.

Correction of the Minutes: Ted Dumont Conditional Use Permit

P&Z Administrator Burke explained to the Commission that the minutes of the August 20, 2009 regular meeting were incorrect regarding the conditions the Commission placed on the Ted Dumont Conditional Use Permit. Condition #4 was left out of the minutes, but was included in the Findings of Fact, Conclusions and Order signed by the Commission. Commissioner R P. Ardinger made a motion to approve the corrected minutes of the August 20, 2009 regular meeting, with the addition of Condition #4, No addition of lighting or other changes may be made to the sign without prior approval of the P&Z Commission, to the Ted Dumont Conditional Use Permit motion decision; as stated in the FCO's; seconded by Commissioner C Evans. All Ayes, motion carried

Review and Approval of the April 15, 2010 Regular Meeting Minutes

Corrections were offered by Commissioner J Cottingham. Commissioner L K. Murphy made a motion to approve the minutes of the April 15, 2010 regular meeting with correction; seconded by Commissioner R P. Ardinger. All ayes, motion carried.

Gold Hill Reclamation - Conditional Use Permit Application:

Vice Chairman J Cottingham called the public hearing to order for Gold Hill Reclamation Conditional Use Permit application, and requested the staff report. Planning & Zoning Administrator P Burke appeared before the Commission and gave the following staff report Gold Hill; Represented by Ryan McDermott agent for Gold Hill Reclamation & Mining, owned by Quartzburg Holding Company, is requesting a Conditional Use Permit to load and transport abandoned mine dump material currently stockpiled at the Quartzburg property and transport to the subject property for crushing and processing. The subject property is owned by Oscar Baumhoff. Subject property is a patented mining claim situated on Mud Flats near the intersection of Harris Creek Road & Centerville Road, Placerville, Idaho, Section 9,10 & 22 T7N R4E The Staff recommended the following conditions if the Commission approves the request by Gold Hill

Reclamation to load and transport abandoned mine dump material currently stockpiled at the Quartzburg property and transport to the subject property for crushing and processing with the following conditions: 1) Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If an allowed conditional use is abandoned for more than twelve (12) months it (the CUP) shall expire. 2) Applicant shall not engage in any additional activity or construction other than what has been applied for without first making application for an Amended Conditional Use Permit. 3) Any violations of these conditions, BCZDO, Section 3-8, shall be subject to having the Conditional Use Permit suspended upon determination of a violation by the Commission during its regularly scheduled meeting. The Commission shall hold a public hearing to review all violations and determine corrective actions. 4) Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (Glare and Lighting) throughout the facility and for all exterior lighting. The applicant shall provide documentation to the Planning & Zoning Administrator, for any exterior lighting fixtures, that they are designed and located so as to minimize glare and direct light to adjoining properties. 5) Applicant shall comply with the work schedule of Monday through Friday, 8:00 a.m. to 5:00 p.m. Up to three, ten wheel dump trucks per day shall be allowed to haul the crushed fines to Boise daily and reviewed by Bill Jones, Boise County Road and Bridge, Superintendent. 6) Applicant shall provide to the P&Z Department a copy of their Business Liability Insurance, yearly, in an amount that is practical for this industry. 7) Applicant shall adhere to industrial building site setback requirements from the property lines for any storage, loading and unloading of material. 8) Applicant shall mitigate all air pollution and provide dust abatement. 9) Applicant shall adhere to load limits and seasonal break up limits as designated by the County Road Department. 10) Applicant shall take all possible measures for noise mitigation prior to beginning the crushing. Applicant shall keep the noise level at 65 decibels or less from the edge of the applicant's property boundary. 11) Applicant shall establish hours of operation as Monday through Friday, 8:00 a.m. to 5:00 p.m. between the months of March 1st and November 20th, and be closed on established Federal recognized holidays. 12) Applicant shall comply with all federal, state and county applicable laws.

Applicant Ryan McDermott appeared before the Commission and gave testimony regarding his application and answered questions from the Commission.

Public testimony was received in support from Sandra Hiatt, Marvin Hiatt, Sandra Spraghe, Larry Spragh, Property Owner Oscar Baumhoff, neutral Jackie Bridwell Idaho City Mayor, Sheila Nadeau, Gwen Purcell, Shirley Thompson, Don Garlock Placerville Fire Department, Linda Palmer, opposition from Tom Andreason, Kevin Grunke, Joan Palmer and Margean Palmer.

Vice Chairman J Cottingham declared the public hearing closed and the application was discussed by the Commission. Commissioner C Evans moved the Commission approve the Conditional Use Permit Application for Gold Hill Reclamation, to load and transport abandoned mine dump material currently stockpiled at the Quartzburg property and transport to the subject property for crushing and processing with the following conditions: 1) Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If an allowed conditional use is abandoned for more than twelve (12) months it (the CUP) shall expire. 2) Applicant shall not engage in any additional activity or construction other than what has been applied for without first making application for an Amended Conditional Use Permit. 3) Any violations of these conditions, BCZDO, Section 3-8, shall be subject to having the Conditional Use Permit suspended upon determination of a violation by the Commission during its regularly scheduled meeting. The Commission shall

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Motion was seconded by Commissioner L K. Murphy

Roll call vote was taken: Vice Chairman J Cottingham – yes, Commissioner C Evans – yes, Commissioner R P. Ardinger – yes, Commissioner L K. Murphy – yes.

Triumph Log Home Sales – Conditional Use Permit Application

Vice Chairman J Cottingham called the public hearing to order for Triumph Log Home Sales Conditional Use Permit application, and requested the staff report. Administrative Assistant R Canody appeared before the Commission and gave the following staff report on Triumph Log Home Sales; represented by Frank Barnes, is requesting a Conditional Use Permit for a sales office to display and sell log homes, pellet stoves, some log furniture. Wood mulch and packaged firewood will be offered for sell on site; as well as wood products such as post, poles, rails, beams, paneling, firewood, pellets & decking. The parcel is located in the area of Horseshoe Bend, Idaho, in Section 23 T7N R2E, and is owned by Dale Hanson. If the Commission approves Triumph Log Home Sales Conditional Use Permit Application the Staff Recommends the following conditions: 1) Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If an allowed conditional use is abandoned for more than twelve (12) months it (the CUP) shall expire. 2) Applicant shall not engage in any additional activity or construction other than what has been applied for without first making application for an Amended Conditional Use Permit. 3) Applicant shall provide to the P&Z Department a copy of their Business Liability Insurance, yearly, in an amount that is practical for this industry. 4) Applicant shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage, if applicant intends to install any on-site signs. A sign permit will be required, along with applicable fees. 5) Applicant shall not exceed operating hours as set forth in the application: Monday through Saturday from 8:00am to 8:00pm; and, closed on Sunday. 6) Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (Glare and Lighting) throughout the facility and for all exterior lighting.

The applicant shall provide documentation to the Planning & Zoning Administrator, for any exterior lighting fixtures, that they are designed and located so as to minimize glare and direct light to adjoining properties and Highway 55. 7) Applicant shall comply with BCZDO, Chapter 7, off-street parking for a commercial development. 8) Applicant shall demonstrate Best Management Practices (BMP) employed to meet IDEQ requirements as they apply to air, water, waste and the overall environment. 9) Applicant shall obtain appropriate permits from Central District Health Department prior to construction of any model homes which require septic service. 10) Applicant shall provide the P&Z Department a copy of the approved permit from ITD for the second access onto Highway 55 or a letter stating one is not necessary. 11) Comply with all federal, state, and local applicable laws.

Applicant Frank Barnes appeared before the Commission and gave testimony regarding his application and answered questions from the Commission.

No public testimony was received.

Vice Chairman J Cottingham declared the public hearing closed and the application was discussed by the Commission. Commissioner C Evans moved the Commission approve the Conditional Use Permit Application for Triumph Log Home Sales for a sales office to display and sell log homes, pellet stoves, some log furniture. Wood mulch and packaged firewood will be offered for sell on site; as well as wood products such as post, poles, rails, beams, paneling, firewood, pellets & decking with the following conditions: 1) Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If an allowed conditional use is abandoned for more than twelve (12) months it (the CUP) shall expire. 2) Applicant shall not engage in any additional activity or construction other than what has been applied for without first making application for an Amended Conditional Use Permit. 3) Applicant shall provide to the P&Z Department a copy of their Business Liability Insurance, yearly, in an amount that is practical for this industry. 4) Applicant shall comply with BCZDO, Chapter 9; specifically Sections 3-Procedures; 4-Standards; and 5-Land Use Standard for Signage, if applicant intends to install any on-site signs. A sign permit will be required, along with applicable fees. 5) Applicant shall not exceed operating hours as set forth in the application: Monday through Saturday from 8:00am to 8:00pm; and, closed on Sunday. 6) Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (Glare and Lighting) throughout the facility and for all exterior lighting. The applicant shall provide documentation to the Planning & Zoning Administrator, for any exterior lighting fixtures, that they are designed and located so as to minimize glare and direct light to adjoining properties and Highway 55. 7) Applicant shall comply with BCZDO, Chapter 7, off-street parking for a commercial development. 8) Applicant shall demonstrate Best Management Practices (BMP) employed to meet IDEQ requirements as they apply to air, water, waste and the overall environment. 9) Applicant shall obtain appropriate permits from Central District Health Department prior to construction of any model homes which require septic service. 10) Applicant shall provide the P&Z Department a copy of the approved permit from ITD for the second access onto Highway 55 or a letter stating one is not necessary. 11) Comply with all federal, state, and local applicable laws.

Motion was seconded Commissioner L K. Murphy.

Roll call vote was taken: Vice Chairman J Cottingham – yes, Commissioner C Evans – yes, Commissioner R P. Ardinger – yes, Commissioner L K. Murphy – yes.

Legacy Springs – Minor Subdivision Application

Vice Chairman J Cottingham called the public hearing to order for Legacy Springs minor subdivision application, and requested the staff report. Planning & Zoning Administrator P Burke appeared before the Commission and gave the following staff report on Legacy Springs minor subdivision application. The subject property is located off Robie Creek Road, in Section 5, T3N, R4E. The Owners are Erna Hoover Trust & Dennis Steven No 90E10. This is a two hundred fifty eight (258) acre parcel. Proposed in this Minor Plat are Four (4) parcels consisting of a minimum lot size of 3.15 acres, the maximum lot size of 232.9. If Planning & Zoning Commission recommends approval to the Board of County Commissioners, staff recommends the following conditions: 1) Applicant shall comply with the Centra Consulting, Inc. memorandum dated June 8, 2010 prior to final plat. 2) Applicant shall obtain a permit, if necessary, from the Department of the Army, Corps of Engineer for the culvert on Legacy Lane, and provide the Planning & Zoning Department with a copy of the permit. 3) Applicant shall attach the letter from the Idaho Department of Fish & Game to the recorded Covenants, Conditions and Restriction's (CCR's), thus making the letter part of the CCR's. 4) Applicant shall provide the Planning & Zoning Department with a Fire Plan approved by Robie Creek Volunteer Fire Department, prior to signing of the final plat. The Fire Evacuation Plan shall be recorded as part of the CCR's. 5) Applicant shall adhere to the Boise County Wildland Urban Interface Ordinance #2010-03. Applicant may want to add these requirements into the CCR's. 6) Applicant shall provide to the Planning & Zoning Department a copy of the final recorded CCR's prior to signing of the final plat. 7) Applicant shall provide to the Planning & Zoning Department proof of installation of the water storage tank(s); either individual 2,000 gallon water tank on each lot, or one 5,000 gallon water; along with a map showing the location of each tank. 8) Applicant shall obtain Central District Health approval prior to the signing of the final plat. 9) County Treasurer and Assessor certification and all taxes paid prior to signing of the final plat. 10) Applicant shall comply with all local, state, and federal requirements & permits.

Applicant Dennis Stevens appeared before the Commission and gave testimony regarding his application and answered questions from the Commission.

Pubic Testimony received from Property Owner Erna Hoover and Berndt Gronwald.

Applicant Dennis Stevens was given the opportunity to giver rebuttal testimony from the public comments.

Vice Chairman J Cottingham declared the public hearing closed and the application was discussed by the Commission. Commissioner C Evans recommended approval to the Board of County Commissioners with the following conditions: 1) Applicant shall comply with the Centra Consulting, Inc. memorandum dated June 8, 2010 prior to final plat. 2) Applicant shall obtain a permit, if necessary, from the Department of the Army, Corps of Engineers for the culvert on Legacy Lane, and provide the Planning & Zoning Department with a copy of the permit. 3) Applicant shall attach the letter from the Idaho Department of Fish and Game to the recorded Covenants, Conditions and Restriction's (CCR's), thus making the letter part of the CCR's. 4) Applicant shall provide the Planning & Zoning Department with a Fire Plan approved by Robie Creek Volunteer Fire Department, prior to signing of the final plat. The Fire Evacuation Plan shall be recorded as part of the CCR's. 5) Applicant shall adhere to the Boise County Wildland Urban Interface Ordinance #2010-03. Applicant may want to add these requirements into the CCR's; which will apply to lots 2, 3, & 4 only. 6) Applicant shall provide to the Planning & Zoning Department a copy of the final

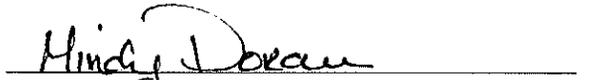
recorded CCR's prior to signing of the final plat. 7) Applicant shall provide to the P&Z Department proof of installation of the water storage tank(s); either individual 2,000 gallon water tank on each lot, or one 5,000 gallon water tank; along with a map showing the location of each tank. 8) Applicant shall obtain Central District Health approval prior to the signing of the final plat. 9) County Treasurer and Assessor certification and all taxes paid prior to signing of the Final Plat. 10) Applicant shall comply with all local, state, and federal requirements and permits. Motion was seconded Commissioner L. K. Murphy. Roll call vote was taken: Vice Chairman J Cottingham - yes, Commissioner C Evans - yes, Commissioner R P. Ardinger - yes, Commissioner L K. Murphy - yes.

Having no further business, Vice Chairman J Cottingham adjourned the meeting at 9:34 p.m.

Approved by the Commission this 15th day of July, 2010.


Vice-Chairman John Cottingham

Attest:


Mindy Dora, Deputy Administrative Assistant