REGULAR MEETING OF THE
BOISE COUNTY PLANNING & ZONING COMMISSION
June 23, 2011
Garden Valley School Auditorium
1053 Banks Lowman Road
Garden Valley, Idaho 83622

ORIGINAL

Commissioners Present: Chairman Clint Evans, Vice Chairman Jack Kane, Commissioner Jon Bart, Commissioner Lois K. Murphy and Commissioner Dan Gasiorowski.
Absent: Commissioners Rosemary P. Ardinger, excused.

Staff Present: Planning & Zoning Administrator Patti Burke, Deputy Administrative Assistant Mindy Dorau, Deputy Administrative Assistant Nola Yonker and Deputy Prosecuting Attorney Cherese McClain

Roll Call was taken; five of the six members were present.

Chairman Evans declared a quorum was present and called the meeting to order at 6:30 p.m.

Fox Portable Welding Conditional Use Permit Findings of Fact, Conclusions and Order:
Commissioner J Bart moved the Commission approve the Findings of Fact, Conclusions and Order for the Fox Portable Welding Conditional Use Permit as presented (and emailed out); seconded by Vice Chairman J Kane. All ayes, motion carried.

Rowland's Auto Body & Craig Creek Tools & Rental Conditional Use Permit Findings of Fact, Conclusions and Order:
Commissioner Dan Gasiorowski moved the Commission approve the Findings of Fact, Conclusions and Order for the Rowland's Auto Body & Craig Creek Tools & Rental Conditional Use Permit as presented (and emailed out); seconded by Commissioner L Murphy. All ayes, motion carried.

Timber Creek Meadow Minor Subdivision Application Findings of Fact, Conclusions and Order:
Vice Chairman J Kane moved the Commission approve the Findings of Fact, Conclusions and Order for the Timber Creek Meadow Minor Subdivision Application as presented (and emailed out); seconded by Vice Chairman J Kane. All ayes, motion carried.

Review and Approval of the May 19, 2011 Regular Meeting Minutes
Commissioner J Bart made a motion to approve the minutes of the March 17, 2011 regular meeting as written; seconded by Vice Chairman J Kane. All ayes, motion carried.

ATV Idaho – request to withdraw application
Chairman C Evans entertained a motion to withdraw ATV Idaho Conditional Use Permit Application. Commissioner J Bart made a motion that ATV Idaho Conditional Use Permit Application be withdrawn. Seconded by Commissioner Dan Gasiorowski. All ayes, motion carried.

Kirkness Diamond Drilling Conditional Use Permit Application:
Chairman Evans called the public hearing to order for the Kirkness Diamond Drilling Conditional Use Permit application, and asked for the staff report.
P&Z Administrative P Burke appeared before the Commission and presented the visual supplemental report, as the staff report had been emailed to all members of the Commission and the applicant. Chairman C Evans read the staff report into the record. The applicant is Kirkness Diamond Drilling and represented by Nick Garshelis agent for Kirkness Diamond Drilling Co., Inc, a subsidiary of Mosquito Consolidated Gold Mines Limited. The application is for a warehouse to store core samples, collected though exploratory drilling in Boise County. Subject property is located of Banks Lowman Road, mile marker 10. Garden Valley, Idaho, 09N04E236502. Staff recommends the following conditions if the P&Z Commission approves the request by Kirkness Diamond Drilling to operate a warehouse to store core samples, collected though exploratory drilling in Boise County. 1. Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If 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. That the Applicant apply for a sign permit (if a sign is to be installed), with applicable fees paid within ten (10) working days of approval; and, on-site signage shall comply with BCZDO, Chapter 9, and ITD Scenic Byways standards. 4. 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. 5. Applicant shall comply with BCZDO, Chapter 6, Section 6-6(f) (lighting and glare) throughout the facility and for all exterior lighting. (6.2.7) 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. 6. Applicant shall comply with the work schedule of seven day work week, 7:00 a.m. to 7:00 p.m. 7. 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. 8. Applicant shall adhere to industrial building site setback requirements from the property lines for any storage, loading and unloading of material. 9. Applicant shall keep the Banks Lowman Right-of-Way clear of all equipment, drilling supplies and any other associated material for the business. 10. Applicant shall provide portable toilet units for the transport crews and seasonal employees and placed in an appropriate location on the property. 11. Applicant shall consider working with the GV Recreation District for a possible inclusion of a designated foot access trail from Banks Lowman Road to the Garden Valley School. 12. Applicant shall comply with all federal, state and county applicable laws.

Nick Garshelis agent for Kirkness Diamond Drilling Co. appeared before the Commission and gave comments on his proposed business. Mr. Grashelis informed the commission that they are exploring phase but have not moved into the mining stage and part of the exploring phase they need storage of the warehouse and use the loft area as employee housing.

Chairman Evans then called upon the public who had signed up to testify:

Sierra Butters and Jessica Gasioroeski had marked neural and did not wish to speak. Jayne Reed marked neural and thought their should be a contract between Kirkness Diamond Drilling and the Boise County Sheriffs Department just incase there is an additional increase in calls, bar fights ect. She spoke on the increased traffic on Alder Creek, Southfork Road and Grimes Pass Road and thought a road contract was needed.

Nick Garshelis appeared to give rebuttal to the opposition: he informed the Commission that Kirkness Diamond Drilling has a contract signed by the Board of County Commissioners regarding the use of Boise County Roads.

Chairman Evans closed the public hearing and the Commission discussed the staffs recommended conditions and the nine (9) standards. Each of the Commissioners discussed their views of the different standards;

1. Criteria: Comply with and conform to the Boise County Comprehensive Plan:
   Findings: They comply.
2. Criteria: The use constitutes a conditional use as specified in Table 1-A or as determined by the Commission/Board.
   Findings: The change in scope and change in use.
3. Criteria: The use will be designed, constructed, operated, or maintained to be harmonious and appropriate in appearance with the existing of intended character and use of the vicinity and that such use will not change the essential character of the same area.
   Findings: Was a warehouse and going to continue.
4. Criteria: The use will not be hazardous or in conflict with existing neighboring uses.
   Findings: Same use as prior owner/entity.
5. Criteria: That the use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewer, schools, ect. At reasonable marginal cost.
   Findings: Working with Road Department and supporting documents in exhibits shows the essential public facilities have been adequately served.
6. Criteria: The use will not create additional requirements at public cost for public facilities or service and will not be hazardous or in conflict with existing neighboring uses.
   Findings: No evidence indicated that there will be additional cost.
7. Criteria: The use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excess production of traffic, noise, smoke, fumes, glare, pollution, or odors.
   Findings: No documentation of smoke, fumes, glare.
8. Criteria: The use will not have vehicular approaches to the property which create hazardous interference with traffic on surrounding thoroughfares.
   Finding: Access is off south side of road does not appear will have a hazardous interference.
9. Criteria: That the use will not result in the destruction of any significant natural, scenic, or historic feature.
   Findings: The cleaned up the area and have improved it and are adding additional landscaping.

After discussion, Commissioner Gasiorowski made a motion that the Commission approves the Conditional Use Permit for Kirkness Diamond Drilling with the following conditions: 1. Applicant shall comply with BCZDO, Chapter 3, Section 3-9 Conditional Use Approval-If 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. That the Applicant apply for a sign permit (if a sign is to be installed), with applicable fees paid within ten

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Roll call vote: Chairman C Evans – yes, Vice Chairman J Kane – yes, Commissioner J Bart – yes, Commissioner L K. Murphy – yes and Commissioner Dan Gasiorowski – yes. Motion Carried.

General Discussion
Chairman C Evans wanted to know what was on the agenda next month. Planning & Zoning Administrator P Burke informed the commission that the Subdivision Ordinance Public Hearing & Review is on the July 21st agenda held at Horseshoe Bend Ladies Improvement Club.

Meeting recessed until the Findings of Findings of Fact, Conclusions and Order could be drafted by Deputy Prosecuting Attorney Cherese McLain.

Kirkness Diamond Drilling Conditional Use Permit Application Findings of Fact, Conclusions and Order: Commissioner Dan Gasiorowski made a motion to approve the Findings of Fact, Conclusions and Order for the Kirkness Diamond Drilling Conditional Use Permit Application with requested corrections; seconded by Vice Chairman J Kane. All ayes, motion carried.

Having no further business, Chairman Evans adjourned the meeting at 8:35 p.m.

Approved by the Commission this 21st day of July, 2011.

Chairman Clint Evans

Attest:

Mindy Dorau, Deputy Administrative Assistant