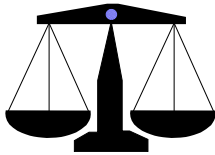


**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**MAY 4, 2017
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

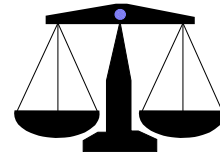
**HEARING EXAMINER
SHARON MOHR**

**STAFF PRESENT
MEL PALMER
DAVID CALLAHAN
KATHRYN FORD**



**MINUTES
PREPARED BY:**

KATHRYN FORD
Recording Secretary



**MINUTES
REVIEWED BY:**

MEL PALMER
Planner



SHARON MOHR
Hearing Examiner

The Official Record of Public Hearing is on a CD recording available at the Kootenai County Community Development.

Sharon Mohr called the meeting to order at 6:00 p.m.

The Hearing Examiner explained that the purpose of the public hearing is to take testimony on the items that appear on the agenda.

The Hearing Examiner will review the testimony presented and make written recommendations to the Board of County Commissioners, who will make the final decision.

The hearing was adjourned at 6:34 p.m.

HEARING EXAMINER MINUTES

MAY 4, 2017

CASE NO. MSP16-0002

Type: Subdivision, Moose Haven Estates, a request by North Idaho Land Investments, LLC, to create 23 residential lots on an approximately 120 acres in the Rural zone. The project site is currently undeveloped. Each newly created lot will meet the minimum lot size for the Rural zone. Access to the lots within the subdivision will be from Chilco Road. The subject parcel is: Parcel Number 52N04W-13-1200 and is described as: TAX #24465 [IN NE], located in a portion of Section 13, Township 52 North, Range 04 West, B. M., Kootenai County, Idaho. (*Mel Palmer-Planner*)

Staff Presentation: Mel Palmer, Planner, addressed Hearing Examiner Mohr referencing documents from the case file. She stated the request is a 23 lot phased subdivision on Chilco Road in the rural zone. Ms. Palmer added there were no agency concerns and all lots have room to build even with the BPA power easement. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

Applicant Presentation: Mike Curry, Applicant Representative, stated he is the developer assisting Cindy Espe of ATS and very familiar with the project. Mr. Curry provided a letter and development agreement from the Department of Energy (HE 1000) in response to any concerns about the BPA easement. He also spoke regarding the revised plat map which will meet the requirements of Lakes Highway District and place them in compliance with the Highway District requests. North Kootenai water will serve the subdivision and a requirement was that they extend the water main connection beyond the subdivision to 3 other lots outside of the subdivision. This work has been completed as of last week. Mr. Curry added the applicant reviewed traffic needs, and determined that a traffic study was unnecessary as it was evident that due to the truck traffic along Chilco Road, turn lanes would be needed. The applicant has designed turn lanes and deceleration lanes and those plans have been submitted to the Highway District (HE 1001).

Exhibits: HE 1000 – BPA Letter and Agreement submitted by Mike Curry.
HE 1001 – Road widening design submitted by Mike Curry.

Public Testimony: Comment Sheets submitted: 2, Applicant/Representatives - 1; In Favor - 1, Neutral - 0, Opposed – 0. The names and address of the individuals speaking or submitting comments are part of the record.

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:13 p.m. The Hearing Examiner, Sharon Mohr will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary

HEARING EXAMINER MINUTES

MAY 4, 2017

CASE NO. CUP17-0001

Type: Conditional Use Permit, a request Zanetti Bros. - Whiteman Lumber Quarry Site, a request for a Conditional Use Permit to allow the continued operation of a restricted surface mine. The mine project site consists of approximately 12.5 total acres. Approximately 7.5 acres of the project site is located on the north side of E. Canyon Road, on a portion of parcel numbers 49N01E-29-8600 and 49N01E-29-7600 in the Industrial and Agricultural zones. Approximately 5 acres are located on the south side of E. Canyon Road, in parcel number 49N01E-29-6650, in the Agricultural zone. Parcel number 49N01E-29-8600 is described as Lot 2 N of Hwy EX E 270', Lot 3 N of Hwy10; parcel number 49N01E-29-7600 is described as the S. 600'-N2-SE and parcel number 49N01E-29-6650 is described as Tax #22634 in Lots 2, 3. Each parcel is in Section 29, Township 49N, Range 01E, B. M., in Kootenai County, ID. The project site is accessed from Interstate 90, to Exit 39 Cataldo Mission then north on Dredge Road to E. Canyon Road to site.

Staff Presentation: Mel Palmer, Planner, addressed Hearing Examiner Mohr referencing documents from the case file. She added the CUP is for a restricted surface mine on 3 parcels near Cataldo. The Highway District and ICP in the Shoshone Valley are users of the mine for a rock source. Ms. Palmer stated a site visit raised concern regarding the wetlands and sensitive areas being used as site fill and stock piles as shown on the submitted photographs (HE 1000). This use will need to be addressed in conditions is approved. Public agencies have had no issues and their permits are active. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

Applicant Presentation: Brandon Junso, Applicant Representative, provided a brief overview of the site stating that the applicant has only completed 10-15% of the development site with the 2011 application. Mr. Junso stated that he was not sure what the asphalt stockpile was, but that he would talk with the Highway District and Trust to determine if it was put there temporarily while waiting for the East Mission Flats to open. Mr. Junso stated that if approved, crushing will begin June 10th, and last for 2 weeks, then it will likely be dormant again for about a year. Also, those that have the ability to use the source are very appreciative due to the location.

Exhibits: HE 1000 – Photographs of wetland stockpiles submitted by Mel Palmer.

Public Testimony: Comment Sheets submitted: 1, Applicant/Representatives - 1; In Favor - 0, Neutral - 0, Opposed – 0. The names and address of the individuals speaking or submitting comments are part of the record.

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:25 p.m. The Hearing Examiner, Sharon Mohr will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary

HEARING EXAMINER MINUTES

MAY 4, 2017

CASE NO. MSP16-0007

Type: Subdivision, North McKenzie Ridge 1st Addition, a request by Big Sky Capital, Inc., to create five (5) residential lots on an approximately 25.913 acres in the Rural zone. Each newly created lot will meet the minimum lot size for the Rural zone. Access will be from N. McKenzie Drive, by a newly created road known as Parapet Court. The Parcel Number 0-L111-001-004-0 and is described as: NORTH MCKENZIE RIDGE, LT 4, BLK 1, in a portion of Section 4, Township 52 North, Range 04 West, B. M., Kootenai County, Idaho.

(Mel Palmer-Planner)

Staff Presentation: Mel Palmer, Planner, addressed Hearing Examiner Mohr referencing documents from the case file. She stated this 1st Addition will be for 5 lots with an internal road system accessing the lots of the North McKenzie Ridge subdivision. The request is not within any Area of City Impact (ACI). The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

Applicant Presentation: Mike Curry, Applicant Representative, provided a brief overview explaining that this subdivision is an extension of Elkhorn Estates, which had this portion of the subdivision slated for higher density than the applicant is proposing. The lots are all 5 acres minimum, and will be accessed from a common driveway which will be built to the highway district standards and then dedicated to the highway district. The applicant has worked with the Highway District to reconfigure the lots and internal roadways to meet their requirements. They will also be improving Parapet Drive in the process. Water is provided through the Elkhorn Ranch HOA and sewer will be by individual drain fields. Mr. Curry stated that the agencies had no concerns with the project and they are complying with all requests.

Exhibits: None.

Public Testimony: Comment Sheets submitted: 2, Applicant/Representatives - 1; In Favor - 1, Neutral - 0, Opposed - 0. The names and address of the individuals speaking or submitting comments are part of the record.

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:34 p.m. The Hearing Examiner, Sharon Mohr will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary