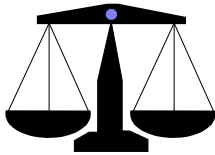


**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**MARCH 1, 2018
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

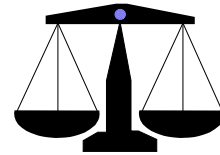
**HEARING EXAMINER
SHARON MOHR**

**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 6:40 p.m.

HEARING EXAMINER MINUTES
MARCH 1, 2018

CASE NO. CUP17-0011

Type: Conditional Use Permit, a request by Andrew E. Wright, for a Conditional Use Permit to establish and operate a Restricted Surface Mine. The project area consists of approximately 20-acres within the approximately 34-acre subject parcel. The Applicant's intent is to develop the project area into a rock quarry that will be operated on an as-needed basis to provide rock source material to private residents and local municipalities. Access to the subject parcel is from US Hwy 97. The subject parcel number is 48N04W-25-4300 and is described as: TAX #10230 [IN SE-NW] in Section 25, Township 48N, Range 04W, B. M., in Kootenai County, ID. (*Mel Palmer-Planner*)

Staff Presentation: Mel Palmer, Planner, introduced the application referencing a presentation (HE 1000) showing details of the property. She stated the Applicant proposes to develop a rock quarry on approximately 20 acres of the 34 acre parcel. Agencies with jurisdiction have reviewed this matter and provided their comments and requirements that have been included in the conditions of approval.

Ms. Palmer informed the Hearing Examiner that staff has received additional public comments within the last day and up to the last hour before this public hearing (HE 1001). She stated staff attempts a thorough job on reviews and late comments do not allow for such reviews by either Staff or the Applicant. Ms. Palmer added the Staff recommendation of approval is now in question since the comments have not had enough time for proper evaluation for compatibility purposes.

Applicant Presentation: Brandon Junso, Applicant Representative, stated he has been working with the Applicant and they are in agreement with the conditions referenced in the staff report. The benefits associated with this site begin with it being very strategic for East Side Highway District use to reduce costs of highway repair. The site will not be a standard operating source, it is purely created for an as needed basis. He added the rock source is of high quality and does not naturally generate a large amount of dust. The vegetation is incredibly dense surrounding the site helping to create the buffer zone for any mining activity. Also, after mining the site it will be returned back to its natural state for the grazing wildlife. Mr. Junso added he has not been able to absorb any of the last minute comments to prepare a response to concerns.

Andrew Wright, Applicant, stated he wanted to stress a couple of key points for the use of this mining site. One being the money saved by East Side Highway District not trucking in rock for road repairs on surrounding highways can expedite additional projects and second the neighboring properties and agencies he spoke with were in 100% support of the operation before submittal of this application.

Hearing Examiner Mohr questioned staff regarding the process for a continuance to allow the Applicant and Staff time to review the comments presented.

David Callahan, Director, stated the Hearing Examiner has the discretion to continue to her next hearing date, take recess and find a date certain available or go forward with a recommendation.

Andrew Wright, Applicant, added he did not want the hearing continued. He stated a brief review of the comments seem to be from a few neighbors not living in the adjacent area. He is confident any concerns have been addressed in the staff report conditions of approval. In conclusion, he has worked with all of the closest neighbors and property owners and the main objection is due to a neighbor not living in the area wanting to sell their property.

Exhibits: HE 1000 – Presentation submitted by Mel Palmer.

HE 1001 – Additional public comments P-1 to P-11 submitted by Mel Palmer.

HE 1002 – Letter in support submitted by Rand Wichman.

HE 1003 – Comment packet (P-12) submitted by John Butler for Mischelle Fulgham.

HEARING EXAMINER MINUTES
MARCH 1, 2018

Public Testimony: Comment Sheets submitted: 5, Applicant/Representatives - 2; In Favor - 2, Neutral - 0, Opposed – 1. The names and address of the individuals speaking or submitting comments are part of the record.

- Applicant and surrounding land owners want to be a good neighbors
- Not a small task to received agreement from a large development that is a direct neighbor
- A neighbor friendly rock pit can be an asset for the east side of the lake
- Neighbor concerns on the view and the noise from the pit
- Real estate values

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:40 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