

DELIBERATIONS  
MINUTES OF MEETING  
July 9, 2020

Case Number: CUP19-0011

Case Name: Poe Asphalt Paving, Inc.

Commissioners Present: Chair Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Mary Shaw, Amy Hilland, Kathryn Ford

STAFF VIA TELECONFERENCE: Pat Braden

**Case No. CUP19-0011, Poe Asphalt Paving, Inc.**, a request for a Conditional Use Permit for a Restricted Surface Mine and Asphalt Batch Plant on an approximately 93-acre site, 47 acres of which will be for the mine and asphalt batch plant. The site is located within the Rural zone along Old Highway 95 approximately 2 miles south where Old Highway 95 intersects Brunner Road. Access to the site will be from an existing approach on Old Highway 95. The parcel numbers are 52N03W-05-5400 and 52N03W-05-5000. The respective parcel descriptions are: TAX #20202 [IN N2-SW] and TAX #20836 EX RW [IN E2-SW] all in Section 5, Township 52N, Range 03W, B.M., Kootenai County Idaho. The Hearing Examiner held a public hearing on June 18, 2020 and recommended approval.

Amy Hilland, Planner, provided a brief overview of this request stating the Applicant's request is for a Conditional Use Permit to allow the operation of a Restricted Surface Mine and Asphalt Batch Plant. She addressed the noise concern with the start-up time for a batch plant if a plant is transported in and assembled on site for a contract. David Callahan, Director, added that batch plants run in the summer months since the application of the product is temperature related.

The Board discussed concerns about noise disturbance during the hours of operation on the weekends. Chair Fillios and Commissioner Duncan decided to include a condition that a subsequent public hearing be held to reconsider the hours of operation should any significant concerns arise from the adjoining property owners. Commissioner Brooks stated he would not support a change in their hours or the additional condition.

Motion by Commissioner Duncan, seconded by Chairman Fillios, to approve adopting the Hearing Examiner's Recommendation, Findings of Fact, Applicable Legal Standards and Conclusions of Law with the additional Condition for the requirement of a subsequent public hearing to reconsider the hours of operation should the County be notified of excessive noise created from the operation of the batch plat within 90 days of the approval of this request for Case No. CUP19-0011, Poe Asphalt Paving.

Chair Fillios:	Aye
Commissioner Duncan:	Aye
Commissioner Brooks:	Nay

Decision: Approved

Deputy Clerk's Signature: \_\_\_\_\_  
July 9, 2020

DELIBERATIONS  
MINUTES OF MEETING  
July 9, 2020

Case Number: MSP19-0007

Case Name: Pinewood Estates

Commissioners Present: Chair Chris Fillios, Commissioner Leslie Duncan and Commissioner Brooks

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Mary Shaw, Vlad Finkel, Kathryn Ford

STAFF VIA TELECONFERENCE: Pat Braden

**Case No. MSP19-0007, Pinewood Estates**, a request by Daum Construction, LLC, for preliminary approval of a Major Subdivision consisting of twelve (12) residential lots on 62 acres across four existing parcels of land in the Rural zone. The proposed lots will range from 5.000 (gross) acres to 6.476 (gross) acres in size. Domestic water to each residential lot will be provided via individual wells. Effluent discharge will be treated via individual septic and drainfields on each lot. Access to the proposed lots will be via a newly constructed internal road extending from the intersection of Ramsey Road and Chilco Road, heading southwest and terminating at a cul-de-sac. A common driveway will extend from the cul-de-sac of the newly constructed road providing access to four or fewer remaining landlocked lots. The new road will be constructed to highway district standards and will be dedicated to the public in the name of Lakes Highway District for maintenance purposes. The common driveway will be constructed to the International Fire Access Standards. The parent parcel numbers are: 52N04W-15-0300, 52N04W-15-4200, 52N04W-15-1350 and 52N04W-15-1200. The property is described as: Parcel 1: TAX #S 16394 & 16395 [IN NE-NE]; Parcel 2: SE-NW SE OF RD EX RW EX PLTD PTN EX TX#S; Parcel 3: TAX #16396 [IN NE-NE]; Parcel 4: TAX #16397 [IN NE-NE] will all parcels located in Section 15, Township 52 North, Range 04 West. B. M. Kootenai County, ID. The subject site is located on the southwest corner of the intersection of Ramsey and Chilco Roads. The Hearing Examiner held a public hearing on June 18, 2020 and recommended approval.

Planner Vlad Finkel gave a brief overview of this request stating the request is for a 12 lot subdivision on 62 acres in the Rural zone. The lots will have individual wells and septic drainfields. This subdivision is not detrimental to the surrounding development. He confirmed the zoning in this area has always supported a 5 acre minimum.

Board discussion finds the request is reasonably necessary, in the best interest of the public, and in accordance with the goals and policies of the Comprehensive Plan.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the request, adopt Conclusions of Law and Findings of Fact, Hearing Examiner's Analysis and Conditions of approval in Case No. MSP19-0007, Pinewood Estates.

Chair Fillios: Aye

Commissioner Duncan: Aye

Commissioner Brooks: Aye

Decision: Approved

Deputy Clerk's Signature: \_\_\_\_\_  
July 9, 2020