



Valley County Planning & Zoning Commission

PO Box 1350
219 North Main Street
Cascade, ID 83611-1350

Phone: 208-382-7115
Fax: 208-382-7119
Email: cherrick@co.valley.id.us
Website: www.co.valley.id.us

Rob Garrison, Chairman
Ronda Sandmeyer, Vice-Chairman

Tom Olson, Jr, Commissioner
Kathy Deinhardt Hill, Commissioner
Ed Allen, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: January 10, 2013

TIME: 6:00 p.m. – 8:15 p.m.

LOCATION: Valley County Courthouse

ATTENDANCE: Commissioners present: Commissioners, Kathy Deinhardt-Hill, Ed Allen, Tom Olson, and Chairman Rob Garrison. Staff member present: Cynda Herrick, AICP, CFM, Planning and Zoning Administrator. Commissioner Sandmeyer was excused.

OPEN: Call to Order

MINUTES:

Commissioner Allen moved to approve the minutes as presented for December 13, 2012. Commissioner Olson seconded the motion. Motion carried.

A. OLD BUSINESS:

- 1. C.U.P. 03-05 Clear Creek Mini Storage:** Verne Ward is requesting a five-year extension of his Conditional Use Permit allowing him to increase the capacity at an existing mini-storage business. The property is 2.47 acres located at 7 Clear Creek Road in the W ½ N ½ Section 4, T.12N, R.4E, B.M., Valley County, Idaho. [*Tabled from meeting on December 13, 2012.*]

Commissioner Olson moved to remove C.U.P. 03-05 Clear Creek Mini Storage from the table. Commissioner Hill seconded the motion. Motion carried.

Chairman Garrison asked if there was any *ex parte* contact or conflict of interest. There was none.

Chairman Garrison announced the item.

Staff stated that the item was tabled to request the applicant to attend the meeting. Staff stated that Clear Creek Storage has been there for many years. The applicant does not feel that the time is right to expand, but would like to maintain his approvals.

The applicant, Verne Warde, stated that years ago when they started adding units they had a waiting

list; now they only have about 80%. He is not going to build until the economy comes back.

Commissioner Olson asked what was planned. Vern responded that phase 3 was additional storage to the south as on the site plan.

Commissioner Allen asked if it was better with this kind of an extension or a reapplication. Vern said it wouldn't change his plans. The Commission talked about fees.

There were no proponents or opponents.

Commissioner Hill thinks he has done a good job and would hate to see somebody build something that wasn't used.

Commissioner Olson agreed. If economy comes back he can build his expansion.

Commissioner Garrison agreed he needed to come back with any changes.

Commissioner Olson moved to approve the five year extension and will need to update plan if there are any changes. Commissioner Hill seconded the motion. Motion carried.

B. NEW BUSINESS:

1. **C.U.P. 12-11 ASAP Portables:** Ned and Nichole Crossley are requesting approval of a conditional use permit for a pole building, temporary buildings, and outside storage area. Portable toilets would be stored on the site. The 9.58 acre site is Oster Subdivision Lot 2 and is addressed as 14031 Hwy 55. The site is located in the NWNE Section 33, T.18N, R.3E, B.M., Valley County, Idaho.

Chairman Garrison asked if there was any *ex parte* contact or conflict of interest. Commissioner Allen said he had been contacted but had told the citizen they needed to contact the Planning and Zoning office.

Chairman Garrison announced the item and asked for the staff report.

Staff presented the staff report and asked if the commission would like to include into the record the letters received after the allowable time limit.

Commissioner Allen moved to take a ten minute recess to read and review additional letters. Commission Olson seconded the motion. Motion carried.

Staff paraphrased the following letters:

- Ex. 1 – Idaho Dept. of Lands
- Ex. 2 – Letter from Terry and Robb Bryant
- Ex.3 – Letter from Richard and Shelley Platt
- Ex. 4 – Letter from John Vandenburg
- Ex. 5 – Letter from Jo Zimmer
- Ex. 6 – Letter from Lisa Mohler
- Ex. 7 – Letter from Carol Coyle
- Ex 8 – Letter from Dick Jenkins

Commissioner Olson asked about the previous CUP application for this business. Staff explained previous application and the reason for denial was the site plan was not adequate. The site was also challenged because it was small and directly on highway.

Nicole Crossley, 14035 Highway 55, McCall, ID made the following comments:

- It was her decision that it was a residential business at the previous site so they dropped action.
- This new site they will pull trucks in, store chemicals, etc.
- When they first applied they just listened to Cynda as to needing one.
- After further reading of the ordinance she interpreted it as a residential business.

Commissioner Allen stated that they really did need to apply.

Commissioner Allen looked at the site and there is a footprint to the west of the house. Nicole stated a building was previously torn down and the chicken coop. That area will be a temporary type building. They will build within 2 years for a barn type structure.

Commissioner Allen said you have quite a bit of area and asked if you could draw it in a more compact area so it is easier to screen, etc. Nicole said the depression would provide more screening and they have to be 100' from the ditch.

Commissioner Hill asked what they do with the waste water. Nicole said it is dumped in McCall and Council sewer facilities. They power wash the outside and inside after they are cleaned at the sewer sites. Wastewater will not go into the ground.

Commissioner Hill asked if they looked at industrial areas in McCall. Nicole said they want to live on-site and want a place for their boys to run. Can't afford to pay for two locations.

Commissioner Olson stated there will be 1-5 employees – what do you do for facilities. They are never onsite -- they come and go in the trucks in the a.m. and p.m.

Commissioner Olson paraphrased by saying “so you pick up a unit, and wash off travel dirt from Riggins”.

Commissioner Olson asked about minimal odor. Nicole said she is very sensitive to odor, but the porta-potties don't smell. They wait to dump out trucks till they are full. Ned said that if they come in with two half loads – he would transfer from discharge and runs vacuum to transfer for ten minutes. Would it be feasible for the two trucks to meet at the site? Ned stated the odor would dissipate before it got to the property line – it is 1000' from John's house.

Dick Jenkins said they are selling with a lease option. They have been where they are now in a small site – have there been any complaints? Have there been any at current site. Staff stated there were none received except for appearance of site.

Chairman Garrison asked about CDHD. They still have permit from last year and said previous site and trucks are fine – they are in process of reviewing site. ITD permit was submitted last Friday.

Commissioner Olson asked if they are going to address the dust. Nicole stated they plan to put

road bed gravel on the road. In the summer there will be one trip once a day once a week.

Chairman Garrison asked for proponents:

Dick Jenkins bought the property to sale. Previous owner stored cars and had a sawmill. He had to clean up the property. He had people who wanted to put a hydroseeding plant and Kessler also wanted the property. Then Nicole said they were interested and they made a responsible offer – they are willing to work hard and sacrifice to get this property. Being in construction he is use to porta-potties. The footprint of a truck load of porta-potties is a small footprint compared to bus barns, Kessler's equipment, Franklin's timber, storage units etc. He thinks the Crossleys will do what they say they are going to do.

Chairman Garrison asked for uncommitted.

Chairman Garrison asked for opponents.

John Vandenburg, 14029 Highway 55, he attempted a business at the site but closed it. He recently removed the sign. He would like the property owner's to know that he made a significant investment to make this his home. Can't believe he will be forced out of his home by this business. The owner grew up on the site. Property owners in view of this site will be damaged and they have not been noticed. Should peoples' one business be able to affect so many. Scenic byways should apply. Concerned with sewage trucks so close to his well. It is a health hazard. There is not a septic or potable water system. Access road is too close to his kitchen window. Major environmental conditions in Mud Creek. There is an application for a historical landmark. This is industrial waste brought to the property – he gets to see them and smell them. Requests that a continuance is in order so all residence in view can be notified. Also believes applicant should be provided a new site plan. Asks for an access road more than 100' from his kitchen window. The proposed pole building per scenic byway codes should be complied with prior to use. Permanent toilets should be put in building prior to human occupation. Really there is no conditions that will protect him. He should not be pushed out of his home. Should this be approved he would ask that he receive \$5,000 for his damages so he can move.

Merry Methia, 37 Nasi Lane, he is concerned with mitigation and site plan. Mitigation should be in place prior to use as a business.

Chairman Garrison asked for rebuttal.

Nicole stated that that if you have questions, she will answer the questions. John knows nothing about the house – they do have a bathroom, etc.

Chairman Garrison closed the public hearing and deliberations began.

Commissioner Allen said there was somewhat emotional and reasonable concerns. We have all been involved with the other application. They kept looking for a really good plan and a timeline. Do not know what building looks like, stormwater, right-of-way options, etc. Would like a little better, tighter site plan that would show better visual screening. Believes this is an option to buy and the owner should be partners until the land is free and clear and will be responsible if the sight is left in a mess if applicant leaves the site.

Commissioner Hill has a real concern for the odor and cleaning. Where is water going? There needs to be mitigation for cleaning of porta-potties. The water issue is a big issue. There is already one porta-potty sitting up on the hill. Applicant previously disregarded what this commission does. Do not approve until mitigation is tied down. Will have adverse affect.

Commissioner Olson said his biggest concern is a lot of it is visual and odor. Visual could be put off for 20 years. They need a better tighter phasing plan. Kathy would like more specifics on cleaning of porta-potties. Where is wash site, will it drain into gravel? Would like to hear from health department.

Chairman Garrison would like to see tighter plan, wash site, when construction of pole barn, dust mitigation, etc. He wants a specific phasing plan.

Commissioner Allen would like to see solid mitigation for location of porta-potties, washing of units, CDHD approval, when building is approved. And the owner should also be held responsible. And address more details with timeline and mitigation.

Commissioner Olson would like to reopen public hearing with the new information.

Commissioner Allen moved table to February 11 at 6:00 p.m. in order to get new mitigation and plan. Commissioner Olson seconded. Bring back a topographical map with it and address additional mitigation.

C. OTHER:

1. C.U.P. 12-07 Soulen Gravel Pit – one-time special consideration

Staff explained that Granite Excavation wanted to be able to crush rock at the Soulen Gravel pit prior to July 1, this year only, in order to stockpile rock so as to be able to bid on the local job of replacing 3rd Street in McCall.

Okay this once so long as they do not increase number of days, times, first week in July, or on holidays or weekends. This may be done this year only (2013) due to lack of stock piling.

Staff mentioned Coleman's concerns.

2. Facts and Conclusions

- **C.U.P. 12-07 Soulen Gravel Pit**
- **C.U.P. 12-09 2 Sisters Country Store**

Commissioner Hill moved to approve the Facts and Conclusions and authorize Chairman to sign. Commission Allen seconded the motion. Motion carried.

3. Election of Officers

Commissioner Allen nominated Garrison to be chair for another year and Olson be Vice-Chairman and Cynda to be Secretary. Commissioner Hill seconded. If both are gone during the busy summer months then Commissioner Allen will act as Chair. Motion carried.

Meeting Adjourned

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