

Valley County Planning & Zoning Commission

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Bryan Cooley, Chairman
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Ed Allen, Commissioner
Ray Cooper, Commissioner
Johanna Defoort, Commissioner

MINUTES

Valley County Planning and Zoning Commission

August 8, 2019

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 6:00 p.m.

A. OPEN: Meeting called to order at 6:00 p.m. Quorum exists.

P&Z Administrator – Cynda Herrick:	Present
P&Z Commissioner – Ed Allen:	Present
P&Z Commissioner – Bryan Cooley:	Present
P&Z Commissioner – Ray Cooper:	Present
P&Z Commissioner – Johanna Defoort:	Present
P&Z Commissioner – Scott Freeman:	Present
P&Z Technician – Lori Hunter:	Present

B. MINUTES: Commissioner Defoort moved to approve the minutes of July 11, 2019. Commissioner Cooper seconded the motion. Motion carried unanimously.

C. NEW BUSINESS:

- 1. C.U.P. 19-18 Nickels Multiple Residence:** Vicki Nickels is requesting a conditional use permit for two residences on one parcel. The homes would share a driveway. Additional well and septic system would be installed. The existing home is addressed at 11 One Eleven Way. The 5-acre parcel is in Big Creek Estates Tax No. 55 in Lot 7 in the NW Section 18, T.13N, R.4E, Boise Meridian Valley County, Idaho. *Action Item*

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Cooley asked for the Staff Report. Staff presented the staff.

Chairman Cooley asked for the applicant's presentation.

Elaine Battles, one 11 Way Cascade, the application and staff report is complete. It will be a couple of years before the home is built.

Chairman Cooley asked for proponents. There were none.
Chairman Cooley asked for undecided. There were none.
Chairman Cooley asked for opponents. There were none.
Chairman Cooley closed the public hearing.

The Commission deliberated. The application fits with the ordinances and the area.

Commissioner Defoort moved to approve the C.U.P. 19-18 Nickels Multiple Residence with the stated conditions. Commissioner Cooper seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

[06:14:09 PM \(00:12:15\)](#)

2. C.U.P. 19-19 Powell Mechanic Shop: Michael Powell is requesting a conditional use permit to establish a mechanic shop. A single-family residence, garage, and outbuildings currently exist; no new construction is planned. The 2.6-acre site is addressed as 37 Goslin Loop and is Ben Goslin 3 Tax # 46 In Lot 49 located in the SW Section 16, T.13N, R.4E, Boise Meridian, Valley County, Idaho. *Action Item.*

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Cooley asked for the Staff Report. Staff presented the staff report and summarized the following exhibits:

- **Exhibit 1** – Teresa Dooms - letter in opposition
- **Exhibit 2** – Dave Putman – aerial view of site showing his request for fencing for mitigation

In response to a question from Commissioner Allen, Administrator responded that the business had been started. Sign has not yet been permitted. He applied for permit when notified that it was necessary.

Chairman Cooley asked for the applicant's presentation.

Debra and Michael Powell, 37 Goslin Loop, understand the concerns. The sign has been removed, vehicles have been fixed and been removed, tires were used to keep cows from getting out under fence. The fire chief will inspect tomorrow. Very little oil changes; primarily mechanical work. Fluids will be safely stored and removed.

- **Exhibit 3** – a number of pictures recently taken.

Dust is created by other vehicles currently: residents, UPS, school bus, etc. Some of the vehicles on the site, including the 5th-wheel and quads, are personal equipment. The 5th-wheel is used for occasional guests, not full-time living. They do have farm animals on the property.

They do not want the property to look like a junk yard. Working hours are 8 a.m. – 4 p.m. The compressor does not run continuously.

Commissioner Allen asked about fencing. Applicant responded they have planted two trees and will plant more. They do not want to build a compound. The area is open.

Commissioner Defoort asked if there would be outside storage – applicant stated, only vehicles. Commissioner Defoort asked about a fire protection plan. Applicant said the fire department was supposed to make a site visit the following day. Fire extinguishers are at the exits. Limited to two vehicles that are not titled to them personally.

Chairman Cooley asked for proponents.

Suzie Patterson, 514 N Sawyer Street, F40, commented that Cascade doesn't have what this application provides. This is a needed business and good people.

Karen Hunter, 92 Goslin Loop, 5th wheel is used for guests. She personally has 5 cars, 4 motorcycles, trailer, and other recreational toys on her property as do many others in the Cascade area.

Amy Villaneuva, 176 Goslin Loop – concurs with Karen Hunter's comments. Applicant provides cost-effective auto repair. The owners are very helpful to the community. Much of the equipment on the property is personally owned by the applicants. He adds to the neighborhood.

Marty Meyer, Gold Dust area, stated he is a satisfied customer. Another local mechanic closed shop recently. This is a needed business.

Chairman Cooley asked for undecided. There were none.

Chairman Cooley asked for opponents.

Teresa Dooms, 48 Goslin Loop, purchased her property 13 years ago. There are subdivision covenants. This is a residential subdivision, not a commercial area. She doesn't want this business out her door. It would be unsightly and devalue her property value.

Sherri Fuhriman, 137 Goslin Loop, stated regardless of whether they are great people, she moved here for the beauty and serenity; not to look outside and see a business. Cleanup has only been done in the past week. Businesses should be in town, not in this subdivision.

Applicant rebuttal: Debra Powell realized the property had needed work but being a care-giver has taken away time from being able to landscape. They have been at the property less than a year; more landscaping is planned for the future.

Chairman Cooley closed the public hearing.

The Commission deliberated. This is a residential area but the zoning is multiple use. Valley County code allows small business to operate out of a home.

Conditions of approval #7 and #13 will help control clutter. Expansion would require moving to a commercial area in town. A six-foot fence would be more unsightly in this open area than a few vehicles. The Commissioners discussed hours of operation and noise. Hours of operation will be left as in staff report's conditions of approval.

Commissioner Defoort moved to approve C.U.P. 19-19 Powell Mechanic Shop with the stated conditions of approval; Commissioner Cooper seconded the motion. Motion carried, unanimously.

Chairman Cooley explained the ten day appeal period.

3. C.U.P. 19-21 Grace Bible Church Camp: Grace Bible Church is requesting a conditional use permit to establish a camp in Smith's Ferry. Ten dry cabins and a bath/shower house would be built within five years and share a well and septic system. Access will be from Smiths Ferry Drive, a public road. The 1.4 acre site is adjacent to the 4.4 acre church site. It is located in the NESE Section 10, T.11N, R.3E, Boise Meridian, Valley County, Idaho. *Action Item.*

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Cooley asked for the Staff Report. Staff presented the staff report and summarized the following exhibits in opposition:

- **Exhibit 1** – Andrea & Russell Weibye, 83 Smiths Ferry Drive,
- **Exhibit 2** – Christina Austin, 9782 Harden Drive
- **Exhibit 3** – John Austin, Smiths Ferry area resident

Chairman Cooley asked for the applicant's presentation.

Josh Hurley, 55 Smiths Ferry Drive, spoke about the vision for the site. In 2015, Chapel in the Pines began to be managed by Grace Bible Church. The site has been used for various camps. Complaints have been from people who recently became full-time residents who didn't know to contact him at the site. Smith's Ferry is listed as a commercial hub [in the Comprehensive Plan]. In the long-term, Smith's Ferry will see more growth and development. Want to build a community with regular use, BBQs, etc. This type of use has been going on for many years; the amount of use has varied over the years. He discussed the site plan which is "to-scale". Dry cabins to be used by families. Having the cabins available will decrease the overall noise and improve enforcement of quiet-hours. Air horns will not be used. Both church properties are outside the platted subdivisions. Septic system requirements and options have been discussed with Central District Health. An additional 10-15 families will not add that much use to the road or bridge compared to current use. Overflow parking would take place on the church property as well as parking by the cabins. Wish to be good neighbors.

Commissioner Defoort asked about RV use? Josh Hurley said it would be at the Church lot, not this property. There would be handicap parking / ADHD use. Likely would be one or two cabins to be built with handicap accessibility.

Commissioner Allen asked about the number of events per year. What should neighbors expect? The applicant responded, currently 6-7 times per year, may increase in the future. Weekend use primarily (Thursday-Sunday) not every day. Quality versus quantity.

Commissioner Allen stated that specifics are needed such as upper limit of number of events. Perhaps one every other week? Different types of events will impact neighbors differently. Youth camp, the biggest annual event, will be once per year. Winter use would require an amendment to the C.U.P.

Smith's Ferry is not within the Cascade Fire District. SITPA will protect timber, not the structures. Mr. Hurley said there has been long-term plan discussion for a volunteer fire department on the property for Smith's Ferry. This conditional use permit application is only for the dry cabins; most events occur on the parcel with the church building. This would move some of the camping/tenting into the cabins. The bath/shower house would allow them to remove the showers from the Church building and add additional seating in the church.

The property where the church is located does not have a conditional use permit for the event use. There was some grandfathered use; a conditional use permit may be needed as it appears to have gone beyond the historic use.

Chairman Cooley asked for proponents.

Harlan Frank, 9724 Moore Drive, lives directly across from this site. The events are a positive use. The Eclipse Event didn't have the issues that people were concerned about. It is an asset for Smith's Ferry. Quiet hours, etc will allow for control of the property.

Charlie Moore, Moore Drive, helped build the church. A place for people to stay who don't have campers or tents.

Chairman Cooley asked for uncommitted. There were none.

Chairman Cooley asked for opponents.

Danielle Drake, 56 Smiths Ferry Drive, whose home is located directly across the street from Grace Bible Church. A community meeting would have been helpful. This is not a place for a camp. The Church has not been adhering to quiet hours. In the 10 years that she has owned her property, not once has the church management contacted them.

- **Exhibit 4** – recordings taken from their home during the youth bible camp that occurred in July 2019, including loud voices near 11 p.m. at night and loud music in the morning.

Noise will increase with additional people and events. The use is not compatible with surrounding neighborhood density. Once cabins are built, they will be used as much as possible. Concerns include safety, garbage, and bridge. The proposal is not compatible with the Valley County Comprehensive Plan.

Randi Hart, 15 Smiths Ferry Drive, said this is the second request to bring in more space for campers in the area. This proposed use would be in addition to the campers that are already using the site. Residents are losing quality of life.

Mike Drake, 56 Smiths Ferry Drive, concurs with previous two speakers. In addition, this property is adjacent to an Idaho Power substation that is not fenced off. Parking of recreational toys (ATVs, boats, etc) needs to be addressed.

Jeff Jensen, 89 Smiths Ferry Drive, cabin was built in 1977 by his family. The Smith's Ferry community doesn't benefit from this. Today, from his deck, he could hear people at the church site laughing.

Austin Callison, 86 Smith's Ferry Drive, understands what the Church wants to do but has issues with safety and density. Many neighbors are opposed.

John Austin, 9782 Harnden Drive, has lived 40 years less than ½ mile from property. There is noise. Number of people hasn't been limited. Concerned about septic system limitations, high ground water area, and seasonal stream through property. Garbage currently put into large containers; since garbage pickup in Smiths Ferry is on Thursday he is concerned about wildlife getting into trash between Sunday and Thursday. He is also concerned with density, roads, parking, and the site being surrounded by private land. There is no immediate access to river or public lands from that site.

Christina Austin, 9782 Harnden Drive, said although the church is not in the subdivision, it is just across the street.

Applicant rebuttal. Mr. Hurley discussed the following:

- septic system.
- Maximum capacity would be 60.
- Quiet hours and P.A. systems have been addressed in conditions of approval.
- Trash – bought an enclosed trash trailer to be hauled off to the dump.
- Parking has been addressed.
- Have permission to access river.
- Religious freedom land use act allows religious use; Planning & Zoning (government) cannot restrict religious use.
- He is glad to have become aware of how the noise affects the neighbors.
- Army Corps of Engineers said they are not aware of wetlands on the site.
- Families bring their own food.
- There are barbecues for use on site.
- In regards to gray water, there is a kitchen in the church for dishwashing.

- Discussion on time of church services; camps generally end by noon on Sunday.

Chairman Cooley closed the public hearing.

The Commission deliberated. There is no mitigation. Existing grandfathered church is adjacent but will be expanding the use of the church so that it is not grandfathered. This is not a stand-alone conditional use permit on this parcel. Perhaps a conditional use permit for combined use of both properties is needed. There is a concern with the number and magnitude of events. This is a small site versus the scope of use. Some issues can be mitigated but traffic and one-lane bridge can't be mitigated. Logging traffic will be increasing in the area in the short term. There is a confusion of uses between church property and this site; intermingled use. Not specific numbers (people, events, etc.).

Commissioner Allen moved to deny C.U.P. 19-21 Grace Bible Church Camp for the stated reasons. Commissioner Defoort seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

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4. C.U.P. 19-20 Asphalt Plant: Knife River Corporation is requesting a conditional use permit to establish an asphalt plant located at existing sand and gravel mine (C.U.P. 96-6 Sunflower Pit). Requested operation includes 24 hours per days, 7 days per week. Access will from existing private roadways onto West Mountain Road. The site is part of a 478-acre parcel owned by DF Development and is located in the east half of Section 26, T.18N, R.2E, Boise Meridian, Valley County, Idaho. *Action Item*

Chairman Cooley introduced the item. Chairman Cooley asked if there was any *exparte* contact or conflict of interest. There was none.

Chairman Cooley asked for the Staff Report. Staff presented the staff report.

Staff added that the original approval of C.U.P. 96-6 did not include the area south of the proposed asphalt plant. She questions what is happening there that is visible on the aerial map.

She summarized the following exhibits:

- **Exhibit 1** – Responses received after Staff Report completed. Includes McCall Fire Chief's recommendation of a wildfire protection plan; Blackhawk Lake POA's proposed mitigation; and additional responses in opposition.

Chairman Cooley asked for the applicant's presentation.

Four people spoke as representatives of Knife River Corporation, address of 5450 West Gowen Road, Boise, Idaho. They were: Zac O'Kelley, President; Ed Robinson, Asphalt Plant Manager; Joseph Smith, Regional Environmental Manager; and Josh Smith, all of whom presented the application. This type of aggregate is rare in Valley County. Neighborhood meeting occurred last week during which people expressed their concerns.

They have a lease with DF Development – such leases typically last for 5 years with option to renew.

Mr. Robinson, Woodhaven LN, McCall, made the following comments:

- 27 years of paving projects in Valley and Adams County
- Season is generally April – October.
- Temperature driven, 40 – 50 degrees Fahrenheit limitation on federal jobs.

Joseph Smith addressed air quality, water quality concerns, as follows:

- IDEQ permits set daily and annual pollution limits.
- Modeling is facility-wide over all emissions in the hot-mix production process.
- Setbacks from property lines for DEQ standards have been met.
- Performance testing is required to ensure operation is within limits.
- Fugitive dust and odors are regulated. Fugitive dust plan in accordance with Valley County Code.
- Site is up on a bench. Not in floodplain or wetlands.
- 3rd party engineer reviewed impacts to groundwater and well.
- Routine inspections and best-management practices. All spills over 25 gallons are required to be reported to the State of Idaho.
- Setting in established pit will limit impacts to wildlife.

Josh Smith addressed the Valley County Comprehensive Plan, as follows:

- This site will allow the cost of services to be decreased.
- Increase economic viability of other uses.
- Mineral resources have a significant financial positive impact to the County.
- Encourage mining if it meets agency standards.
- Asphalt material is 95% rock materials and 5% petroleum.
- This site will decrease trucking needed if asphalt plant was at a different site.
- Fire suppression requirements will be met.
- Liquid asphalt does not flow through the ground due to temperature effects.

In response to questions from Commissioners and Staff, Josh Smith replied, as follows:

- Quality basalt rock; amount is unknown.
- Unknown if DF Development, the landowner, will also continue their gravel operation. C.U.P. 96-6 will still be valid.
- This would overlay the asphalt plant on the site and would use the rock onsite.
- The landowner typically gets paid a royalty for rock.
- There is a market for this use in the area.
- An asphalt plant is a substantial investment.
- Knife River is a large contractor in the state of Idaho; they do a lot of asphalt.
- Believe they can support year-round residents.
- Currently the asphalt for New Meadows road construction is coming from Grangeville.
- Clarification on numbers of trucks and trips. 1500 tons = about 50 truck loads – which would be a high day. Except for State highway jobs, which require more truck loads in only 4 days per week.

- The application is for a portable plant so if demand decreases, they would be able to move it to another area.

Staff asked what the range of service would be – would you haul from Valley County to Nampa, Grangeville, etc.? The response was that having an asphalt plant in Valley County would minimize travel distances. Service range would likely be Banks to Council. Knife River does not purchase asphalt from the two other providers in Valley County.

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Chairman Cooley asked for proponents.

Ryan Miller, 1250 Elo Road, McCall. Asphalt for the area is coming from somewhere. Having a local, already available, source is good. Knife River is a clean operation. This would be better than trucking the asphalt from the Boise area.

Chairman Cooley asked for undecided. There were none.

Chairman Cooley asked for opponents.

Chris Burke, Blackhawk, is speaking for a number of people:

- Questions environmental impact.
- EPA has classified asphalt plants as producing toxic air pollution. Impact up to 3500 meters.
- Who will enforce the permits?
- Assessment of the actual impact on the health of people should be done.
- His concerns include air, water, aquifers, drainage, spill containment; the surrounding homes have wells.
- Fire hazard is the biggest concern; flammable material in area surrounded by forest. Is there adequate water available to fight fire?
- 120 trucks per day, more if used for Highway 55; actually is double this number due to trucks coming to site carrying oil, etc. Road not designed for this use.
- The affect is larger than 300 feet from the property line, particularly effect of pollution and West Mountain Road.

Damon Johnson, 12 Haymaker PL, concurs with Mr. Burke.

- Property values would decrease in the area.
- Gave 2019 dates during which fires occurred due to asphalt plants within United States.
- Plants are 350 degrees.
- SITPA said they will only fight fire once it is in the timber.
- McCall Fire is located 6 minutes away. Discussed a fire that occurred in White Cloud subdivision area.
- Not compatible with adjacent use. Asphalt plant not same use as sand and gravel pit.

Jerame Petry, 3789 West Mountain RD – opposed. Comprehensive Plan identifies this as a recreation area and should increase private land value.

Michelle Mc Curley, 16 Usher CT, White Cloud Subdivision, lives immediately across from the Red Ridge Road access to this site. The increased truck use will impact her greatly as will the noise from the site. Should not allow 24/7 use.

Pamela Fitzsimmons, 8 Sawtooth Court, said the asphalt plant will change the West Mountain corridor. It has single-family homes, large lots, agricultural uses, and is a recreational corridor. It will lead the adjacent land to be industrial use. The increase in property taxes from this will not pay for the County's upkeep of West Mountain Road. The scoring sheet is biased.

Chad Mc Curley, 16 Usher Court, concurs with previous comments in opposition.

Tom Smith, 165 Stillwater CT, Blackhawk Lake, said Valley County's Comprehensive Plan is a "road map" for the future. The Comprehensive Plans says the County is a recreational community. He compared the compatibility #'s -- residential value is a 12 x higher value than the other uses. This will change the land use of West Mountain Road area and negatively impact property values. Known wildlife corridor which Comprehensive Plans says should be preserved. Hazards include possible fire in high risk zone. (**Exhibit 2**)

Jeffrey Wynn, 14 Minidoka, stated that locating the plant in the existing pit would give them a competitive advantage and profitability, thus, a wider service range. 50-100' tower will be loud; moving rock is noisy. Crushing is not restricted by temperature. If it is approved, there should be noise mitigation.

Deborah Bertossa, 165 Stillwater CT, north side of Blackhawk Lake, less than a mile from proposed location. The asphalt plant on Boydston had a huge plume of smoke and smell. Meltwater from site will drain into the creek that feeds Blackhawk Lake, and into their well. Idaho Dept. of Environmental Quality gets regular complaints from people in Rio Vista Subdivision.

Jan Drageset, 3 Cassia CT, Blackhawk Ranch, stated they have a basic right of health and safety. Will this portable plant be able to move around to the other pits in the area? This project is not for the support of community of Valley County. It is toxic with potential for dust and spills. Asphalt composition has carcinogens.

Sheree Sonfield, 664 Woodlands Drive – concurs with previous comments. As a cyclist who rides on West Mountain Road, she is concerned with safety. Who benefits and who is put at risk?

Peter Fitzsimmons, 8 Sawtooth CT, Blackhawk Ranch, commented on the following:

- EPA evaluation of Knife River's portable asphalt plant in Idaho.
- Terrain - toxins will flow downhill to subdivisions and Payette River.
- Fire – noise.
- Would re-score compatibility rating based on terrain which would lead to "– 10" rating.
- Submitted **Exhibit 3** – (picture of his hand) showing the effects of toxins in the air.
- Property devaluation.
- Industrial equivalent of a meth lab.

Terri Jenkins-McLean, 1550 Chris LN, made the following comments:

- Her father had a slurry plant/asphalt business which had an explosion.
- This area will burn quickly.
- It will emit toxic chemicals.
- This business led both her father and brother to die of cancer.

Bryan Donaldson, 19 Thunderbolt Way, White Cloud, discussed various aspects of the Comprehensive Plan in relation to this proposal.

Jeannie Vandendries, 4 Sawtooth CT, Blackhawk Ranch – concurs with comments in opposition. This open gravel pit site would allow Knife River to make more profit.

Bruce Imel, 10 Usher CT, is opposed.

Christine Noga, 6 Sawtooth CT, conditional use approval policy to increase property values, Commercial and industrial has similar characteristics and is not compatible with residential. It would decrease property value of everyone except the landowner (DF Development).

Laura Veitch, has a purchase offer on a property in White Cloud and they are considering backing out the offer due to this project. Concurr with opposition comments. It will be a fire hazard. There will be economic impact to the community. Other asphalt plants exist in the area.

Tim Eusterman, 7 Lost River DR, Blackhawk Ranch, discussed the compatibility evaluation ranking. Question #9 rationale that warrants the risks of community. Economic impact to Valley County versus Knife River.

Tom Henningon (?) Blackhawk Lake, was concerned with the following:

- Water runoff and hazardous chemicals that will end up in Blackhawk Lake.
Exhibit 4 – topo map **Exhibit 5** – aerial view map showing water flows from site to Duffner Creek to Blackhawk Lake.
- The subdivision does not allow people to fertilize in order to keep chemicals out of the lake

Bill McDougall, 4 Targhee CT, also representing 13 Minidoka and 218 Moonridge who all concur with previous comments in opposition.

James Atkin, Blackhawk Lake, commented that this would be 2 permits on one property.

Susan Durst, Blackhawk Lake, questioned the 5 year lease. She commented that the 50 truckloads is a good day for them but is not a good day for us.

Mike Barton, 922 Valley Rim RD, is in a subdivision platted in 1976. He's been there since 1978. You have to access West Mountain Road through this subdivision. The homeowner's association opposes. This is a commercial venture with long term negative effects on the road public safety, etc.

Randy Callies, 16 Springfield CT, management firm for White Cloud HOA, stated there are 80 lots in White Cloud. Within 1 week of letting people know of the proposal, he had received 60 ballots; all in opposition.

“unknown” , Trammel Lane, from where he can see gravel pit, Hait Ranch. He sees the dust from the first gravel truck in the morning. There should be a water truck on West Mountain Road due to federal requirements. It is a health hazard.

Dan Johansen, 56 Fawnlilly, concurs with previous comments. Why would you take the chance to put an asphalt plant in the forest near neighborhoods? Currently many dead trees that are ready to burn.

[10:25:19 PM \(04:07:24\)](#)

Chairman Cooley asked for the rebuttal by the applicant.

Rebuttal by Applicant

Joseph Smith spoke for the applicant in regards to environmental concerns. Asphalt plant in North Carolina was mentioned in response letter(s) in regards to a 3500 meter area of concern. However, each site has to be modeled specifically. Worst case scenarios are used in models. Idaho DEQ modeling process includes fugitive emissions. They have to abide by laws regarding air, water, reporting, etc. This is the first step in a long list of required permits. Stormwater plan will account for drainage.

Ed Robinson responded to concerns about road damage and fire.

- SITPA and McCall Fire Department did a site visit. They are working on a wildland fire plan.
- Leaks/spills are recycled with gravel and results in more asphalt. Double hull tanks are used.
- Knife River does need to make a profit. The Boise area has more asphalt plants and a much shallow water table; not aware of any issues with any of those plants.
- The silo would be 60-80 feet tall; most of the plant is less than 20 feet.
- Noise can be mitigated by stock-pile locations and berms within site.
- Industry and infrastructure are needed in Valley County. This would use a bake house, not a scrubber; therefore, less waste water results.
- Will not be moving the asphalt plant to different sites for various jobs.
- Truck numbers of 18-25 trucks per day will likely be the average trucks per day.
- Knife River's office in Boise is 350 feet from active asphalt plant.
- If conditions of the C.U.P. are not followed, the permit can be revoked.
- Process for air and water permits and monitoring? Daily monitoring and reporting requirements for water, dust, etc.
- When do they anticipate starting building and operation of plant? Likely spring/summer of 2020.
- Employee numbers at plant site are Loader operator or 2; mechanic, operator, “floater”

Chairman Cooley closed the public hearing.

The Commission deliberated.

Commissioner Defoort doesn't believe she is able to make a decision tonight. Can the commissioners make a site visit? Staff explained how past site visits were done...with a tape recorder, or one on one.

Commissioner Allen doesn't see a necessity of a site visit to see the current gravel pit. During a site visit, there can be no comments made by anyone. It would be a difficult situation.

The Commission continued to deliberate on the following issues:

- Impacts (pro/con), safety, traffic, noise, smell, etc. Can the impacts be mitigated?
- Reasonably expect increase traffic in this area.
- This is a highly developed area.
- The existing plants have close access to major arterial roads; this one is further away.
- Discussion on impact area and roadway.
- Impact to property values.
- Environmental wildlife health/safety concerns.
- Can the impact to residential area be mitigated?
- Private property rights versus nearby private property rights.
- Environmental concerns are best addressed by Idaho DEQ. The asphalt plant would have to be in compliance with other agency requirements.
- Location in proximity to subdivisions, timber, and distance from state highway.
- Wisdom Road is residential, narrow, and degraded.
- Can existing infrastructure support this use?
- Asphalt plants are necessary.
- Commission regulates use not competition.
- Fire hazard is a valid concern for this area.

Commissioner Allen moved to deny C.U.P. 19-20 Asphalt Plat due to discussed reasons. Commissioner Cooper seconded the motion. Motion carried unanimously.

Chairman Cooley explained the ten day appeal period.

E. FACTS AND CONCLUSIONS - Action Items:

- C.U.P. 19-16 Colson Multiple Residence
- C.U.P. 19-17 Bitton Multiple Residence

Commissioner Defoort moved to approve the Facts and Conclusions as presented and authorize the chairman to sign. Commissioner Freeman seconded the motion. Motion carried unanimously.

Chairman Cooley adjourned the meeting at 11:20 p.m.