



Valley County Planning & Zoning Commission

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Ed Allen, Chairman
Kathy Deinhardt Hill, Vice-Chairman

Rob Garrison, Commissioner
Dusty Hibbard, Commissioner
Bryan Cooley, Commissioner

VALLEY COUNTY PLANNING AND ZONING MEETING MINUTES

DATE: July 9, 2015
TIME: 6:00 p.m. to 7:50 p.m.
LOCATION: Valley County Courthouse

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

A. MINUTES: June 11, 2015

Commissioner Hill moved to approve the minutes for June 11, 2015. Commissioner Cooley seconded the motion. Motion carried.

B. NEW BUSINESS:

- C.U.P. 15-07 Mohr Solar Panels:** Carefree Limited Liability Co and Melvin Mohr are requesting approval to establish detached solar panels in the yard behind existing garage. The site is 13957 Country Way, Carefree Subdivision # 4 Lot 57, Section 34, T18N, R3E, Boise Meridian, Valley County, Idaho

Chairman Allen announced the item. Chairman Allen asked if there had been any exparte contact or conflict of interest. There was none. Chairman Allen excused himself.

Acting Chairman Hill asked for the Staff Report. Staff presented the Staff Report and letters from Jerry McManus (exhibit 1) and Lothar & Sheri Kososik (exhibit 2).

Acting Chairman Hill asked for the presentation from the applicant.

The applicant, Mel Mohr, 13957 Country Way, made the following statements:

- Retired engineer from paper industry and energy industry.

- This was supposed to be a fun project but has become more complicated.
- Did not know permission was required from the county – the attorney he consulted in McCall did not know the ordinance had been changed.
- He bought them, made the frames, and installed them.
- Did not hinder anyone’s view to the best of his ability.
- State, county, etc. all encourage alternative energy.

Commissioner Garrison asked if two outside panels could be closer. Applicant said that they would shade each other because he put tracking on them so that they follow the sun. He put them 17 feet apart so that they would not shade each other, after much analysis.

Acting Chairman Hill asked for proponents.

Joan Caswell, Lot 58, next to Melvin Mohr, made the following comments:

- Started her house in 1990.
- Can’t believe there is an opponent to solar panels.
- She values solar – she never uses a dryer.
- Comes from the south where they use solar.
- Realizes this is not Texas, but technology has improved.
- Mohr did another alternative energy use when they built their house – believes in the power of the sun.
- Mohr’s power will be in excess and will be producing for the grid.
- Submitted pictures (exhibit 3).
- Mohr would never intentionally miss getting all his permits.
- Less visible than the Kelly green roofs – the panels reflect the colors of the sky.

Jeff Lappin, 244 Nasi Lane, Donnelly, ID, made the following comments:

- Solar is important and we should make it easier for people.
- A few years ago we saw the giant Idaho Power monolith power poles go up along Highway 55 – this is better.
- What a big boon for the county.

Craig Demos, 13 Country Way, McCall, made the following comments:

- Surprised that we have jurisdiction over solar panels.
- That is his opinion.
- Likes to see innovative and creative projects.

Acting Chairman Hill asked for uncommitted.

Ed Allen, 13950 Easy Street, made the following comments:

- Close to all of these people.
- This is a difficult situation.
- Solar needs to be taken seriously – he is a fan of solar.
- We all need to look at what we can do in the future, conserve energy, and believes each

structure should consider alternative energy.

- Hopefully this discussion will make people more aware, especially when we do ordinances.
- People bring ideas, we consider them, and then we make recommendations to the County Commissioners.
- Need to look at solar as a viable alternative – need to stop using so much fossil fuel.
- Things are changing and there is more population.
- Should invite Idaho Power to explain how their alternative energy collaborations work and how do people get into this business.
- Did look at this project from the road.
- Questioned why the panels couldn't have gone down the hill a little more.

Acting Chairman Hill asked for opponents.

Carl Nielsen, 411 F Deinhard Lane, McCall, made the following comments:

- Lives down the road and watched these things taking shape.
- Finally realized what they were and was glad he doesn't live next door.
- In his opinion this solar panel farm does not belong in a residential neighborhood.
- Solar panels should go in on roofs.
- He loves wind power and solar but doesn't belong in residential neighborhoods.
- Concerned with process – asked for comments, but they put them up anyway.

Kathie James, 13956 Country Way, made the following comments:

- Submitted pictures (exhibit 4)
- Immediately north of Mohrs'.
- Objects to issuance of permit.
- Failed to hide.
- Visually offensive to her.
- Blocks her view from her house.
- Solar doesn't belong in this neighborhood.
- Requests a denial and order of removal.
- Submitted letter (exhibit 5).

Acting Chairman Hill asked for rebuttal.

Melvin Mohr rebutted as follows:

- Solar panels in this country that are on the ground get covered by the snow.
- The ones on Rogers Lane are useless in the winter.
- On the roof you add load to the roof and will need to redesign.
- They penetrate through the roof and freeze up and leak.
- Best on posts, track the sun, and they can be cleaned.
- Comparing solar panels to 100' windmills is apples/oranges.
- Not in residential areas is like saying not in my back yard.
- Doesn't want to be blamed for neighbor not being able to sale her home.

- Comprehensive plan supports alternative energy.
- State and federal government gives tax incentives.
- He tried to make them obscure.

Acting Chairman Hill closed the public hearing.

The Commission deliberated.

Commissioner Garrison made the following comments:

- When we rewrote the ordinances we spent a lot of time on the alternative energy portions. Most solar panels are permitted; it is only detached over 8 sq. feet that require a conditional use permit.
- Doesn't know if solar panels in somebodies back yard will cause values to go up or down.
- Has done a pretty good job of trying to hide the panels.
- Majority of comments are in favor of the solar panels.
- Has done due diligence in trying to be neighbor friendly, even though he didn't know about county process.

Commissioner Cooley made the following comments:

- Agrees, but torn about alternative energy.
- Concern is there is a business name on the application.
- The nature and size are pretty industrial sized.
- Is this the best place for that size and type?
- In favor of solar.
- Concerned with other solar panels being placed in this neighborhood – is this the proper place for this style and size?
- He has done a good job trying to hide them.
- Still looks industrial.

Acting Chairman Hill made the following comments:

- Walks by every day.
- This is a hard call.
- The deal was that we didn't want them right on the street – if you drive by you won't see them unless you are looking for them.
- His garage is more distracting than the solar panels.
- Believes he did the best he could to mitigate the impact.
- We should support solar panels.

Commissioner Garrison commented about selling back to Idaho Power – discussion about commercial business.

Commissioner Garrison moved to approve C.U.P. 15-07 Mohr Solar Panels with the conditions of approval. Discussion resumed.

Acting Chairman Hill reopened the public hearing to ask a question.

Commissioner Cooley asked about moving the center panel lower on the hill side. Mr. Mohr said it would require significantly more wiring and investment on his part or justification. Confused why it would make that much difference?

Bud Turner responded. He has been involved with this project and is an electrician. Moving the structure would take about 100' to 150' of wire – this whole system is balanced between panels. So to move one you are increasing a lot of voltage drop and would not balance properly in conversion of power to AC and DC and to the Idaho Power meter. Would torpedo project and is not practical.

Mr. Mohr explained that the James's bedroom is about 230 feet away and obscures about 1% of the view.

Craig DeMoss, 13953 Country Way, if moved downhill it might help one, but would then be more visible to a lot more people.

Bruce Stevens can see his house garage, etc. it might cause him to have to cut trees. Putting the panels on the poles allowed us to see what it was going to look like. He can see the panels and it is not an eyesore.

Ed Allen said it brings up a point that this did not come to us first. This still needs to be done in a responsible manner. Maybe come back with a plan to mitigate.

Kathie James said instead of moving down can't they just put it in his window so he can look at it. Before his garage she could see, now she can't see anything, it is not pleasing.

Mr. Mohr rebutted by commenting on McManus letter. The legislature is considering changing the law.

Acting Chairman Hill closed the public hearing.

Acting Chairman Hill and Commissioner Cooley agreed that moving would be difficult.

Commissioner Garrison commented – "had this come to us first would we have done something different?"

Acting Chairman Hill commented that this isn't the first application we have had come to us after the fact and we go ahead and approve them. Doesn't think the plan would be different.

Commissioner Garrison believes this is the most practical feasible way.

Commissioner Garrison moved to approve C.U.P. 15-07 Mohr Solar Panels with the conditions

of approval. Commissioner Cooley seconded the motion. Motion carried.

Acting Chairman Hill explained the ten day appeal period.

C. CORRESPONDENCE

1. City of Donnelly's letter regarding C.U.P. 15-06 Shoreline Chalets

D. OTHER ITEMS:

1. Discussion of Proposed Public Nuisance Ordinance: The Commission discussed the plan that was submitted. Some points were consistent application, private property rights, existing blights, a review panel by peers, and enforcement. Additional personnel may be needed. Will take up the matter again in August.

2. FACTS AND CONCLUSIONS

V-2-15 Schneider Shared Driveway Variance

V-3-15 Davis Shared Driveway Variance

C.U.P. 15-06 Shoreline Chalets

Adoption of Donnelly Comprehensive Plan in the Impact Area

Commissioner Garrison moved to approve the Facts and Conclusions and authorize the Chairman to sign for V-2-15 Schneider Shared Driveway Variance, V-3-15 Davis Shared Driveway Variance, C.U.P. 15-06 Shoreline Chalets, and the Adoption of Donnelly Comprehensive Plan in the Impact Area. Commissioner Hill seconded the motion. Motion carried.

MEETING ADJOURNED 7:50 p.m.