

**Amended
Planning Commission Meeting Minutes
May 19, 2003**

PRESENT: Mike Davis (Chairman), Bill Smith, Rod Dalling, Connie Ottesen, Dirk Mace, Linda Crapo, Kirk Mackert, Kurt Eidam, Karen Lords (P&B Administrator) and Janet Craven.

OTHER ATTENDEES: Owen McLaughlin (District 7) and Ivel Burrell (Assessor), Pat McCoy (Treasurer).

WELCOME: Mike Davis called the meeting to order at 7:00 p.m.

MINUTES: Mike Davis asks if there are any additions or corrections. Connie Ottesen moved to accept the minutes, Dirk Mace seconds the motion. The minutes were approved unopposed.

PUBLIC HEARING – HIGH TOP ESTATES – 13 LOTS, MATT GROVER/MIKE KRIEGER – ST. ANTHONY

Mike Davis asks Karen to introduce the project. Karen states that the legal notices have been sent out, printed in the newspaper and the property has been posted. This is an application for a Class II permit for Subdivision proposed by Mike Krieger and Matt Grover, the subdivision to be called High Top Estates. In Section 29, Township 7 North and Range 40 East Boise Meridian, Fremont County, Idaho. The proposed subdivision would consist of 13 residential lots. The average lot would be 2.92 acres with the smallest lot being 1.33 acres. The lots would be allowed individual septic systems and individual wells. The developers will be required by state statute to indicate on plat if water rights will be given to future property owners. Site analysis is St. Anthony gravelly sand loam. There are gravel and cobbles, permeability, variability in the thickness of surface layer in some areas as a result of the flooding of the Teton River in 1976. Flood maps produced by FEMA specify that portions of the site maybe in a flood plain and will require elevations to be taken by a surveyor. If any lots indicate flood plain, the property would be required to have a Certificate of Elevation completed before building permits could be issued. The site is surrounded by residential homes and platted subdivisions such a Salem Pines, Morning View and Fort Henry Estates.

I recommend a point assignment "0" on all absolute standards and a "+3" on relative standards as shown on the attached checklist. Conditions of approval are as follows, stream corridors, flood plains, irrigation systems, on-site sewage disposal, private utilities and roads. Karen passes the plat map out that now shows 13 lots. Approximately 38 acres of property will be used for density. Linda Crapo asks what kind of septic systems are on the homes already there. Owen McLaughlin, D7H, says there are a couple of different enhanced types. A Recirculation pneumatic system and the Lusk property has an aerobic treatment unit, it is like a home sized sewage treatment plant. Mr. Mortensen was required to have an enhanced system also because of the sub water, it is called a re-circulating gravity unit, it treats the affluent at a higher level so that the septic system can be closer to the sub water. This piece of property you are talking about tonight I have not seen any test holes on it. I've never seen any holes on the property during high sub water, I have no personal knowledge of what the sub water does.

Karen states the only thing that will need to be corrected on the plat is the cul-de-sac that is on this drawing now does not meet our length requirements. So by the time we go to final plat it will have to be a condition that they meet the distance for cul-de-sacs, they are accessing less that 16 lots, that needs to be 880 feet theirs is longer, so they will have to make some changes.

Mike asks Karen if we have any letters that need to be read. She then reads at letter to Mike Krieger and Matt Grover from Fremont-Madison Irrigation District, dated May 7, 2003, discussing the storage water policy. Karen then reads a letter from a nearby property owner, Mr. Leo G. Shirley, dated May 12, 2003. Mr. Shirley states a number of concerns about the potential for property damage due to flooding , the possible flooding of septic fields, the flooding of basements and the fact that he and his partners will not be responsible for any damage suffered to homes from flood irrigation or subterranean water levels that flood as a result of surface flood irrigation.

Mike Davis then asks for the developer to come forward. Matt Grover then explains that he never seen any problems with the sub water, they are also telling people of the potential for flooding and that they should not build basements. Karen asks if they will have a note on the plat that states no basements can be built. Mike Krieger states that they could put that. Mike Krieger states that test holes were dug and

checked by Jerry Woods and the sub was within 2½ feet. Owen has looked at one of two holes dug, there is no sub water at this time. Dirk Mace asks what will be done with the water rights. Matt G. says he may share some of the water rights, but will keep the storage water for the 22 acres to farm it. Karen: the only other statement I have is the other two people in the process of building a home will have to sign on the plat in a signature block, so they will be incorporated into the subdivision.

No one signed up to speak on the project, Mike Davis asks if there is anyone from the audience who would like the opportunity to speak. No one responds so the chairman closes the hearing to public comment. The board then discusses the possibility of problems resulting from peoples desire to live in the country, but have all the amenities of city living. Karen suggests that the developers approach the homeowners and have them sign a Resource Management Easement so two of the parcels are not left out.

Dirk Mace makes a motion to accept the High Top Estates plat with the condition that all lots that are sold including the two already sold and built on sign a Resource Management Easement agreements, they follow State water law with regard to water rights and storage water, include the conditions given in administrator's report, include the shortening of the cul-de-sac, to meet county standards. Rod Dalling seconds the motion. Mike D. calls for vote, the motion carries unanimously.

PUBLIC HEARING – DAVID GALE – FAMILY REUNION LODGE AT 658 NORTH 2400 EAST, ST. ANTHONY:

Mike Davis: the next item on our agenda is the public hearing for David Gale, Three Peaks Lodge. Mike asks Karen if the proper notices have been given. Karen states: yes the property has been posted, legal notices have been sent to the news paper of record and mailed to property owners. Mike asks if there are any board members that have a conflict of interest. None are declared.

Mike then asks Karen to report on this proposal. The nature of the application, David and Patti Gale propose to convert a residential home into a facility providing overnight accommodations with outdoor and indoor recreational activities for families to rent. The facility will be located in section 31, Township 8 North, Range 41 East Boise Meridian, Fremont County, Idaho.

The project proposes approximately 20 acres and currently has a 6500 sq. ft. residential home that would be converted into a lodge facility, which is an existing residential home currently, an existing sports court, volleyball court, baseball field, 1200-1500 sq. ft. caretaker quarters and off street parking and loading area. Mr. Gale has requested information from District Seven Health Department regarding the requirements for a personal chef to cook meals for the patrons or allowing the families to cook their own meals in the kitchen.

The site of the family reunion lodge facility is located in the South Fremont Zoning District and is subject to the performance standards of Chapter VI of the Fremont County Development Codes. A South Fremont Zoning District performance standards checklist is attached.

I recommend a point assignment of "0" on all absolute performance standards and a "0" for relative policies as shown on the attached review checklist. The following are conditions of approval: 1.VI.O.5 - Industrial/Commercial Solid Waste, would need to be addressed. 2. VI.E.E. – Off Street Parking and Loading Areas. An additional condition that needs to be added, is that they meet the International Building Code.

Kirk Mackert asks about the stipulations of following the International Building Code, Karen says Mr. Gale has already requested the building inspector to go out on site, and what we are looking at is egress windows, they meet the width, it is the height from the ground to the bottom of the window we have an issue with. Mr. Gale has talked with an engineer so he will be working with the engineering firm. Kurt Eidam asks if this type of building will take a sprinkler system inside. Karen replies, especially near or in the bedrooms, probably one out in the living room, kitchen area, mostly in the bedrooms, he will also have to provide handicap access to get in and out of the building. Bill Smith asks if he is on city sewer, Karen says no, only on the city water. He will have to get septic permit when

PUBLIC HEARING – DAVID GALE – FAMILY REUNION LODGE

he goes to build the caretakers lodge. They will still have to meet with the city when they want to hook to city water for that facility.

Karen states there were no written comments on the project. Mike Davis then asks Mr. Gale to come up. Mr. Gale explains he has meet with Charles Allen and the architect and been told of the

changes that will need to be made. We are in the process of working it all through. Mike Davis asks if there is any public comment, no one has signed up to speak, is there anyone who would like to speak from the audience? There is no response, Mike D. then closes the meeting to public comment and asks the board for discussion. Kurt Eidam makes a motion to accept the family reunion center, requiring it to meet all of the International Building Codes, with a caretaker facility which should meet all the regulations of District Seven Health for septic approval and the city of St. Anthony for water hook up, and the two conditions stated in Karen Lords' report. Dirk Mace seconds the motion. The motion passes unanimously

SKETCH PLAN – JEFF SIDDOWNAY – HUNTING LODGE FACILITIES

Mike Davis asks Karen to give the information on the hunting lodge. Karen replies, as you remember Jeff Siddoway came to us for his game ranch and did propose to give us information on the lodge at the public hearing. The problem with that is we did not have it announced in our public hearing notice and I requested Jeff come back in and we go through a sketch plan and public hearing. So you have in your packet all the drawings showing the elevations, front, side, back and the floor plan for what he is proposing, which is a four bedroom facility. He is asking on the sketch plan he would also like to rent this out to ATV users and cross country skiers besides the hunters for the gaming ranch. Things that need to be addressed are off street parking and loading, if he going to have employees are they going to be staying off site or will there be another facility built for them, those questions need to be asked.

You need to be aware that Mr. Siddoway has chosen to go forward, he has already poured the footings for this project. The building department has placed a stop work order on this project, we recommended that he stop and go through the hearing process. We would be able to take him through public hearing next month. Dirk Mace asks what kind of off street parking would be needed. That is based on the type a facility it is, one parking unit per room, so he is probably looking at four plus at least one available for employee. Kurt Eidam asks if he will have to have handicap access also. Karen replies yes, based on the type of facility. For this type of unit he is going to have to have one parking space per unit. Jeff is here today if you have any questions. Mike Davis asks Jeff to come to the front. Jeff is not sure of where to start his explanation; Mike Davis explains that the lodge should have been included in the original posting of the game ranch. Karen then explains that she was not provided with enough materials at the time the hearing notices go out. When I generate a Class II permit I had nothing in my hands that was concrete to go forward with that. When I contacted Mr. Siddoway's wife she told me they were not going to go forward with that. When Jeff came in the night of the public hearing he had his plans in his hand. By that time my hearing notices had already been sent, and published. Heavy discussion regarding past information and whether Mr. Siddoway received approval prior to building. It is determined that further hearing process needs to go forward.

Kirk Mackert suggests that an exception be made for Mr. Siddoway and a special hearing be held on June 5, 2003. Karen looks at the calendar to see if all the deadlines can be met, they can. Kirk M. then moves to hold a special public hearing for the lodge at the Siddoway Game Ranch, with the fees waived, to be held at 7:00 a.m. on Thursday June 5, 2003.

PLAT VACATION: SAWTELL MEADOWS

Mike Davis asks for the next project to be presented. Karen states the vacation of the Sawtell Meadows plat done in 1995. No lots were ever sold or roads build. Basically they are just erasing the line for the lots. Penny Stanford is asked to come the front. Penny explains what is going to happen with the property.

Rod Dalling moves to recommend the vacation of the plat. Kurt Eidam seconds the motion.

SKETCH PLAN: SAWTELL MEADOWS PROPERTY, WILDERNESS GROUP, LLC:

Mike Davis asks Karen Lords to introduce the project. Mike Vickers comes forward and show a map of the proposed 59 lots, to have community water and community sewer. These will be ¾ acre lots for RV/s, there will be covenants and restrictions to govern the property. No RV will be allowed to stay the winter and they can eventually build. One dwelling will be allowed on the lot. The pads will be staggered for a better view of the lake. Loop roads may be a possibility; Karen states we don't want two driveways off of the road. With the width of the roads they should have plenty of room to turn around. We will be restricting the size of the home to 850 sq. ft. the covenants

SKETCH PLAN: SAWTELL MEADOWS PROPERTY, WILDERNESS GROUP, LLC continued:

will have teeth in it to restrict how the property is used. Karen asks if the board understands the difference between an RV park and what they are doing. They are actually going to be selling the lots and the people will own the property versus a temporary stay of 30 days or less. The possibility of ponds in open area for irrigation is something we are looking at. Two wells will be drilled or one well 2500 gallons a day to fill the ponds.

Kurt Eidam moves to accept the 59 lots. Rod Dalling seconds the motion. Mike Davis calls for vote, it passes unanimously.

ADMINISTRATORS REPORT:

Karen reviews the workshop presented by the Western Community Stewardship Forum. Look it over and see if you are interested in attending.

Approved Building Permits for the Month of March, 2003: Attached to the packet, for the Board's review is a copy of the Administrator's Report of the building permits approved during the month of March, 2003.

WORKSHOP-CITY OF NEWDALE-IMPACT AREA

The city of Newdale is here they wish to do a quick workshop showing what they are proposing for their impact area. They are not ready to go to public hearing, until the 17th of June before their Planning and Zoning Board, then they will have to take it through the city. I suggested, like with the other cities that if they want to come in, it just gives us a quick idea of what they are intending. The maps they have are not the maps that will be used in the final presentation. Sandy Edwards is here and I would like to turn the time over to her. Sandy introduces her board. She points out the boundary with Madison County. She points out the areas they feel growth will occur. The property they want to be commercial and residential, one or two family dwellings. They could be some development off the county roads. We have gone one mile plus 300 feet on the other side of the road to include development that would take place along the road. They want to square up the city and have the roads line up. Low density residential, is what the rest of the city is. They anticipate growth by Walter's Produce. They want to divert the traffic off of Hwy 33 and onto a frontage road. Mike Davis asks if there will be a problem with putting residences next to the potato warehouse. The people who own the land west of the warehouse now do not want the property, their parents are getting older. We would like to incorporate the property into the city. Discussion of the impact area and county development code adhering to city zoning in regard to agricultural land. New zoning laws will have to be written for the impact area. The lot size will be 16,000 sq feet, within 300 feet within city services, and 1 acre outside the city services. Some people in the city are struggling with the idea of having an area of impact. We appreciate your time. Our board sees no problems with the area of impact. Karen will be talking to Sandy Edwards with information on new times to appear before the P & Z Commission again, then proceed with the County Commissioners.

MOTION TO ADJOURN:

Linda Crapo made a motion to adjourn the meeting and it was seconded by Connie Ottesen and was approved unopposed. Meeting was adjourned at 9:20 p.m.