

**ELMORE COUNTY  
PLANNING AND ZONING COMMISSION**

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**MINUTES**

**Wednesday, May 20, 2015 at 7:00 pm**

Chairperson Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairman K.C. Duerig, Betty Van Gheluwe and Jeff Blanksma. Also present were Attorney of Record Phillip Miller, Director Alan Christy and staff members Beth Bresnahan, Kacey Ramsauer and Tell Riley.

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

**Intermountain Development (Jim Carrie) for a Conditional Use Permit to subdivide an existing 5-lot subdivision (Frontage Estates) into a 57-lot subdivision (Blue Sage Subdivision) in the Agriculture Zone/Mountain Home Area of City Impact. Case Number: CUP-2015-09.**

The site is located in NW1/4, Section 15, Township 3S, Range 6E, B.M. A common way of locating the property is from Sunset Strip turn onto Frontage Road. The property is located approximately 1 mile on the right.

Christy read the rules for the public hearing.

Bresnahan gave staff report and background.

Jim Carrie is the applicant. He stated that he presently owns 65 acres on Frontage Road that he would like subdivide into approximately 53 lots with no lot being less than 1 acre in size. He stated that after doing research on the property they feel it can handle a subdivision and that it is in line with the improvements in the area as there are many subdivisions surrounding it that are one acre lots. He stated that with the market being light right now they are doing this in 3 phases with the first phase at 11 lots, the second phase 13 lots, and the third phase would have the balance with 2 years between each phase.

He stated that the city of Mountain Home has indicated septic tank failures out there but he is not aware of it and neither is the health department. He stated that Aspen Engineers sent out a letter that they received on May 15<sup>th</sup> and there was not enough time for them to respond. He stated that they applied for an application for a Conditional Use Permit (CUP) and not a preliminary plat. He stated that the CUP application and fees were accepted by staff and there were no requests to provide anything else. He stated that he would like to hear the testimony and get approval so they can start the development of the property.

Osborn asked if Carrie had received the supplemental staff report regarding the CUP application process.

Carrie stated that he had.

Osborn asked if he was aware of item number B stating "the applicant shall concurrently submit and obtain approval for a master site plan subject to regulations of this title." She stated that this is specific in the ordinance and it is required.

Osborn asked if the applicant would like to table this to get the master site plan so that the commission can follow the ordinance as required.

Carrie stated that he feels he's blindsided with this new information.

Osborn stated that the ordinance is there and available.

Carrie stated that this is what we go to staff for. He stated that there are a lot of laws in the ordinance. He stated at this point he's willing to table this application but needs to speak to his engineers about a date certain.

Miller stated that there are some options for the applicant at this time. He stated that the commission can take testimony at this time and then the commission can take up the issue of tabling after testimony or the applicant may choose to table at this time.

Osborn polled the commission on what they'd like to do.

Van Gheluwe: move to a date certain.

Fish: undecided.

Blanksma: hear testimony now.

Duerig: hear testimony now.

Osborn: hear testimony now.

Commission consensus was to take testimony now and table to a date certain following the public testimony.

There was no one signed up in support.

There was no one signed up in neutral.

Richard McMahon signed in as opposed. He stated that his biggest concern is water. He stated that this water level is dropping yearly and 50 plus new wells won't help that. He stated that the Idaho Department of Water Resources (IDWR) only allows for 1/2 acre to be irrigated on any property and wants to know who will police that and if there are any irrigation rights on this property. He stated that he is concerned with the traffic impact on Canyon Creek Road.

Jeffrey Hobbs signed in as opposed. He stated that he is the former president of the water association in Jim Carrie Subdivision # 4 which is very close to this property. He stated that in one of the main wells in his subdivision the water is dropping rapidly and that is a big concern.

Jim Blanton signed in as opposed. He submitted support documents for the record. Christy entered them into the record as public exhibit #1.

Blanton stated that he is the lead licensed water technician for Town and Country Subdivision. He stated that they have 2 wells for the subdivision and they are on the fence line of the proposed subdivision. He stated that he would like to know who the developers and builders of this project are going to be. He stated that he is concerned with the number of wells being proposed. He stated that in his subdivision water levels in the wells have dropped 25 feet since 2001. He stated that he does not believe the aquifer can support 50 more wells. He stated that it will cost the homeowners in his subdivision 3,500 dollars apiece and with most of them being retired on a fixed income that's incredibly difficult. He asked if the nutrient pathogen study has been done and turned in to the land use department.

Craig Reich signed in as opposed but did not wish to testify.

Barb Huntley signed in as opposed but did not wish to testify.

Bobbie Lockett signed in as opposed. She stated that she is concerned with the lack of water in the area and that 57 lots is too many.

Bob Peace signed in as opposed. He stated that his main concern is a safety issue with traffic.

Anthony Klazura signed in as opposed. He stated that he is concerned with water, emergency services, and traffic.

Nathan Stokesberry signed in as opposed. He stated that his main concern is water. He stated that he had to drop his pump recently. He stated that he is concerned with traffic as well.

Janice Castanzo signed in as opposed but did not wish to testify.

Ronnie Ralphs signed in as opposed but did not wish to testify.

Martha Ralphs signed in as opposed. She stated that she is concerned with water.

Nelson Culp signed in as opposed. He stated that he concurs with the concerns already testified to. He stated that the applicant tried to build a large subdivision very close to this area years ago that never happened and this one is no different. He stated with all of the empty homes in the area that there isn't a need for 50 new homes.

Konni Guyer signed in as opposed. She stated that she is concerned with water because there is none. She stated that she is concerned with traffic and safety on Frontage Road. She stated that with that many homes there is always potential for crime increase.

Ken Guyer signed in as opposed. He stated that he concurs with all of the previous testimony regarding water, traffic and safety.

Art Nelson signed in as opposed. He stated that he is concerned with the quality and use of water.

Robert Elam signed in as opposed but did not wish to testify.

Robert Milburn signed in as opposed but did not wish to testify.

Kim Bideganeta-Uriona signed in as opposed. She stated that she's concerned with the number of septic tanks that will be there. She stated that she was told that in the county 5 acre lots are required and she wanted to know if this were true.

Christy stated that north of the I-84 there is a 5 acre minimum zone. He stated that in the area of city impact lot densities are determined by the city and by what the utilities can handle through scientific studies.

Bideganeta-Uriona stated that she is concerned that there is no completed application in place at this point so there is a lot we do not know. She stated that she is concerned with the increased traffic.

Edward Belk signed in as opposed but did not wish to testify.

Jesse Gliden signed in as opposed. He stated that he owns a lot near this area that has a well on it that dried up in 2007 and had to drill 100 feet to get water. He stated that his well at his current home on Dutton Drive dried up in 2013 and had to drop the pump 50 feet to get water. He stated that water is a big concern for a declining aquifer. He stated that he is concerned with traffic increases in the area and where the entrances into the subdivision will be located.

Jenina Rose signed in as opposed. She stated that she is concerned with water and drilling her well deeper and the associated cost.

Benjamin Fritz signed in as opposed but did not wish to testify.

Nancy Marciolla signed in as opposed. She stated that she is concerned with water and drilling her well deeper and the value of her house going down due to this development causing water issues.

Bill Brecheisen signed in as opposed. He stated that he is concerned with septic issues with such small lots.

LaDonna Withers signed in as opposed. She stated that she lives on the north side of town and there are many on that side of town that have to drop their pumps in their wells. She stated if more wells are drilled it will have a big impact on the elderly people in the area that will be forced to drill deeper wells.

LaVonna Evans signed in as opposed but did not wish to testify.

There was no further testimony.

Jim Carrie gave rebuttal to the public testimony. He stated that the fire water source will probably come from a private well. He stated that they are 10,000 gallon tanks and the subdivision will probably require 3 of them.

He stated that they are not connecting through Dutton Drive. He stated that the road won't handle a lot of traffic and it wouldn't be right for the people that live down there.

He stated that if septic's are maintained they generally do not fail. He stated that they are using the enhanced septic systems in this subdivision which means they are inspected every 6 months to a year.

He stated that the nitrate levels are fine according to the engineers.

He stated that city was concerned with the amount of homes going in this subdivision and the water usage but the city just approved a 320 lot subdivision in the city limits. He stated that the city pumps its water from the same hole they get it from in the area of this application. He stated that the homes will be here either way.

Osborn asked if he will be providing dry lines for attachment to a municipal system.

Carrie stated that they do not have plans to do that as they are very expensive and they are competing with Corey Barton and Hubble Homes so it doesn't give them a lot of room to work with financially. He stated that dry lines are looked at when the city is planning on servicing the area in the near future and they have made it clear they are not going to do that.

He stated that any accidents on the roads surrounding this area have no bearing on this project at all.

Osborn asked if there was access for emergency service if for any reason could not access from Frontage Road.

Carrie stated on Dutton Drive they have proposed a 60 foot easement for future road connection. He stated that they do not wish to do that and the highway district does not want to do that either. He stated that they will do whatever is required of them.

Osborn asked if the nitrate studies had been presented to staff.

Carrie stated that they had not as they are still being done and was not a requirement.

Carrie thanked the commission for its patience and getting this through.

Commission consensus was to hold this public hearing open to a date certain to give the applicant time to obtain a master site plan and to address concerns from the county engineer.

Osborn stated that the only testimony that will be heard at the next scheduled public hearing will be regarding the information being requested and not any repetitive testimony from this public hearing tonight.

Duerig moved to hold this public hearing open to June 3, 2015 to accept additional testimony from the applicant and public.

Van Gheluwe seconded.

Motion carried unanimously.

The commission held a 5 minute recess.

### **FCO and Minutes**

FCO for Case Number: SUB-2006-02.

Duerig moved to approve.

Blanksma seconded.

Motion carried unanimously with Fish abstaining.

Approved

Approved

Minutes from 05-06-15.

Van Gheluwe moved to approve,

Duerig seconded with Fish abstaining.

Motion carried unanimously.

### **INFORMATION ITEMS**

Upcoming P & Z Schedule.

Christy stated that the next two scheduled public hearing are on June 3<sup>rd</sup> and June 17<sup>th</sup>, 2015.

Christy stated that they did not schedule a public hearing on July 1<sup>st</sup>, 2015 due to its close proximity to Independence Day but with number of applications coming there may need to be a special meeting to deal with them all.

Commission consensus was to keep the idea open if they need to call a special meeting.

**MEETING ADJOURNED at 8:26 p.m.**

Approved

Approved



Patti Osborn, Chairperson



Date:



Attest:  
Alan Christy, Director



Date: