

**ELMORE COUNTY  
PLANNING AND ZONING COMMISSION**

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**MINUTES**

**Wednesday, September 21, 2016 at 7:00 pm**

Chairperson Patti Osborn called the meeting to order. Members of the Elmore County Planning and Zoning Commission present were Vice Chairman K.C. Duerig, Dave Holland, Sue Fish, Mitch Smith, Jeff Blanksma and Ed Oppedyk. Also present were Attorney of record Phil Miller, Director Alan Christy and staff members Beth Bresnahan and Kacey Ramsauer.

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

**Mike Eisenman for a Conditional Use Permit for a gravel pit in the Agriculture Zone. Case Number: CUP-2016-05.** The site is located in the NW ¼ of the SE ¼ of Section 10, Township 3 South, Range 6 East, B.M. A common way of locating the property is from Sunset Strip turn on Canyon Creek Rd., turn left on Mashburn Rd. Property is located approximately 0.75 miles on the left.

Osborn introduced newest Planning and Zoning Commission member Mitch Smith.

Christy stated that he wanted to disclose that the neighborhood meeting for this application was held at 1639 Simco Road, Boise ID 83706. He stated that the Elmore County Zoning and Development Ordinance Section 6-4-3 C 2 for neighborhood meetings stated that "*conditional use permits require a neighborhood meeting and they are to be held on subject property or on the nearest available public meeting place including, but not limited to fire station, library or community center or at an office space with suitable meeting facilities if such facilities are within a one mile radius of the nearest public meeting place.*"

Christy stated that the address listed on the neighborhood meeting form does not meet this criteria. He stated that this was an oversight while reviewing the application for completeness. He stated that he would like to seek the advice of legal counsel as this may be a procedural error. He stated that all notices were mailed to required land owners and some of them did attend the neighborhood meeting. He stated that all required notice was mailed to the required landowners and all required public hearing notice was posted on the property and published in the Mountain Home News.

Oppedyk joined the public hearing.

Miller stated that it is clear that everyone's due process rights were protected as they were given notice as required. He stated that the neighborhood meeting is an informational item. He stated that at this point he does not believe that this is the type of mistake in which a court would require everything to be done over again as everyone was noticed. He stated that it is his recommendation that the public hearing proceed.

Bresnahan gave staff report and background.

Mike Eisenman is the applicant. He stated that he agrees with the staff report.

There was no one signed up in support of this application.

Christina Green signed in as neutral. She stated that she has no objections.

Phyllis Whipple signed in as opposed. She stated that this is in close proximity to her home and she does not want the noise or the dust. She stated that roads there are not sufficient to hold the weight of all of those trucks. She stated that it disturbs the rural way of life.

Chuck Whipple signed in as opposed. He stated that the roads are going to get beat up from the trucks. He stated that it will increase traffic and noise in the area and it will create danger and perhaps serious accidents.

Rae Ann Stoecker signed in as opposed. She stated that this project is located directly behind her home. She stated that this will create noise and traffic in a very rural quiet area.

There was no one else signed in to testify.

Mike Eisenman responded to the public testimony. He stated that Mashburn Road will be used to exit the gravel pit.

Holland asked the applicant how many trucks per day would be coming in and out of the gravel pit.

Eisenman stated that here is no way to tell as it is an on demand basis.

There was no further testimony.

Osborn closed this public hearing.

**Commission action:**

Duerig moved to approve with all conditions in the staff report and that it meets the 12 standards for a conditional use permit.

Oppedyk seconded.

Motion carries unanimously.

## **MINUTES**

### **Minutes from August 17, 2016**

Oppedyk moved to approve.

Duerig seconded.

Motion carries with Fish and Holland abstaining as they were absent for this meeting.

## **INFORMATION ITEMS**

### **Upcoming P & Z Schedule**

Christy stated that he recommends the regularly scheduled meeting for November 16<sup>th</sup> will need to be cancelled as staff will be tied up with some appeals that have come before the county commissioners and those hearings will be held November 16<sup>th</sup> and 17<sup>th</sup>.

Commission consensus was to go ahead and cancel the November 16<sup>th</sup> meeting.

Blanksma moved to cancel the meeting on November 16<sup>th</sup>, 2016 and hold the annual meeting on November 2, 2016.

Duerig seconded.

Motion carried unanimously.

Christy stated that there are meetings scheduled for October 5<sup>th</sup> and October 19<sup>th</sup>. He stated that there are no agenda items on those days there will be some training.

Christy stated that he has a memo regarding the Comprehensive Plan and addressing all required items of Idaho Code 67-65-08. He stated that the comp plan is missing a section for public airport facilities. He stated that he would request that the commission initiate an amendment to the comp plan to mention Idaho Code section 67-65-08 and also recommend that staff propose a text amendment and possibly provide maps showing these public airport facilities and possibly even including private airport facilities so that map could be used with decision making.

Duerig moved that staff be directed to present a draft proposal to the comprehensive plan to be in compliance with Idaho Code 67-65-08.

Holland seconded.

Motion carried unanimously.

**MEETING ADJOURNED at 7:44 p.m.**

Approved

Approved



Patti Osborn, Chairperson

10/5/16

Date:



Attest:  
Alan Christy, Director

10.5.16

Date: