

**Caribou County Planning & Zoning Commission Meeting
Minutes of April 2, 2014**

The Caribou County Planning & Zoning Commission met in regular session and a public hearing on April 2, 2014, at 7:00 p.m. Those in attendance were Loren Smith, Gail George, Scott Shuler and David Miles, Planning & Zoning Board Members. Also in attendance were Krista Christensen, Planning and Zoning Secretary, Matthew Collins, Clint Edwards, Emmett Collins, Virginia Collins, Kalli Collins and Wade Olorenshaw.

Loren Smith, Planning & Zoning Chairman, opened the meeting.

A Public Hearing was opened. The purpose of the hearing was to request a Variance. The applicants were Matthew Collins and Clint Edwards. Mr. Collins and Mr. Edwards are proposing to subdivide approximately 160 acres of property owned by Emmett H. Collins located at 494 Bench Lago Rd., Grace, Idaho. Mr. Collins and Mr. Edwards want to purchase 40 acres of the 160 acres for the purpose of building two (2) houses and utilizing the ground for agricultural purposes, mostly to farm and the remainder for pasture to graze horses.

Emmett Collins, Virginia Collins and Kalli Collins voiced their support of the property subdivision. Wade Olorenshaw said he could not voice his support due to his employment as a land surveyor being a possible conflict – that perhaps a variance could bring him job opportunities. Aside from that, Mr. Olorenshaw stated that he has seen one elementary school close in the area, that the area does not see many new move-ins, and good people moving to the area could be an asset to the community. They could bring a good influence and help build the community.

Mr. Smith asked if there was anyone present in opposition of the proposed variance. There was no one present in opposition.

Mr. Smith asked if there was any written correspondence. There was no written correspondence.

The public hearing was closed.

All committee members were in favor of issuing a variance. This matter will be submitted to the County Commissioners for review and final approval.

The regular meeting was opened by Loren Smith and Mark Nicoll was given the floor. Mr. Nicoll was not prepared at the present time to proceed with any matters, only inquiring as to the committee's opinion if he were to present the following situation to the Planning and Zoning Board. Mark Nicoll presented to the Caribou County Planning and Zoning committee last year at which time the committee approved an amended plan for Grouse Creek Subdivision. They had taken several of the larger lots and split them into 5 acre lots in accordance with County regulations. They obtained all required signatures for the plat except that of the Health Dept. and the County Commissioners. When they created the plat, Mr. Nicoll used the same wording as on the original subdivision plat. When Mr. Nicoll attempted to obtain the necessary signatures from the Health Dept., he was informed by Jesse Anglesey that the Health Dept. determined they had

overextended their authority and that the language needed to be "trimmed back." Mr. Anglesey said they would approve of just striking out the unnecessary wording. Mr. Nicoll agreed since most of the signatures had already been obtained. The County Clerk's office informed Mr. Nicoll that he needed the approval of the Caribou County Planning and Zoning Committee to strike out language in the plat before proceeding on to the County Commissioners.

A copy is attached of the specific language in question. Details of the changes are stated below:

Page 1 shows the current required wording needed on a plat.

Page 2 shows what is on the plat and what Mr. Nicoll is proposing be "striked-out" to bring them in compliance with Mr. Anglesey and the Health Dept's request.

Page 3 is a copy of the actual plat showing the same wording as Page 2, just not as clearly.

The committee reviewed the language in question. Loren Smith asked if there would be a sewer system or septic. Mr. Nicoll replied that it would be septic. Scott Shuler inquired as to drain fields. Mr. Nicoll stated there would be a drain field on each lot. Loren Smith inquired as to whether there would be individual or common wells. Mr. Nicoll replied that there would be individual wells. Scott Shuler asked if the lots would be 5 acres and Mr. Nicoll said yes, or larger.

Mr Smith asked how many more lots would be created by the division and Mr. Nicoll replied there would be 8 lots. Gail George asked what Mr. Nicoll what he would have to do if he was required to go through the process again. Mr. Nicoll replied saying he would have to get everyone's signatures again on the new version. Mr. Shuler said it appeared that everything was the same. The committee was unanimously in agreement to allow Mr. Nicoll to strike out the language in the plat.

The floor was given to Alan Smith and Bryant Smith, however they were unable to be in attendance so Todd Smith (Alan's brother and Bryant's son) presented in their behalf. They are submitting an application for a Variance to build a gravel pit in the Wood Canyon area.

Todd Smith said it is their intention to continue farming the land, but to excavate the limestone in a small area off the county road. Scott Shuler asked if they intended to backfill. Todd Smith replied that they intended to go below the county road for drainage and that after excavating approximately 300 ft. sections, they would replace the material. Todd Smith continued, informing the committee that they have presented the project to the Bureau of Land Management. It is their intention to reclaim the soil in each section and intend to move between 5, 000 and 20, 000 tons per year. Their other option would be to do some stockpiling across the road until they had a big enough pit established. It is approximately 15 ft. down in the gully. They are requesting a variance because it is a long term project and the land will eventually be usable farmland.

Mr. Shuler inquired about the road. Todd Smith said they would install a culvert and there would be no obstructions to the road. He added that there would be trucks going in and out of the road, but it would mostly be on private property. Todd Smith continued stating that they would fill in with gravel any damage to the roads. He said they have to be regulated by MSHA, DEQ, EPA, BLM, and that the county would have input. Todd Smith informed the committee that they have done all the research and they only need blessing from the county to proceed. The equipment includes a new water suppression system so there would be very little dust.

Loren Smith asked how the land was zoned and whether there would be any structures on the property. The committee was informed by Todd Smith that the land was zoned agricultural and that there would not be any structures placed on the land. Mr. Smith added that they don't even have electric connections and that it is hydrolic. Loren Smith asked if the site was outside of Soda Springs impact zone. Todd Smith said, if it isn't, it is awfully close. That the only homes in the area are Jerry's and Collers.

Loren Smith determined that the land was in the 3rd stage of Soda Springs' impact zone.

Todd Smith informed them that they believed they could get about 200 loads in a slow year and approximately 1,000 loads spread out over 6 months in a good year. Loren Smith inquired as to whether a variance or a conditional use permit would be proper. Todd Smith said he was informed by Ralph that a variance would be better. And that if a Conditional Use Permit were issued, the project would be required to be revisited regularly, and that this project is more long term. Loren said that with a Conditional Use Permit, the county would have more control to ensure that things are taken care of on the reclamation end. Todd Smith asked if it would be possible to obtain a Conditional Use Permit with a 5 year review, rather than annually, or to word the variance so the county has the right to inspect. Todd said they are willing to cooperate in whatever is necessary.

Loren Smith said he would like to talk with Ralph about changing the land from agricultural to industrial. Todd Smith said their purpose for the small pit is to supplement some of the gravel supply locally. Loren added that the current ordinances state that gravel pits are industrial zoned. Todd Smith replied that it would make sense to zone industrial if they put a foundation or permanent electrical, or added a building, but that is not the case. Scott Shuler asked if they had done any digging. Todd said they have made some holes and that it was very promising.

Todd Smith inquired as to whether you can farm in an industrial zone. Loren Smith's response was that it could be if they reclaimed it, but continued saying that he would not want to go industrial and make them identify the whole thing as industrial and then run out of sand and gravel. Todd Smith said he was in agreement if theirs was going to be a large production, but that the most they have ever done is 20,000 tons a year, which is about 1,000 trucks. Todd Smith commented that the BLM is very strict and they will be held to a very high standard through BLM and that he did not believe the county would be more stringent. Todd Smith recommended perhaps stating in the permit that they have to keep within BLM's guidelines and then be reviewed every couple of years. Todd said they would like to implement this pit as soon as possible due to now being the time of year to get started. Todd said that Larry Simmons bought everything except the 4 acres in the middle owned by Jerry Beus.

Loren Smith said it would be necessary to speak with Ralph Hopkins before taking a vote of the committee.

Loren Smith asked if there were other matters of business. Gail George voiced her opinion against individuals presenting hypothetical situations to the committee because they were nonbinding, and for that reason, they were a waste of time. The committee determined that no hypothetical situations could be brought before the board, only those who are actually filing for a permit.

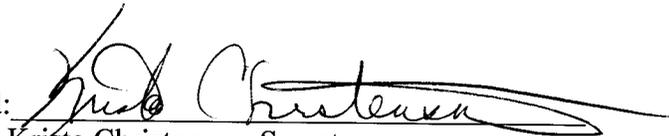
The minutes of the previous meeting were reviewed. Scott Shuler made a motion to accept the minutes from the March meeting and David Miles 2nd the motion. All were in favor and the minutes were approved.

The Caribou County Planning & Zoning Commission will meet on May 7, 2014, for a regular meeting.

Signed:


Loren Smith, Chairman

Attested:


Krista Christensen, Secretary