

**Caribou County Planning & Zoning Commission Meeting  
Minutes of September 5, 2012**

The Caribou County Planning & Zoning Commission met in regular session on September 5, 2012, at 7:00 p.m. Those in attendance were Jon Hall, Stan Wistisen, Nick Johnson and Gail George, Planning & Zoning Board Members. Also in attendance was Krista Christensen, Planning & Zoning Secretary.

Jon Hall, Planning & Zoning Chairman, opened the meeting.

Mark Nicoll was given the floor. Mark Nicoll has purchased 2 pieces of property known as 1) Caribou Mountain Subdivision; and 2) Grouse Creek Subdivision. Mark Nicoll received approval for 25 lots at Caribou Mountain. He then reduced the number of lots to 18 and eliminated a road. The project received final approval from Planning and Zoning. Mark Nicoll wanted to finish the improvements before receiving approval from the County Commissioners. He is attending tonight for the purpose of updating the Planning and Zoning Committee on the project. Construction has begun on the road. Within hours of the surveyors staking out the area, a neighbor, Jule Haderlie, called to inform Mr. Nicoll that he did not want any equipment brought in unless a new bridge was installed. Mr. Nicoll explained that a new bridge was not part of the condition of the approval. Mr. Nicoll attended the 1<sup>st</sup> County Commissioner meeting in August to review with the commissioners and with Ralph Hopkins as to whether a new bridge was required. The bridge had been inspected twice by Wayne Baker. Greg Haney, County Attorney, recommended that the bridge be inspected by a registered engineer. Mr. Nicoll has hired Sunrise Engineering out of Afton to determine the bridge capacity. Mr. Nicoll further stated that Jule Haderlie has posted a 20 ton limit sign on the bridge, and Mr. Nicoll has agreed to live with that limitation until Sunrise Engineering approves a higher weight.

Jon Hall asked if the bridge was shared with Jule Haderlie. Mr. Nicoll answered that there are 6 or 7 homeowners that have put together a common 60 ft easement, so it is a common bridge to those homeowners. Jon inquired as to the loads which were hauled over the bridge. Mr. Nicoll said Wayne Baker informed him the bridge was capable of 76,000 pounds. Mr. Nicoll called the former owner of the property, Terry Haderlie, who is a heavy equipment operator, to ask what weight he has taken on the bridge. Mr. Haderlie informed him that he regularly took his semis across, which weigh 80,000 pounds. Mr. Nicoll added that the bridge is 70 feet long so the weight was spread out adequately.

Jon Hall inquired as to whether all the homeowners shared in maintenance costs of the bridge. Mr. Nicoll responded affirmatively, stating that the cost of any improvements made to the road were shared between the homeowners. He further added that once the plat is approved, they will become 75% stake owners in whatever improvements are needed. Mark Nicoll presented a map of the area of interest. The Caribou Mountain project is located on the left side going toward Freedom, and Grouse Creek is located on the right.

Mr. Nicoll then presented to the committee that the owners want to split a few more of the lots. The Health Dept. has been doing their testing and need to test a few more holes. They intend to mostly reduce the 10 acre lots to 5 acres. The smallest lot is 3 acres. Jon Hall informed Mr.

Nicoll that he would not agree to any small lots. He believes there may be a minimum lot size limit. Other areas were discussed, including Bannock County and Boston, who enforce minimum lot size limits to avoid problems of contaminated water. Mr. Nicoll informed the committee that most of the lots are 8-10 acres, but due to the contour of the land, some lended themselves to the smaller sizes toward the top of the property. The purpose of the reduction in lot size, Mr. Nicoll explained, was to figure out how to adjust to the market and reduce the pricing. Jon Hall said he is not in favor of splitting the lots and said that, theoretically, all the lots could be split. Mr. Nicoll said, initially when the subdivision was started, the health dept. said they could find an area on the 5 acre property where a septic tank could work. Mr. Nicoll added, the health dept. then changed their rules and said that they really don't care what size the property is, they will test the specific lot to determine if there is adequate water supply, whether it be 1 or 15 acres. Mr. Hall said their procedure is, they have all the acres tested and they have an engineer let them know whether the soil is adequate or not. Mr. Hall wants to research the matter further. He said he does not want a property owner 15 years from now finding out their water is bad. Mr. Hall believes that the rules state either you put in a water system or a community septic system. Mr. Nicoll said that another option would be to put in an enhanced filtration system. He added that the health dept. loves them and they work on smaller lots. The cost is a little higher, but it would certainly reduce the contamination factor. Mr. Nicoll said they are going to build a spec home to see if that can stir up some activity this fall. It will be on a 3.5 acre lot. He is willing to put in an enhanced filtration system if it will help alleviate some concerns.

Stan Wistison reviewed the Zoning Ordinance, Zoning Districts and Overlays, low and high density residential subdivisions. He believes Caribou Mountain subdivisions fall under the low density section. Mr. Nicoll is requesting that the Planning and Zoning committee give him some guidelines as to what the committee wants to see regarding minimum size lots. He said that most lots run from 5-15 acres, there are two lots as low as just above 3 acres and three or four others around 4.5. Nick Johnson said he would approve if the land passed the health dept inspection, because he believes that 3.5 and 4 acre lots are still a fairly good piece of land. Stan Wistisen mentioned that some property across the highway in Starr Valley was having some problems due to rocky, gravelly soil and the people on lower property were getting contaminated wells. No one knew the size of the properties, however. Mr. Hall said we don't want to repeat those problems. Nick Johnson asked what the cost of an enhanced septic was. Mr. Nicoll said that a standard system is in the \$5-6,000.00 and that an enhanced system is \$2-3,000.00 more than that. Responding to Nick Johnson's inquiry, Mr. Nicoll informed the board that the property will be sold for between \$1-200,000.00 and up. Nick Johnson said, due to the minimal increase, why not just put enhanced systems on all the lots 4.5 or smaller. Mr. Hall said he is worried that by doing so, a precedence will be set and someone else could demand 3 acre lot sizes. It was decided that the zoning requirements would be reviewed and discussed at the Planning and Zoning meeting to be held on October 3<sup>rd</sup> and Mark Nicoll was invited to attend the meeting.

Jon Hall inquired as to Jody Hills' Yert proposal. Krista Christensen informed the board that she had spoken with Ms. Hill by telephone. Ms. Hill informed her that the seller decided to reduce the amount of property he was selling. Ms. Hill is having to make revisions to her plan; she is taking pictures of the site, and hopes to know more for the board by next month. Jon Hall stated that he is not in favor of the project. He said the project does not meet any of the building

ordinances whatsoever and that the Planning and Zoning regulations would have to be revised to accommodate her.

Jon Hall inquired as to the Mink Farm. Nick Johnson responded saying he still has the original amount of mink out there, but he hasn't expanded and Nick Johnson does not know what his intentions or plans are. Nick Johnson said he is over in Holbrook farming on rented property. Jon Hall asked whether he was building there. Nick Johnson said he was unaware, but heard he might stay where he is.

Jon Hall brought up the new section added to the Comprehensive Plan regarding maintaining an analysis of the agriculture base of the county. He believes that is a big wide door for the Planning and Zoning Committee.

The minutes of July, 2012, were reviewed. Nick Johnson made a motion to approve the minutes and Gail George seconded. All were in favor.

Documents for the Planning and Zoning binder were handed out and discussed. The following documents were presented to the committee members:

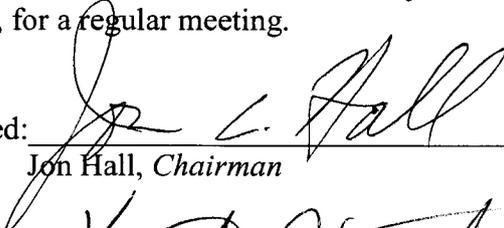
- 1) Impact Zone Maps;
- 2) Idaho Open Meeting Law Manual;
- 3) Subdivision Ordinances;
- 4) Idaho Statutes.

Krista Christensen presented to the board that changes to the impact zone map for Soda Springs were never approved. Jon Hall said that the impact zone maps would be reviewed and discussed at the October 3 meeting.

Stan Wistisen brought up the Open Meeting Law for discussion. He said they wanted to avoid the situation in Bingham County wherein a lawsuit was filed for having a closed door public hearing. It was stated that when a public meeting is held, the doors need to remain open, and the outside doors need to be unlocked.

The meeting was adjourned by motion from Gail George. Jon Hall seconded the motion. All were in favor. The Caribou County Planning & Zoning Commission will meet on October 3, 2012, for a regular meeting.

Signed: \_\_\_\_\_

  
Jon Hall, *Chairman*

Attested: \_\_\_\_\_

  
Krista Christensen, *Secretary*