

Instrument # 980566
Bonner County, Sandpoint, Idaho
04/13/2021 11:54:51 AM No. of Pages: 32
Recorded for: BCCC
Michael W. Rosedale Fee: \$0.00
Ex-Officio Recorder Deputy _____
Index to: MISC



Resolution #2021-39
Planning
Partial Release of Surety

AUTHORIZATION FOR PARTIAL RELEASE OF SURETY
Resolution #21- 39

WHEREAS, the **Bonner County Board of Commissioners** and **Trestle Creek Investments, LLC.**, hereafter referred to as **Applicant** entered into a surety agreement on June 26, 2019, in the amount of **\$709,800.00** for completion of the improvements for the plat of Idaho Club Lake Estates, File #S1930-17; and

WHEREAS the improvements to be complete were as follows:

Improvements required by final plat conditions A-5, A-6, A-8 and C-4, to wit:

A-5 Idaho Country Road shall be developed with a hard surfaced "low volume road" accessing all lots in accord with approved plan and constructed to standards set forth in Title 12 Appendix A, 2.5(a).

A-6 Waste water treatment facility and land application systems shall be constructed in accord with Panhandle Health Department and Idaho Department of Environmental quality guidelines.

A-8 A fire suppression system shall be installed in accord with the submitted plan, as regulated by BCRC 12-623(d).

C-4 The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved.

WHEREAS, the above described improvements have been constructed by the Applicant with regard to certain real property described, as follows:

That property depicted on the Idaho Club Lake Estates as recorded in Book 14 of PLATS, Page 25, Records of Bonner County, Idaho., a surety in the said amount was posted as a North American Specialty Insurance Company Bond 2270142; and

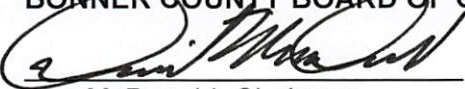
WHEREAS, Welch Comer have certified in a letter dated January 20, 2021, and further certified in a follow up letter dated March 17, 2021 that the improvements to the property have been completed pursuant to the conditions of approval for the subdivision. The letter further declares that the project has been completed in general accordance with the approved plans and specifications; and

WHEREAS, Bonner County Planning Department has caused a review of the submitted letter by the County Engineer Department and has received a letter from Spencer Ferguson, PE, March 22, 2021 stating in part "...the surety agreement conditions...have been completed."

NOW, THEREFORE, the Bonner County Board of Commissioners hereby accepts the improvements as complete subject to the terms of the surety agreement, File #S1930-17, and hereby authorizes the release of one-half the surety or **\$354,900.00** and hereby retains the

surety in the amount of **\$354,900.00 until one year from the date of this acceptance**. The Board of Commissioners hereby further authorizes the Bonner County Treasurer to release as soon as practical, allowing sufficient time for processing, said **\$354,900.00** of the surety specified herein and to release the remaining surety one year from the date of this acceptance, barring any defects in materials or workmanship as determined by Bonner County Planning Department.

BONNER COUNTY BOARD OF COMMISSIONERS:



Dan McDonald, Chairman



Jeff Connolly, Commissioner

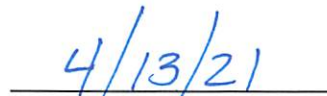


Steve Bradshaw, Commissioner

ATTEST: Michael Rosedale, Clerk



By Deputy Clerk



Date



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (208) 265-1463

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

April 13, 2021

Memorandum

To: Board of County Commissioners

From: Milton Ollerton, Bonner County Planning Director

Re: Partial Surety Bond Release, The Idaho Club Lake Estates, File #S1930-17

The Idaho Club Lake Estates is a residential planned unit development consisting of six (6) residential lots, with open space located near Trestle Creek on Highway 200. The final plat was approved with the placement of the surety on June 26, 2019. The improvement surety was for the cost, plus 50%, for developing the internal road, waste water treatment facility and land application, a fire suppression system, and stormwater control measures in a bonded amount of \$709,800.

This resolution releases 50 percent of the bond for the improvements required for the upgrades per the surety agreement for the Idaho Club Lake Estates subdivision. Sewell and Associates has provided the engineer review of the improvements certifying completion of the installation of this project. Staff has reviewed these documents and received a letter of review from Spencer Ferguson, PE of the County Engineering Department stating the surety agreement conditions have been completed.

The resolution and letter of completion and review are attached.

Legal Review: _____

Distribution: Milton Ollerton/Jeannie Welter/Cheryl Piehl

(Recommendation)

Staff recommends the Board approve the resolution releasing 50% of the bond due for the upgrade requirements for Idaho Club Lake Estates, File S1930-17.

Based on the information before us, I move to approve Resolution Number 2021-39 releasing 50% of the bond from Idaho Club Lake Estates File #S1930-17.

Recommendation Acceptance: Yes No  Date: 4/13/21
Commissioner Dan McDonald, Chairman



Bonner County Engineering Dept.

1500 Highway 2, Suite 101, Sandpoint, ID 83864

MEMORANDUM

DATE: March 22, 2021
TO: Milton Ollerton, Bonner County Planning Department
FROM: Spencer Ferguson, P.E.
SUBJ: S1930-17 - **Revised** Surety Agreement Submittal for Idaho Club Estates South Lake Parcel dated March 17, 2021

Milton,

On March 17, 2020, I received the revised surety agreement submittal for the roadway and cul-de-sac located at The Idaho Club Estates South Lake Parcel. The documents and drawing revisions have been submitted by Welch-Comer Engineers in response to my initial review memo dated February 8, 2021.

The information deficiencies outlined in my February 8 memo have been addressed.

I am satisfied that the surety agreement conditions A-5, A-6, A-8, and C-4 as outlined by Martin Taylor in his January 20, 2021 letter have been **completed**.

Thank you.

Steve Cordes

From: Chris Irvin <Cirvin@phd1.idaho.gov>
Sent: Wednesday, February 10, 2021 11:00 AM
To: Steve Cordes
Subject: RE: Valiant Lake Estates
Attachments: Valiant 18-09-140011 final.pdf

Hi Steve,

I attached the final inspection I completed. That should be good, it's all done.

Chris Irvin, REHS
Environmental Health Specialist
Panhandle Health District
2101 Pine St., Sandpoint, Idaho 83864
Ph:208.265.6384
cirvin@phd1.idaho.gov

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From: Steve Cordes <scordes@welchcomer.com>
Sent: Monday, February 8, 2021 2:50 PM
To: Chris Irvin <Cirvin@phd1.idaho.gov>
Subject: RE: Valiant Lake Estates

CAUTION: This message originated outside of Panhandle Health District. Do not click links or open attachments unless you recognize the sender, are expecting something from them, and know the content is safe. Please forward spam & phishing emails to IT Support.

Hi Chris,

The contractor is trying to get his bond released from the county for the project they did at Trestle creek.

I believe I sent you the record drawing. Did you or could you send me something that says PHD has done their inspection and is happy with it?

Thanks,

Steve

FINAL/AS-BUILT--Subsurface Sewage Disposal



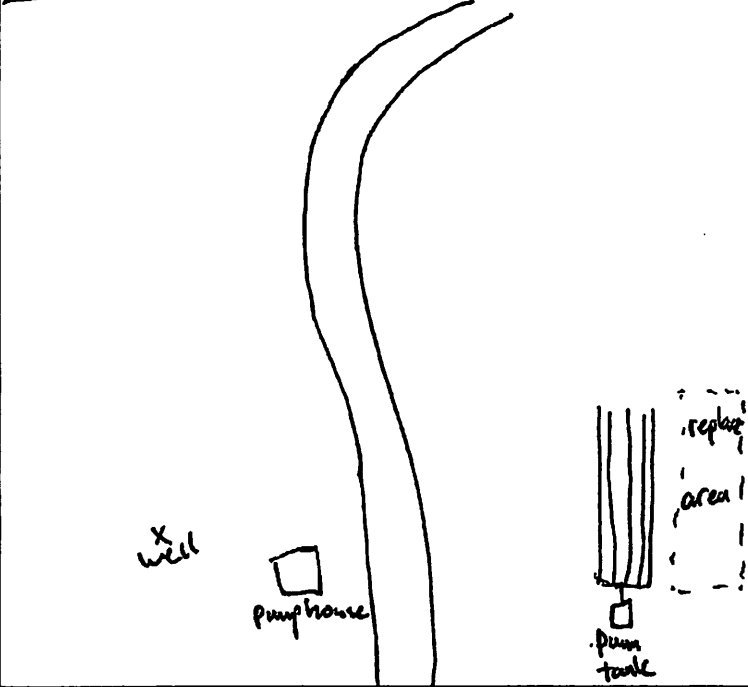
Panhandle Health District
2101 W PINE ST
SANDPOINT, ID 83864(208) 265-6384

Permit #: VALIANT LAKE ESTATES
Date Rcvd: 2/27/2020
Parcel #: RP57N01E213750A
Ready: 3/2/2020 8:00:00 AM

Applicant's Name: STEVE CORDES EHS: Chris Irvin AL
 Owners Name: VALIANT LAKE ESTATES, LLC
 Property Address: 141 IDAHO COUNTRY RD, RP57N01E213750A
 Legal Description: Range: 01E Section: 21
 Subdivision: Township: 57N Block: Size (acres)

As-built (not to scale)

See attached record drawings for detail



System Type: Gravel - pressure	Gravel (Yards): N/A
System Mfg: N/A	Sand (Yards): N/A
Septic/Trash Tank (Gal): N/A	Drainfield Depth (Inches): 24
Septic/Trash Tank Mfr: N/A	Rock Under Pipe (Inches): 8"
Depth to Tank Lid (Inches): N/A	Date System Installed: 3/2/2020
Standpipe/Riser (Inches): N/A	Riser Longitude: N/A
Pump Tank (gallons): 4000	Riser Latitude: N/A
Pump Tank Mfg: DCP	Well Installed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Drainfield Width (Ft): 3	Distance to Tank (Ft): 170
Drainfield Length (Ft): 800	Distance to Drainfield (Ft): 170
Drainfield Area Installed (Sq Ft): 2400	Valve: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Effective Area (Sq Ft): 2400	Dist-Box: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Drop-Box: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
All plans, specifications, and conditions contained in the approved permit application are hereby incorporated into and may be enforceable as part of the permit.	

Technical Allowance Granted Yes No

Comments: _____

Notes/Conditions of Approval: _____

Installer Name: Lippert Excavation & Pipeline
 Installer Phone: (208) 290-7804
 Installer Number: 15-108037

Signature: _____
 Date: _____

By signing above, I certify that all answers and statements on this Final/As-built are true and complete to the best of my knowledge.

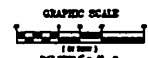
Official Use Only

- As-Built provided by EHS
- As-Built provided by Installer

_____ EHS Final Inspection Signature
 _____ Date 4/29/2020
 EHS Code _____

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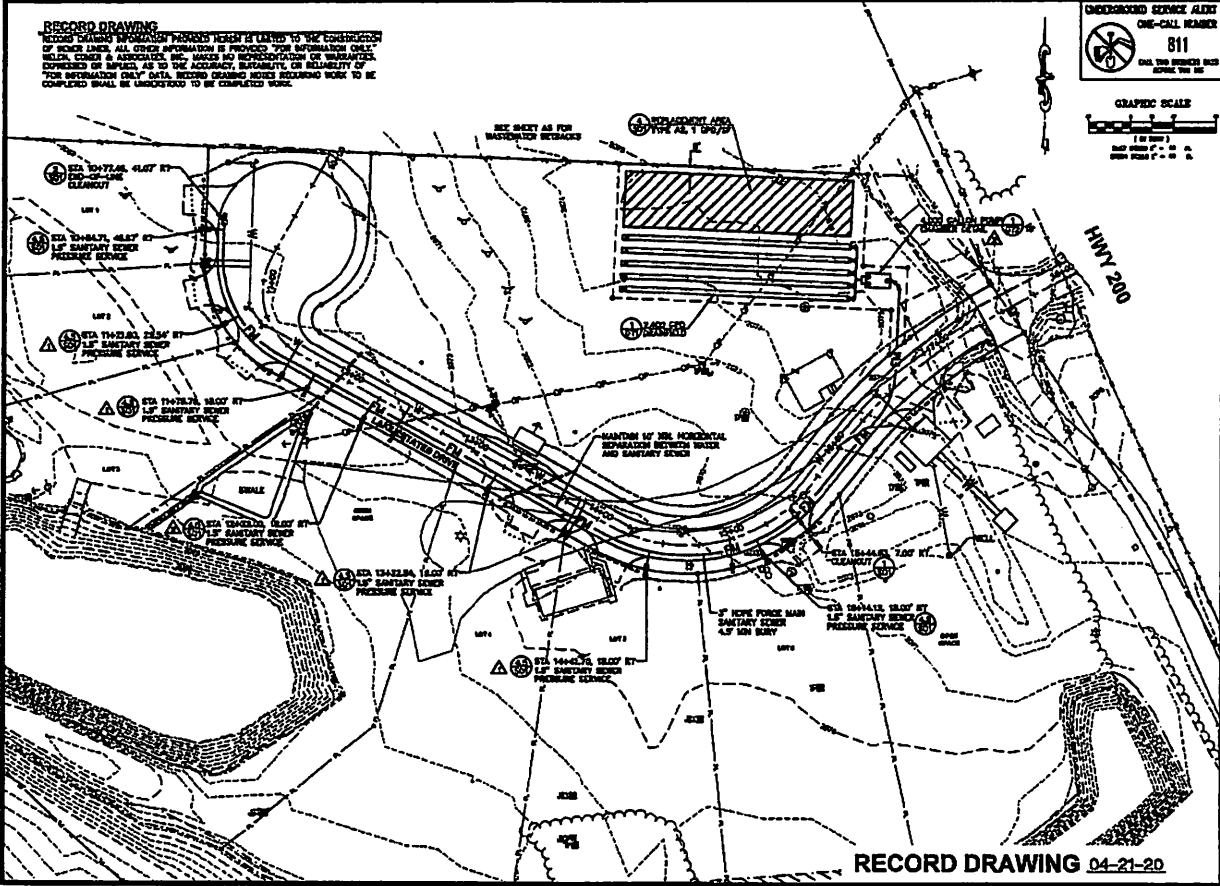
REGISTERED PROFESSIONAL ENGINEER
8276
 STATE OF IDAHO
 CIVIL ENGINEER
 04/21/20

WELCH-COMER
 ENGINEERS & ARCHITECTS
 300 E. LABORER AVE. SUITE 201
 BOISE, IDAHO 83724
 TEL: 208-333-1111 FAX: 208-333-1112
 WWW.WELCH-COMER.COM

THRETTLE CREEK INVESTMENTS, LLC
 IDAHO CLUB LAKE ESTATES
 SOUTH LAKE PARCEL

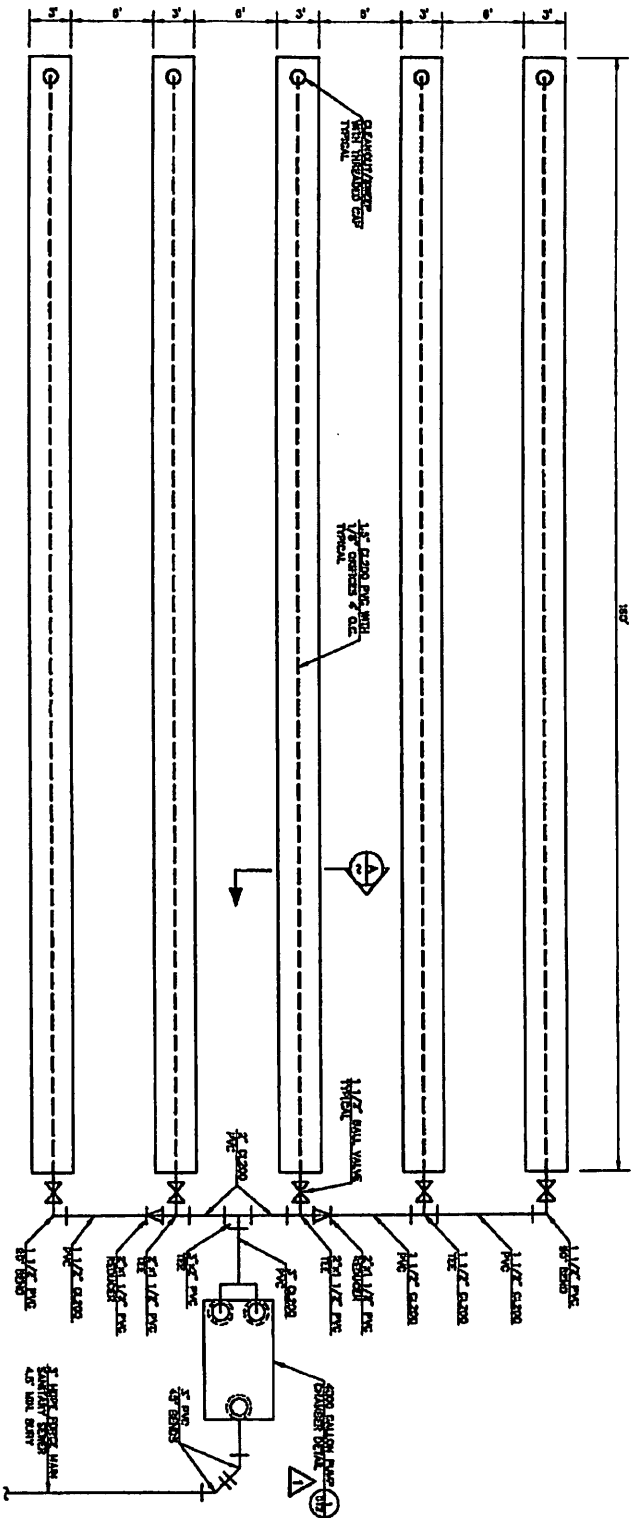
SANITARY SEWER
 PLAN VIEW

PROJECT NO.	44234.0012
DESIGNED BY	ALAN WOOD
DRAWN BY	CSZ
CHECKED BY	ALAN
DATE	08-10-18
SHEET NO.	51

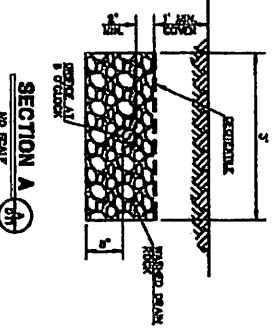


RECORD DRAWING 04-21-20

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SOUTH LAKE PARCEL DETAIL 1
 NO SCALE



- NOTES**
1. DESIGNED TO AVERAGE CONSTRUCTION FROM TO BALANCE OF LATERALS.
 2. BALL VALVES TO BE USED TO BALANCE FLOW AND ADJUST ORIFICE.
 3. CONTRACTOR TO PROVIDE FRESH WATER FOR SYSTEM TESTING.

RECORD DRAWING 04-21-20

PROJECT NO.	44203
CONTRACTOR	DAVID
DATE	04-21-20
BY	DT1

VALIANT LAKE ESTATES, LLC
 THE IDAHO CLUB LAKE ESTATES
 SOUTH LAKE PARCEL

DETAILS

WELCH-COMBS
 ENGINEERS & SURVEYORS

www.welchcombs.com
 200 E. Lakeside Ave, Suite 101
 Coeur d'Alene, ID 83814

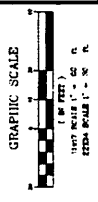
208-664-4332
 208 (tw) 677-8772
 208-664-5945

DATE: 04-21-20
 REVISION DESCRIPTION: 1. 04-21-20 REVISED MAP NUMBER

PROFESSIONAL ENGINEER
 STATE OF IDAHO
 STEVEN B. COMBS
 98276
 04/21/20

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 BEFORE YOU DIG



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SEE SHEET AS FOR WASTEWATER SETBACKS

REPLACEMENT AREA TYPE A2, 1 BRV/SF

4000 GALLON PUMP CHAMBER DETAIL

MAINTAIN 10' MIN. HORIZONTAL SEPARATION BETWEEN WATER AND SANITARY SEWER

3" HOPE FORCE MAIN SANITARY SEWER 4.5' MIN BURY

LOT 1
 STA 10+77.48, 41.00' RT
 END-OF-LINE CLEANOUT

LOT 2
 STA 10+84.71, 48.87' RT
 1.5" SANITARY SEWER PRESSURE SERVICE

LOT 3
 STA 11+71.60, 20.84' RT
 1.5" SANITARY SEWER PRESSURE SERVICE

LOT 4
 STA 11+76.70, 18.00' RT
 1.5" SANITARY SEWER PRESSURE SERVICE

LOT 5
 STA 12+22.00, 18.00' RT
 1.5" SANITARY SEWER PRESSURE SERVICE

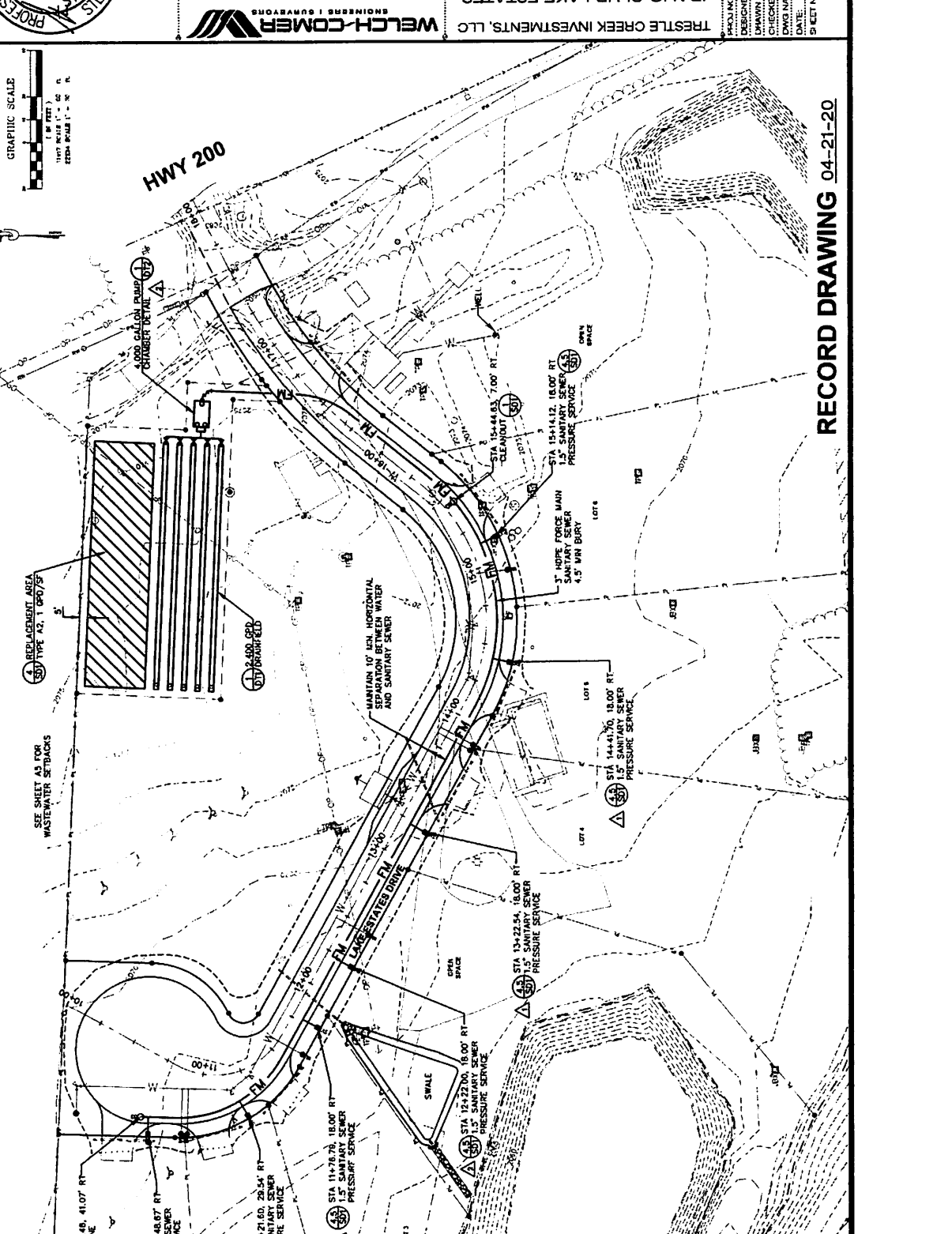
LOT 6
 STA 13+22.54, 18.00' RT
 1.5" SANITARY SEWER PRESSURE SERVICE

LOT 7
 STA 14+41.70, 18.00' RT
 4.5" SANITARY SEWER PRESSURE SERVICE

LOT 8
 STA 15+44.83, 7.00' RT
 CLEANOUT

LOT 9
 STA 15+14.12, 18.00' RT
 1.5" SANITARY SEWER PRESSURE SERVICE

SWALE



0 10 20 30 40 50
 FEET

0 10 20 30 40 50
 METERS

GRAPHIC SCALE

PROFESSIONAL ENGINEER
 STATE OF IDAHO
 LICENSE NO. 8276
 STEVEN B. COMER

04/21/20

WELCH-COMER ENGINEERS & ARCHITECTS
 330 E. Lake Shore Ave., Suite 101
 Boise, ID 83720
 (208) 664-9382
 (208) 664-9387
 (208) 664-9387
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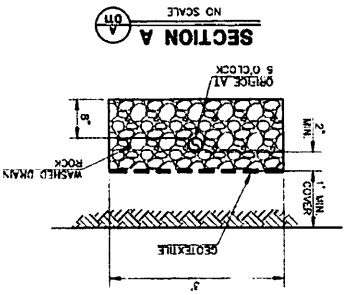
IDAHO CLUB LAKE ESTATES
 SOUTH LAKE PARCEL
 SANITARY SEWER
 PLAN VIEW

DESIGNED BY: AMW/ELB
 DRAWN BY: SJS
 CHECKED BY: AMW
 DWG NAME: 4427R.000(SANITARY) DWG
 DATE: 04-18-19
 SHEET NO: S1

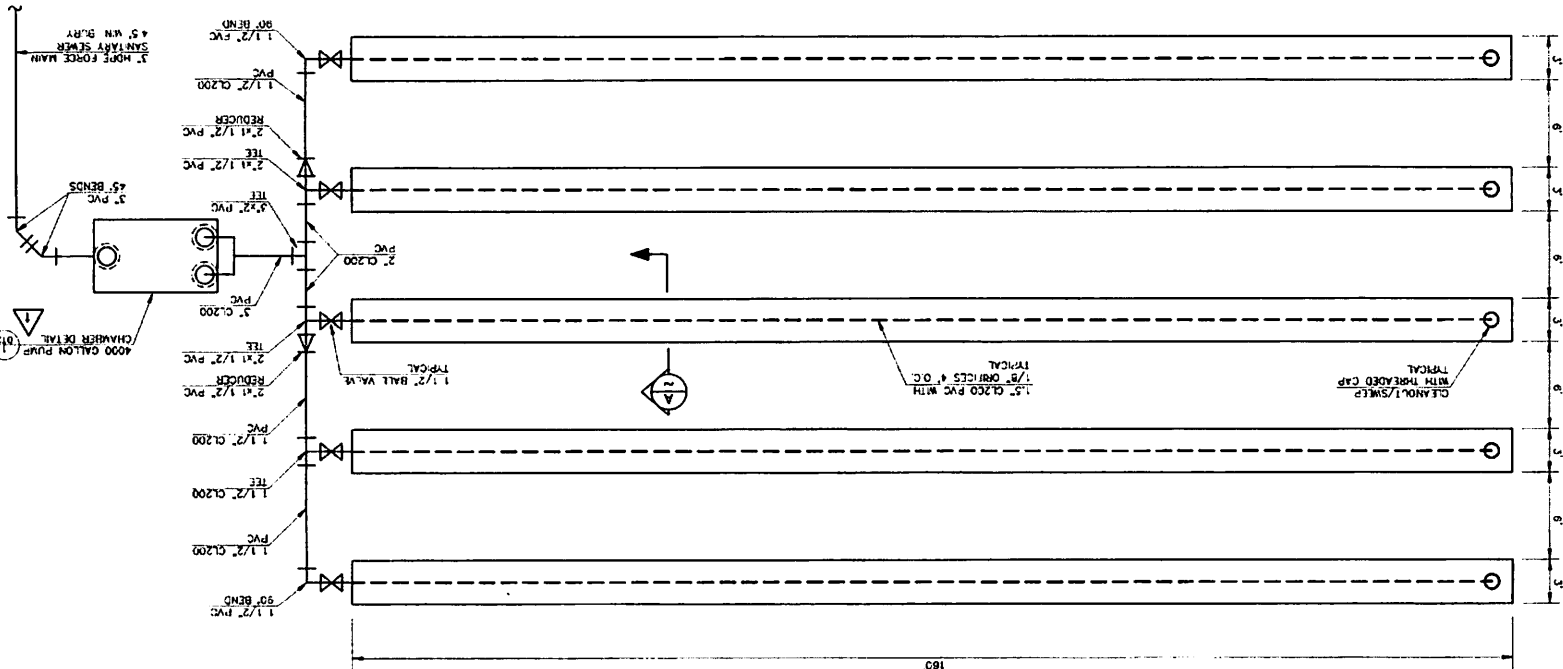
TRESTLE CREEK INVESTMENTS, LLC
 IDAHO CLUB LAKE ESTATES
 SOUTH LAKE PARCEL
 SANITARY SEWER
 PLAN VIEW

RECORD DRAWING 04-21-20

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SOUTH LAKE PARCEL DETAIL
 NO SCALE



- NOTES**
- ENGINEER TO REVIEW CONSTRUCTION PRIOR TO BACKFILL OF LATRALS.
 - BALL VALVES TO BE USED TO BALANCE FLOW AND ADJUST ORFICE.
 - CONTRACTOR TO PROVIDE FRESH WATER FOR SYSTEM TESTING.

RECORD DRAWING 04-21-20

PROJECT NO. 44026 020
 DESIGNED BY: B.A.C.
 DRAWN BY: J.A.L.
 CHECKED BY: B.A.C.
 DWG NAME: 44026 020 01.DWG
 DATE: 04-16-18
 SHEET NO. **DT1**

VALANT LAKE ESTATES, LLC
 THE IDAHO CLUB LAKE ESTATES
 SOUTH LAKE PARCEL

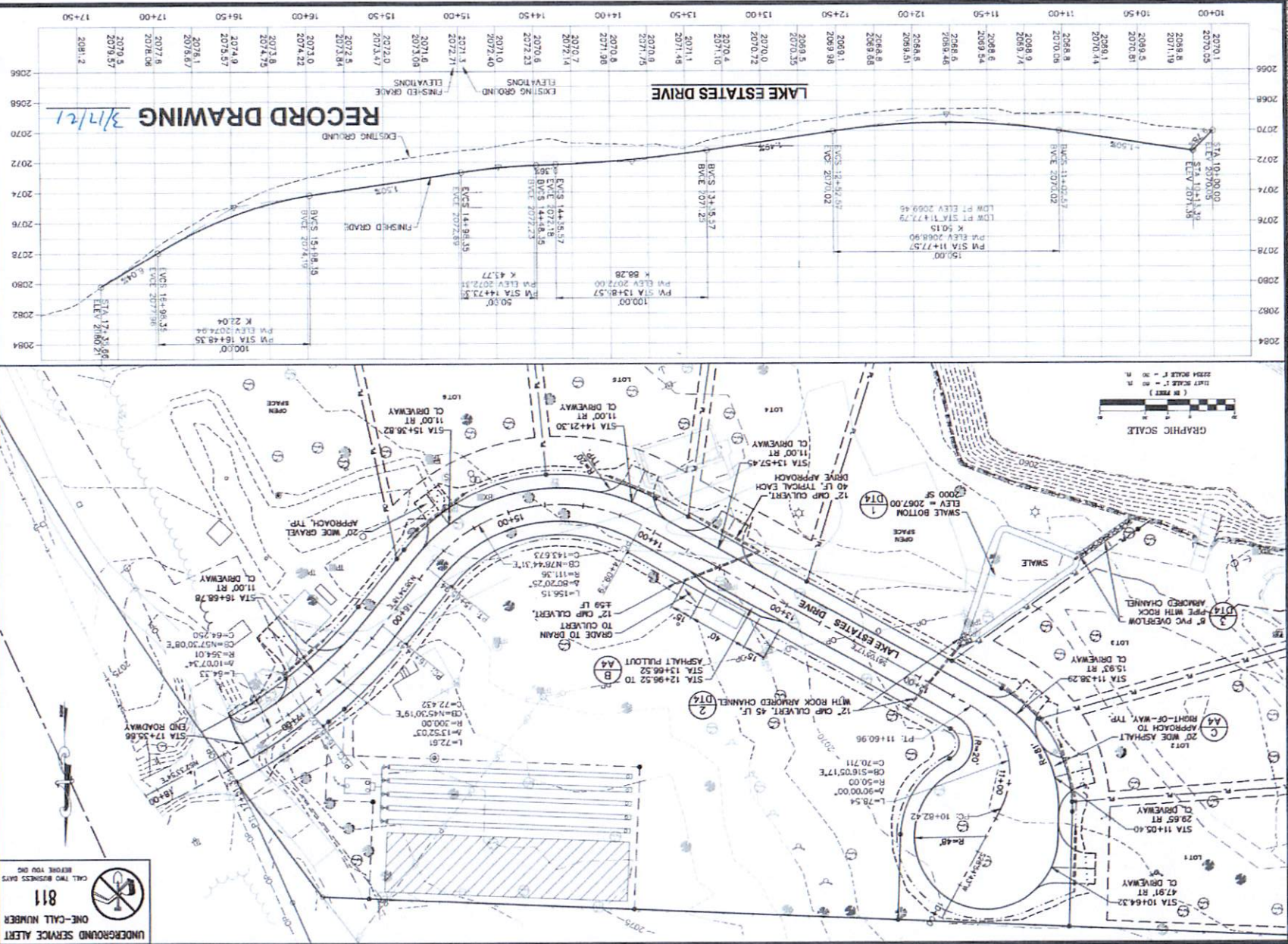
DETAILS

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04/21/20

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16+30	2086.30	STA 16+30.00
16+35	2086.35	STA 16+35.00
16+40	2086.40	STA 16+40.00
16+45	2086.45	STA 16+45.00
16+50	2086.50	STA 16+50.00
16+55	2086.55	STA 16+55.00
16+60	2086.60	STA 16+60.00
16+65	2086.65	STA 16+65.00
16+70	2086.70	STA 16+70.00
16+75	2086.75	STA 16+75.00
16+80	2086.80	STA 16+80.00
16+85	2086.85	STA 16+85.00
16+90	2086.90	STA 16+90.00
16+95	2086.95	STA 16+95.00
17+00	2087.00	STA 17+00.00

RECORD DRAWING 3/17/21

PROJ NO: 44026.010
 DRAWN BY: AMW/EDB
 CHECKED BY: SBC
 DWG NAME: 44026.010.DWG
 DATE: 03-18-21

TESTILE CREEK INVESTMENTS, LLC
 IDAHO CLUB LAKE ESTATES
 SOUTH LAKE PARCEL

LAKE ESTATES DRIVE
 PLAN AND PROFILE

WELCH-COMER
 ENGINEERS & SURVEYORS

www.welchcomer.com
 330 E. Lakeview Ave, Suite 101
 Coeur d'Alene, ID 83814

208-664-4392
 208-664-5672
 (cell) 877-815-5672
 (fax) 208-664-5986

NO. DATE REVISION DESCRIPTION
 1 07-23-21 FIELD AS-BUILT INVESTIGATION



UNDERGROUND SERVICE ALERT
 ONE-CALL NUMBER
 811
 CALL BEFORE YOU DIG
 CML TWO BUSINESS DAYS
 BEFORE THE WORK BEGINS

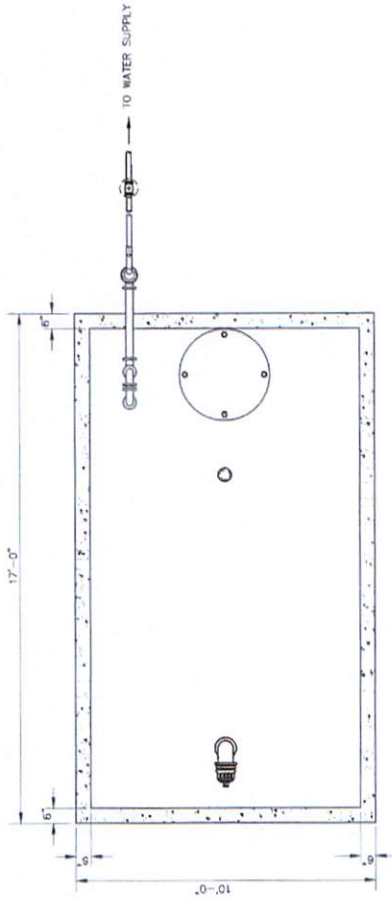
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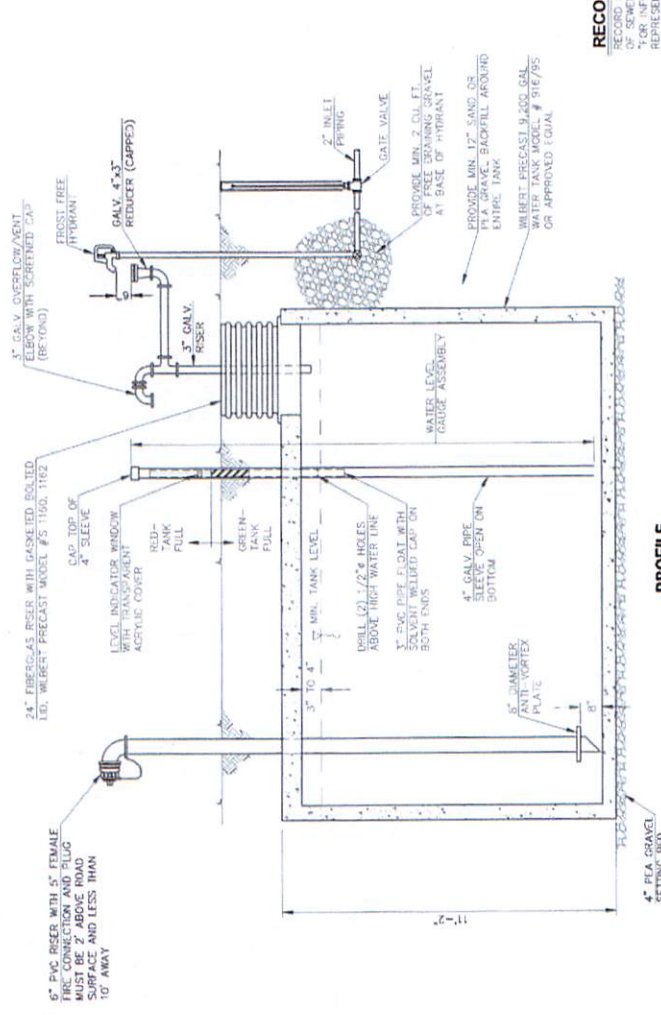
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 Cour. d'Alene, ID 83814 (Fax) 208-664-5946

VALIANT LAKE ESTATES, LLC
 THE IDAHO CLUB LAKE ESTATES
 SOUTH LAKE PARCEL
 DETAILS

PROJ. NO.: 44026.0200
 DESIGNED BY: S.B.C.
 DRAWN BY: J.A.L.
 CHECKED BY: J.A.L.
 DWG. NAME: 44026.0200WTR03.DWG
 DATE: 02-28-21
 SHEET NO.: **WD3**



PLAN



PROFILE

FIRE CISTEREN DETAIL 012
 NO SCALE

RECORD DRAWING
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RECORD DRAWING 3/17/21

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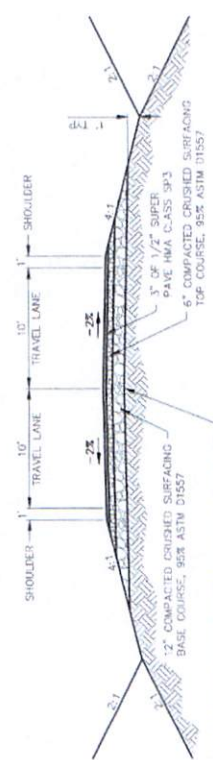


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 330 E. Lakeside Ave, Suite 101 (Mill Road)
 Boise, ID 83725
 (Fax) 208-664-5946
 208-664-9392
 1 DATE: 11/11/21
 2 REVISION: FIELD AS-BUILT INFORMATION
 3 PROJECT: SOUTH LAKE PARCEL
 4 DRAWING NO.: 15+00

TRESTLE CREEK INVESTMENTS, LLC
IDAHO CLUB LAKE ESTATES
SOUTH LAKE PARCEL
TYPICAL SECTIONS

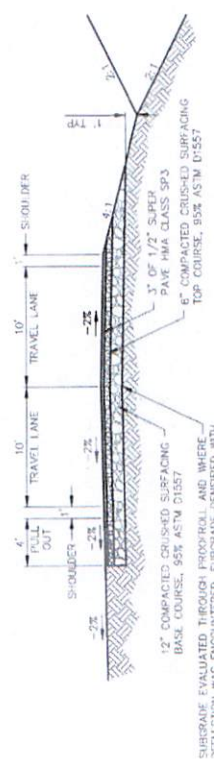
PROJ. NO.: 44026.010
 DESIGNED BY: AAM/TEB
 DRAWN BY: BJS
 CHECKED BY: BJS
 CADD NAME: 44026.010150.DWG
 DATE: 09-18-21
 SHEET NO.: **A4**

▲ BALLAST SECTION INCREASED 6" FROM STATION 15+00 TO CULDESAC.



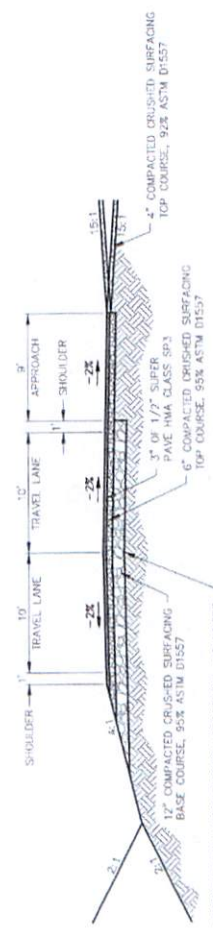
SUBGRADE EVALUATED THROUGH PROFFROLL AND WHERE DEFLECTION WAS ENCOUNTERED, SUBGRADE DENSIFIED WITH VIBRATION OF 4- TO 6- QUARRY SPALLS INTO SUBGRADE UNTIL DEFLECTION NO LONGER OBSERVED.

LAKE ESTATES DRIVE TYPICAL SECTION A
 NO SCALE



SUBGRADE EVALUATED THROUGH PROFFROLL AND WHERE DEFLECTION WAS ENCOUNTERED, SUBGRADE DENSIFIED WITH VIBRATION OF 4- TO 6- QUARRY SPALLS INTO SUBGRADE UNTIL DEFLECTION NO LONGER OBSERVED.

LAKE ESTATES DRIVE ASPHALT PULLOUT TYPICAL SECTION B
 NO SCALE



SUBGRADE EVALUATED THROUGH PROFFROLL AND WHERE DEFLECTION WAS ENCOUNTERED, SUBGRADE DENSIFIED WITH VIBRATION OF 4- TO 6- QUARRY SPALLS INTO SUBGRADE UNTIL DEFLECTION NO LONGER OBSERVED.

LAKE ESTATES DRIVE DRIVEWAY APPROACH TYPICAL SECTION C
 NO SCALE

RECORD DRAWING 3/17/21



Bonner County Engineering Dept.

1500 Highway 2, Suite 101, Sandpoint, ID 83864

MEMORANDUM

DATE: February 8, 2021

TO: Milton Ollerton, Bonner County Planning Department

FROM: Spencer Ferguson, P.E.

RE: Private Road Plan Review for Idaho Club Lake Estates South Lake Parcel dated January 21, 2021

Milton,

On February 4, 2021, I received the Private Road Record Drawings for the Idaho Club Estates South Lake Parcel, completed by Welch-Comer Engineers and Land Surveyors. The Record Drawings were submitted as part of the Lakeview Estates Surety Agreement S1930-7.

The project involves construction of approximately 730 lineal feet of 20' wide paved travelway serving (6) residential lots. The project also includes construction of a waste water treatment facility, fire suppression system, and stormwater and erosion control infrastructure.

The private road record drawings, construction inspection reports and documents have been reviewed with respect to meeting the requirements of the Bonner County Revised Code Title 12, Appendix A – Private Road Standards Manual. The following items must be addressed for the submission to be in compliance:

- 1) Sheet A4, Detail A, B and C of the record drawings indicate that the subgrade was compacted to 95% ASTM D698 while inspection documentation provided by All-West seems to indicate a visual inspection was completed. Please clarify the discrepancy. Also please clarify the approximate locations of the placement of the 4"-6" quarry spall material. Was the imported spall material placed throughout the roadway or just a specific soft spots? If the spall material placement was localized, was the subgrade in other areas tested per the design drawings?

- 2) Per Title 12 Appendix A, 3.9, please provide inspection reports and/or record drawings for the wastewater facility.
- 3) Per Title 12 Appendix A, 3.9, please provide inspection reports and record drawings for the fire suppression system.
- 4) The record drawings indicate that an additional 6" thickness of ballast was placed from approximate Station 11+50 (cul-de-sac) to Station 15+00. Were additional density tests or visual compaction inspections completed in this area? Also, the inspection reports for the ballast and top course indicate that ASTM D1557 was used, however the record drawings indicate the ballast and top course were tested according to ASTM D698.

I recommend that the record drawings and documents be revised to address the items listed above. Pending the indicated revision and clarifications, the submittal is **incomplete**.

Thank you.



Milton Ollerton <milton.ollerton@bonnercountyid.gov>

[EXT SENDER] Acceptance of Improvements as Complete (Bond Amount Reduction -- The Idaho Club Lake Estates Surety Agreement (S1930-17 and CM1007-18))

Marty Taylor <mtaylor@jasewell.com>

Wed, Mar 17, 2021 at 1:34 PM

To: Milton Ollerton <milton.ollerton@bonnercountyid.gov>

Cc: Steve Cordes <scordes@welchcomer.com>, "harley.lhei@gmail.com" <harley.lhei@gmail.com>, William Haberman <william.haberman@icloud.com>

Milton:

Pursuant to Spencer's 2/8/21 request for additional documentation (attached for purposes of continuity), please find attached and below the requested information provided by Steve Cordes, the project engineer.

Please let me know when this matter is schedule for Board consideration.

Thanks.

Marty

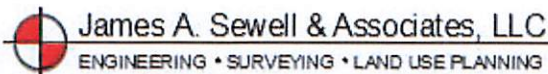
Martin E. Taylor, AICP

Member – *American Institute of Certified Planners*

Land Use Planning, Design and Permit Services

Wetland Delineations

Project Management



1319 North Division Avenue

Sandpoint, Idaho 83864

Office: (208) 263-4160

Cell: (208) 610-0465

www.jasewell.com

From: Steve Cordes <scordes@welchcomer.com>

Sent: Wednesday, March 17, 2021 12:30 PM

To: Marty Taylor <mtaylor@jasewell.com>

Cc: Harley Lippert <harley.lhei@gmail.com>; William Haberman <william.haberman@me.com>

Subject: RE: [EXT SENDER] RE: [EXT SENDER] RE: [EXT SENDER] RE: Acceptance of Improvements as Complete (Bond Amount Reduction -- The Idaho Club Lake Estates Surety Agreement (S1930-17 and CM1007-18))

Hi Marty,

Responses below

1) Sheet A4, Detail A, B and C of the record drawings indicate that the subgrade was compacted to 95% ASTM D698 while inspection documentation provided by All-West seems to indicate a visual inspection was completed. Please clarify the discrepancy. Also please clarify the approximate locations of the placement of the 4"-6" quarry spall material. Was the imported spall material placed throughout the roadway or just a specific soft spots? If the spall material placement was localized, was the subgrade in other areas tested per the design drawings?

Allwest was on site and evaluated a proof roll on subgrade. Where soft areas were encountered, subgrade was densified with compaction of 4 to 6 inch quarry spalls per geotechnical engineer's recommendation. Density testing was not conducted on the subgrade. The record drawings have been edited to reflect this.

2) Per Title 12 Appendix A, 3.9, please provide inspection reports and/or record drawings for the wastewater facility.

Attached are record drawings, and final approval from PHD confirming that they have done their inspection and are good with it.

3) Per Title 12 Appendix A, 3.9, please provide inspection reports and record drawings for the fire suppression system.

Attached is a record drawing for the fire cistern. This revised design is specifically what the fire district requested.

4) The record drawings indicate that an additional 6" thickness of ballast was placed from approximate Station 11+50 (cul-de-sac) to Station 15+00. Were additional density tests or visual compaction inspections completed in this area? Also, the inspection reports for the ballast and top course indicate that ASTM D1557 was used, however the record drawings indicate the ballast and top course were tested according to ASTM D698

Drawings have been revised to reflect D1557 per Allwest.



3 attachments



SKM_C65921031712410.pdf
361K



SKM_C65921031712411.pdf
1001K



S1930-17 Improvements Documents Incomplete.pdf
168K



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (208) 265-1463

Email: planning@bonnercountyid.gov - Website: www.bonnercountyid.gov

March 23, 2018

Valiant Idaho, LLC
c/o William Haberman
310 Charleston Place
Celebration, Florida 34747

Subject: C1007-17 & S1930-17
The Idaho Club Lake Estates - PUD & Preliminary Plat

Dear Mr. Haberman:

The Bonner County Commissioners at the March 21, 2018 public hearing approved the referenced application with conditions. The ordinance and standards used in evaluating the application and the reasons for approving the application are as follows:

Motion by the governing body - Conditional Use Permit - PUD:

MOTION: Commissioner McDonald moved to approve this project FILE C1007-17 for a large-scale, residential planned unit development consisting of nine (9) residential lots, and three (3) open space lots finding that it is in accord with the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner McDonald further moved to adopt the following findings of fact, conclusions of law and conditions of approval as written. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as adopted. Commissioner Bailey, after vacating the Chair, seconded the motion. This action does not result in a taking of private property.

VOTED upon and the Chair declared the motion carried, unanimously.

Motion by the governing body - Plat:

MOTION: Commissioner McDonald moved to approve this project FILE S1930-17 a preliminary plat for a large-scale, residential planned unit development consisting of nine (9) residential lots, and three (3) open space lots, finding that it is in accord with the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the staff report was prepared and testimony received at this

hearing. Commissioner McDonald further moved to adopt the following findings of fact, conclusions of law and conditions of approval as written. The action that could be taken to obtain the plat is to complete the Conditions of Approval as adopted. Commissioner Bailey, after vacating the Chair, seconded the motion. This action does not result in a taking of private property.

VOTED upon and the Chair declared the motion carried, unanimously.

Background:

A. Site data: The project encompasses 11.47 including submerged acres/ 8.86 upland acres. There are 9 planned residential lots consisting of approximately 4.13 acres, 3 common area lots totalling 3.93 acres and a marina area of 2.61 acres.

- Lot size: All proposed lots are .23 acres to .73 acres
- Depth to width: Proposed $\pm 3.5:1$ or less
- Intersection angle: varies from ± 76 to ± 104 degrees
- Water: 2 wells providing water to all lots
- Sewer: Residential lots have individual septic systems and shared land application system.

B. Access: The site is accessed by Idaho Country Road a private easement stemming from US Highway 200. The road within the subdivision shall be built to a low volume road width and travelway as the trip generation report outlines minimal traffic. The surface of the travelway shall be hard surfaced meeting road requirements outlined in Title 12 Appendix A road standards manual.

C. Environmental factors: No slopes exceeding 30% grade exist on site, A wetland reconnaissance submitted by Martin E. Taylor of James A. Sewell and associates confirms no wetland exist on site.

A portion of the parcel is encumbered by USACE flood easement and the entirety of the lot is in FEMA flood hazard zone AE. D-firm panel 0775E. All applicable Bonner County land use projects are routed through floodplain manager for compliance with FEMA standards.

According to the Soil Survey of Bonner County, soils on site consist of Bonner silt loam, poorly suited to cultivate crops. Associated with western hemlock, western red cedar fir and western white pine. (Natural Resource Element, BC Comprehensive Plan)

D. Services: Lots 1 through 9 will be serviced by individual septic systems and a common space land application system, and shared well. The shared well is located on an open space lot and will serve the subdivision at a total capacity of 110 gpm. The land application system will generate effluent at a class A grade in accord with state and federal regulations. The site is served with fire protection by the Sam Owen Fire District and with electricity by Avista.

E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Resort Community	Recreation	Single lot
North	Resort Community	R-5	Mobile home park
East	Resort Community	R-5	BNSF
South	Resort Community	R-5	USFWS
West	NA	NA	Pend Oreille

F. Standards review

12-633: STANDARDS AND GUIDELINES FOR ALL CONSERVATION SUBDIVISIONS

Provided: The application has been reviewed against these standards and the PUD and subdivision meet the requirements of these standards.

A. Uses: Single family residences, common and open space.

B. Development Standards: The project meets these requirements.

C. Design Standards: The project complies with the design standards in subchapter 6.2

D. Minimum Lot Size: PUD standards allow a flexibility of design and density criteria, as such proposed lots meet the standards required by Bonner County.

E. Suitable land: There are no wetlands present inside residential lots. Floodplain is present on each lot and a buildable area is shown on the plat. Building inside the floodplain will require meeting Title 14 floodplain development standards.

F. Further Subdivision of Cluster Lots: Not Applicable

G. Wells, Sewage, and disposal facilities within Common Space as denoted on conceptual plans.

H. Unavailable Urban Service: Not applicable.

I. Conservation Lots as Alternative: Not applicable.

J. Buffering, Clustering: N/A

12-645: STANDARDS FOR REVIEW OF APPLICATIONS FOR PRELIMINARY PLATS OF ALL SUBDIVISIONS

A.The proposed PUD and subdivision are located in the Recreation Zone. The recreation district is established for a range of housing types and uses that are accessory and complementary to recreational and residential uses. Access to primary transportation routes and a system of hard surfaced roads are expected.

B.The land capability report is attached stating that the project has been designed to mitigate impacts on the various features of the land in addition that the site has demonstrated the ability of the land to withstand disturbance without risk of substantial harmful consequence in accordance with BCRC 12-222(j).

C.The applicant performed a wetland reconnaissance and concluded wetlands not present as indicated on Bonner County viewer overlay.

D.Residential lots are provided sewer by a community drainfield and community wells. The subdivision is in the Sam Owen Fire District, the Avista power company, and the Lake Pend Oreille School District.

E.The proposed development includes a land capability report, stormwater management plan, wetland reconnaissance, trip generation report and a fire hazard rating report as well as engineered plans for proposed water treatment.

F.This project has been reviewed by Bonner County Road and Bridge Department and Idaho Transportation Department with no opposing comments returned.

G.The proposed PUD and subdivision have been reviewed against the standards shown here and the design criteria in subchapter 6.2 of Chapter 6, Title 12 Bonner County Revised Codes. The attached conditions are a result of this review.

12-256: DESIGN STANDARDS FOR PLANNED UNIT DEVELOPMENTS

A.Common Open Space: 10% open space required, 44.4% provided excluding submerged lands.

B.Owner's Association: The attached management plan shows the open space managed by the homeowner's association.

C.Covenants, Articles of Incorporation: Recorded with final plat – These should not be in conflict with existing county ordinances.

D.Development Density: The development meets the density allowed for a conservation subdivision in a recreation zone with the use of a community well and sewage disposal.

E.Public Amenities: Not applicable

F.Requirements for Public Amenities: The applicant is not using a density bonus with public amenities.

G.Design Standards: "Minimum development standards set forth in this title may be increased or decreased sufficient to accomplish design objectives in the utilization of natural or created amenities." This is the code that allows deviation from standards in this file as the depth to width ratio or angle of intersection. The applicant shows adequate side yard setbacks and adequate setbacks from the shore with a suitable building area.

H.Buffering, Clustering: N/A

G. Stormwater plan: A stormwater management plan was required pursuant to BCRC 12-2403(a). The plan by Ashley Williams, P.E. of Welch Comer, provides a stormwater management plan. The stormwater report has been reviewed by JUB Engineers, Inc on behalf of Bonner County concluding that the revised stormwater plan meets the intent of Bonner County Revised Code 12-7.2. (See attached review letter.)

H. Land capability report and environmental analysis: Martin E. Taylor, AICP, of James A. Sewell & Associates, LLC, submitted the land capability. The proposed PUD complies with the conditional use standards set forth in BCRC Section 12-223 and 12-256. The project has been designed to mitigate impacts on the various physical features of the land, including wetlands, wildlife habitat, vegetation, floodplain and floodways, cultural resources, water quality and other natural resources pursuant to BCRC, Section 12-253(1)(b). The site has demonstrated the ability of the land to withstand disturbance without risk of substantial harmful consequences of floods, sewage, drainage, erosion, sedimentation, or geological or surface slippage pursuant to BCRC, Section 12-222(j).

I. Fire plan: This site is ranked as Moderate for fire danger, based upon the Bonner County Planning Department fire hazard rating form. The landowner proposes a plat note requiring a defensible space plan, and fire suppression requirements. See attached letter from Sam Owen Fire District.

J. Wetland Reconnaissance: Martin E. Taylor, AICP, of James A. Sewell & Associates, LLC, submitted the wetland reconnaissance examining the location of the wetlands across the property. The report states " ..reconnaissance confirms that wetlands were not found along the shoreline as depicted on the NWI adjacent to proposed lots 6 through 9 and the Open Space lot adjacent to Lot 9." The shoreline is subject to a 40 foot vegetative buffer (BCRC, Section 12-714(a). Wetlands are subject to a 40 foot setback (BCRC, Section 12-722(b)).

K. Agency Review

The application was routed to the following agencies for comment on December 12, 2017.

Panhandle Health	Bonner County Road and Bridge
Sam Owen Fire District	Department of Environmental Quality
Bonner School District #84	Department of Fish and Game
Avista	Department of Transportation
Department of Lands (Sandpoint)	Department of Water resources
BNSF	USACE (CDA,Newport)
Fish and Wildlife service	Bonner County Schools-Transportation

The following agencies commented:

Panhandle Health District, letter dated January 8, 2018

Kathryn Kolberg states the need for appropriate permitting and fees to be submitted to PHD. See attachments

Idaho Department of Environmental Quality, letter(s) dated January 9, 2018: Faye Beller and Matthew Plaisted of DEQ provided comment on increasing signs of algae growth in nearshore areas of Pend Oreille Lake, and encouraged that native vegetation buffers be maintained. DEQ further commented That wastewater treatment systems must be designed in accordance with IDAPA regulations and proper permitting and fees shall be submitted.

Sam Owen Fire District: Fire chief Stuart Eigler requested a dry hydrant be installed in the mariana launch ramp area, along with the provision that the homeowners association maintain snow removal budgeting and practices.

Applicant response: "The fire chief has suggested that, in addition to the offered 10,000 gallon water storage tank with a dry hydrant, "that the applicant shall install a dry hydrant into the marina launch area" as well.

Please note that, according to code, "all proposed lots shall be designed by the applicant to provide a fire protection plan for the proposed lots" (BCRC, §12-623[d]).

The applicant is proposing bulk storage consistent with code (BCRC, §12-623[d][4]).

Accordingly, while the applicant appreciates the district's comments, the plan remains limited to the proposed 10,000 gallon water storage tank accessed with a dry hydrant.

This proposed plan mitigates impacts associated with the nine lot proposal. No further mitigation is necessary."

L. Public Notice & Comments

No public comments were received.

Findings of Fact and Conclusions of Law for PUDt:

Findings of Fact

The comprehensive plan designation is Resort Community and the property is zoned Recreation

1. Lots 1-9 share a community waste water treatment for septic and shared well sites.
2. The proposed residential lots are .23 to .73 acres.
3. Access is provided by Idaho Country Road off Highway 200 across an established railroad crossing to a private road.
4. PUD's allow for increase or decrease of standards:
 - a. a. BCRC, §12-412: 12,000 Square feet lot size for Lot 4 when served by urban services.
 - b. b. Change in depth to width ratio allows adequate room for side-yard setbacks
 - c. c. Change in angle of intersection allow adequate room for access to each lot.
 - d. d. The maximum waterfront lot width of BCRC 12-626(c)(1).
5. The provided 6.2 acre lot for open space is 44.4% of the development.
6. There is a proposed 3.93 acre common are for utilities, access and provides a buffer to adjoining roadway
7. A land capability report was completed showing the land is capable of supporting this development.
8. There is a wetland reconnaissance done showing numerous building sites within described building envelopes.
9. The fire hazard is rated low-moderate.
10. The property is served by Avista, Sam Owen Fire, and the Lake Pend Oreille School District.

Based upon the findings of fact, the following conclusions of law are adopted:**Conclusion 1**

The proposed planned unit development **is** in accord with the Bonner County comprehensive plan.

- | | | |
|-----------------------|------------------|------------------------------------|
| •Property Rights | •Population | •School Facilities, Transportation |
| •Economic Development | •Land Use | •Natural Resources |
| •Hazardous Areas | •Public Services | •Transportation |
| •Recreation | •Housing | •Special Areas or Sites |
| •Community Design | •Implementation | |

Conclusion 2

The proposed use **will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

Conclusion 3

The proposed planned unit development or the first phase of it **can** be substantially completed within two (4) years from the date of approval.

Conclusion 4

Each individual development phase **can** exist as an independent unit meeting the minimum standards set forth in this subchapter.

Conclusion 5

The streets and thoroughfares proposed **are** suitable and adequate to gather anticipated traffic and **will not** generate traffic in amounts that will overload the street network outside the planned unit development. Connections to public transportation systems shall also be considered.

Conclusion 6

Any residential development **will** constitute a residential environment of sustained desirability and stability and **will** be in harmony with the character of the surrounding neighborhood and community.

Conclusion 7

This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Chapter 4, Title 12, Subchapter 2.5, environmental standards of Chapter 7, Title 12, stormwater management criteria and standards set forth in Chapter 7, Title 12, and floodplain standards in Title 14, Bonner County Revised Code.

Conclusion 8

The proposed use **will not** adversely affect properties in the vicinity.

Findings of Fact and Conclusions of Law for Plat:

Findings of Fact

1. The comprehensive plan designation is Resort Community and the property is zoned Recreation
2. Lots 1-9 share a community waste water treatment for septic and shared well sites.
3. The proposed residential lots are .23 to .73 acres.
4. Access is provided by Idaho Country Road off Highway 200 across an established railroad crossing to a private road.
5. PUD's allow for increase or decrease of standards:
 - a. BCRC, §12-412: 12,000 Square feet lot size for Lot 4 when served by urban services.
 - b. Change in depth to width ratio allows adequate room for sideyard setbacks
 - c. Change in angle of intersection allow adequate room for access to each lot.
 - d. The maximum waterfront lot width of BCRC 12-626(c)(1).
6. The provided 6.2 acre lot for open space is 44.4% of the development.
7. There is a proposed 3.93 acre common are for utilities, access and provides a buffer to adjoining roadway.
8. A land capability report was completed showing the land is capable of supporting this development.
9. There is a wetland reconnaissance done showing numerous building sites within described building envelopes.

10.The fire hazard is rated low-moderate.

11.The property is served by Avista, Sam Owen Fire, and the Lake Pend Oreille School District.

The Background section of the staff report above and the testimony received are the basis for all of the findings of fact and conclusions of law. Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1

The proposed subdivision **is** in accord with the purposes of this Title and of the zone district in which it is located.

Conclusion 2

The site **is** physically suitable for the proposed development.

Conclusion 3

The design of the proposed subdivision **will not** adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.

Conclusion 4

The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision **are** adequate for the needs of future residents or users.

Conclusion 5

The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

Conclusion 6

The design of the proposed subdivision or related improvements **will** provide for coordinated access with the county system of roads and with adjacent properties, and **will not** impede the use of public easements for access to, or through the proposed subdivision. The proposed transportation system **is** designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

Conclusion 7

The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2, 6.35, 6.36 and 6.45 of Chapter 6, Title 12 Bonner County Revised Code.

Conclusion 8

The proposed subdivision is in accord with the Bonner County comprehensive plan.

- | | | |
|-----------------------|------------------|------------------------------------|
| •Property Rights | •Population | •School Facilities, Transportation |
| •Economic Development | •Land Use | •Natural Resources |
| •Hazardous Areas | •Public Services | •Transportation |
| •Recreation | •Housing | •Special Areas or Sites |
| •Community Design | •Implementation | |

Conditions of approval:

Required PUD conditions:

A-1 The use shall be in accordance with the approved site plan.

A-2 All county setbacks shall be met.

A-3 The Conditional Use Permit shall expire if not issued within four (4) calendar years from the date of approval, or once issued, if the use has not commenced within four (4) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for a single extension of the Conditional Use Permit for a period up to four (4) years. The Board of Commissioners may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.

A-4 Covenants, Conditions and Restrictions (CC&Rs) shall be recorded for the PUD with the final plat, which shall be sufficient to enforce development requirements and responsibilities of the lot owners and which shall include the formation of a homeowners' association or corporate ownership responsible for the development, use and permanent maintenance of all common activities and facilities. Prior to issuance of the conditional use permit, the CC&Rs, shall be submitted to the Planning Department and the portion relating to the development requirements and responsibilities shall be approved by the Planning Director. This section, which shall not be subject to change by vote of the lot owners, shall address, at a minimum, the following:

- a. Maintenance and operation of the stormwater system.
- b. Maintenance and use of the common area.
- c. Maintenance of the road system.
- d. Requirements to meet all applicable land use codes.
- e. Requirements for individual lot stormwater/erosion control management.
- f. Native plant care and maintenance within common areas.
- g. Maintenance and operations of the sewage disposal systems, as required by DEQ/PHD.

- A-5** Idaho Country Road shall be developed with a hard surfaced "low volume road" accessing all lots in accord with approved plan and constructed to standards set forth in Title 12 Appendix A, 2.5(a).
- A-6** Wastewater treatment facility and land application systems shall be constructed in accord with Panhandle Health Department and Idaho Department of Environmental quality guidelines.
- A-7** Wastewater treatment facility shall be constructed in accord with Bonner County Title 14 standards. Applicant shall submit to the Bonner County Planning Department a floodplain development permit to the satisfaction of the floodplain manager.
- A-8** A fire suppression system shall be installed in accord with the submitted plan, as regulated by BCRC 12-623(d)
- A-9** Authorization to deviate from Title 12 standards are hereby permitted as follows:
- a. BCRC 12-412: 12,000 square foot size minimum for lot 4 when served by "urban services".
 - b. BCRC, §12-621: Depth to Width Ratio and Angle of Intersection
 - c. BCRC, §12-624(d): Right of way frontage.
 - d. BCRC, §12-626(c)(1): 200 feet shoreline frontage width.

Required plat notes:

The following notes shall be recorded on the face of the final plat (in addition to those shown on preliminary plat):

- B-1** "In areas adjacent to structures, fuel modification provisions apply for the purpose of establishing and maintaining defensible space. Based on the low-moderate urban-wildland interface area rating on the subject property, a fuel modification distance of not less than 20 feet will be maintained. Lot owners will be responsible for modifying or removing non-fire resistive vegetation on each lot. Trees are allowed within the defensible space, provided the horizontal distance between crowns of adjacent trees and crowns of trees and structures, overhead electrical facilities or unmodified fuel is not less than 10 feet. Dead wood and litter shall be removed annually from trees. Where ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated defensible space, provided they do not form a means of transmitting fire from the native plant growth to any structure (International Urban-Wildland Interface Code, Section 603)."
- B-2** "The roads within this subdivision are private. These roads shall be maintained at the sole expense of the property owners until such time as they are constructed to county standards for maintenance at no expense to the taxpayers and are accepted into the county's maintenance system by the Bonner County Board of Commissioners."

B-3 "CC&Rs have been recorded requiring sufficient to enforce development requirements, instrument No. _____."

Standard and site-specific plat conditions:

C-1 A final plat shall be recorded.

C-2 The preliminary plat shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the preliminary plat, the applicant may make a written request to the Planning Director for a single extension of the preliminary plat for a period up to two (2) years. The Board of County Commissioners may consider such request for extension at any regular business meeting. The extension request must be approved or denied prior to the expiration date of the preliminary plat.

C-3 The following shall be delineated on the final plat to the satisfaction of the Bonner County Planning Department and/or other agencies as noted:

- (a) Approved sewage disposal easements and utility lines;
- (b) 100-year floodplain

C-4 The applicant shall install prior to ground disturbing activities all temporary erosion control measures as designed and approved. The applicant shall install upon completing ground disturbing activities and shall maintain thereafter all permanent erosion control and stormwater management measures as designed and approved.

NOTE: Following any final decision concerning a site-specific land use request, the applicant has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact this department if you have any questions.

Sincerely,


Milton Ollerton, Planning Director

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