



Bonner County

Board of Commissioners

Asia Williams

Brian Domke

Ron Korn

March 5, 2026

Subj: **Appeal of File CUP0022-23– Conditional Use Permit –
Communication Tower**

Attachments: Reasoned Statement
CUP0022-23 Staff Report

Dolyniuk Family Trust
c/o Harmoni Towers
2450 NW 114th Ave
Beaverton, OR, 97006

Dear Applicant,

The Board of County Commissioners, at the February 26, 2026 hearing, reversed the decision of the Hearing Examiner and denied the above referenced file.

MOTION TO REVERSE: Commissioner Korn moved to reverse the Hearing Examiner’s decision, and deny this project, FILE CUP0022-23 for a Communications Tower, based upon the following conclusions of law:

Conclusion 1: The proposed conditional use permit **is not** in accord with the general and specific objectives of Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2, Subchapter 2.2 Conditional Use Permits; Chapter 4 Development Standards and Chapter 7 Environmental Standards. The proposal **is not** in accord with the Bonner County Revised Code.

Conclusion 3: The proposed use **may** create a hazard or **may** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Commissioner Korn further moved to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the conditional use permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

Commissioner Williams seconded the motion.

Roll call vote:

Commissioner Williams	AYE
Commissioner Domke	AYE
Commissioner Korn	AYE

Voted upon and the Chair declared the motion carried with a unanimous vote.

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

Please contact the Bonner County Planning Department if you have any questions.

Sincerely,



Brian Domke, Chair
Board of County Commissioners

Cc:

Josh Leonard, Clark Wardle, Applicant Representative

Joan Esnayra, Appellant

Norm Semanko, Parsons Behle and Latimer, Appellant Representative



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LAND USE DECISION-MAKING WORKSHEET CONDITIONAL USE PERMIT COMMUNICATION TOWERS

Idaho Code §67-6535 (2): The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

STANDARDS FOR CONDITIONAL USE PERMIT REVIEW:

Prior to approving a conditional use permit, the governing body shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location.

Idaho Code §67-6512	A special use permit/conditional use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, to provide services for the proposed use and when it is not in conflict with the plan.
NO	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

The Board found that this project does not comply with this state statute.

The Board found that the proposed CUP is in conflict with the comprehensive plan, since the Plan seeks to preserve the rural character of our County and placing a 140' tall cell tower in view of neighboring properties will neither preserve or enhance the rural character of those Rural Residential and Agriculture/Forestry designated parcels that are near the subject parcel. Also, the proposed cell tower is not visually similar to the power lines that exist on the subject parcel or in the surrounding area. Instead, the proposed CUP will negatively impact the rural character of those parcels by introducing new and unique commercial infrastructure that is inconsistent and out of character with the existing rural context.

Also, the Comprehensive Plan calls for taking into account property values and the impacts to other properties when considering a land use proposal. Since evidence in the record indicates that local licensed real estate agents have expressed concerns that the proposed cell tower has and/or could reduce the property values of other



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parcels in the area, the proposed CUP is in conflict with the Plan. See analysis of 12-223.

BCRC 12-222	APPLICATION CONTENTS
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found compliance and adopted the analysis in the Staff Report.</i>	

BCRC 12-263	RECONSIDERATION
N/A	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

The Board found that this was not applicable and adopted the analysis in the staff report.

BCRC 12-223	The Zoning Commission or Hearing Examiner, except as otherwise provided in this title, is charged with conducting at least one public hearing on the conditional use permit application, at which time interested persons shall have an opportunity to be heard. The Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, the Commission must find there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.
NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

The Board found the project was not in accord with the following areas of the Comprehensive Plan (letters indicate specific objectives, as found in the Staff Report):

Property Rights: B; the Board found conflicting evidence from the appellant and the applicant's presentations. The appellant used evidence from a local real estate agent, while the applicant used evidence from the Ada County Assessor's Office, to contest the effect that communication towers have on the property values of the surrounding neighbors. Similarly, the Board found conflicting evidence in the record regarding the right to a view in the State of Idaho from both the applicant and appellant, as presented in the record.

Economic Development: B; The Board found that this project does not consider the adverse effects on adjacent properties. The Board found this project would impact the



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rural nature of the area and decrease property values in the immediate areas. The Board found that improved cellular service in the area could benefit small-scale cottage industries and home businesses, but the effect to the adjacent properties outweighs the benefit of improved telecommunication service.

C; The Board rejected the staff analysis, particularly the effect of lighting for the project. The Board found that the FAA required lighting would be a permanent fixture, and the glare from the light cannot be mitigated.

Land Use: A; The Board found that the project would be harmful to wildlife in the area, and it does not promote affordable housing. The Board further found that the Comprehensive Plan encourages growth in areas that are equipped with public and private utilities, rather than encouraging growth outside of those areas. The proposed communication tower would promote growth in the rural areas of the county, rather than the more urban-like areas in the unincorporated county and the incorporated cities.

C; The Board found that the proposed tower would conflict with the desire for dark skies within the rural areas of the county, the environmental quality, and overall rural character of the county. The Board agreed to reject the analysis of the staff report.

Community Design: B; The Board found that the electrical lines and communications tower are not similar utilities. The Board agreed with the staff report regarding conflicting evidence provided by the applicant and appellant as to the effects of the communication tower.

C; The Board found the addition of the communication tower would change the rural features and design of the surrounding neighborhood, and rejected the analysis of the staff report.

Agriculture: B; The Board found that the project area, per the staff report, contained prime agricultural soils. The development of the communication tower could hinder current or future agricultural production on the property, by removing usable land for agricultural production.

The Board could not find a consensus on whether the following objectives of the comprehensive plan were in accord, or the Board found them to not be applicable.

Agriculture: A; The board could not find consensus. One member of the Board found that this was not applicable. Another found that it was not in accord, as the property contains prime agricultural soils, and while the county cannot make people farm their property, they are charged with protecting agricultural land from being diminished. Another member found that this application was in accord with this objective. The Commissioner found that the objective states to "retain" agricultural lands. Per the application, there has been no agricultural activity on the property, and in order to retain the land for agriculture, the land must have an existing agricultural use.

Population: B; The Board made no consensus on whether the application was in accord with this component. Members of the Board agreed that the data presented by the applicant was not sufficient to justify the need for a new communication tower in



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the area. However, there was disagreement within the Board of the interpretation of this objective; in which a commissioner believes that they were to use the census data for the County to then determine needs, one who found this to not to be applicable, and another who made no finding on this component.

Land Use: B; the Board found this objective not applicable to this project and adopted the analysis in the staff report.

Natural Resources: A and C; The Board found that these objectives were not applicable and adopted the analysis of the staff report.

The Board found the project was in accord with the remainder of the objectives in the comprehensive plan, and adopted the staff report as written, or as amended below:

Transportation: A; The property is located off Cindy Lane. Additionally, according to the application, there is to be limited traffic produced from this use, as it will only be accessed for maintenance once constructed. This project is in accord with this objective.

Public Services, Facilities and Utilities: C; the Board found conflicting evidence in the record and found that the necessity of the structure was not proven by the applicant. The applicants reviewed options for collocation on existing towers. The tower was proposed to accommodate collocation for other service providers. The Board found that this was in accord with this objective, but rejected the staff analysis.

BCRC 12-335 **BCRC 12-335, Public Use Table, Communication Towers (Note 3)**

Note 3 Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or appendix A of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

YES List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board found that this was in compliance. The Board stated that the project is not located within a recorded easement or public right of way, however, if approved, could be accomplished through a Condition of Approval.

BCRC 12-4.2 **GENERAL STANDARDS:**

YES List the evidence from the record that supports your conclusion and the rationale for the conclusion.



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The Board found that this is in compliance and can be accomplished through the suggested conditions of approval.

BCRC 12-421 PERFORMANCE STANDARDS FOR ALL USES

NO List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board has found that this application does not comply with this code section. The Board found conflicting evidence provided by the applicant and the appellant in the record regarding fire safety issues and radioactivity produced by the proposal.

BCRC 12-4.3 PARKING STANDARDS

YES List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board found that this is in compliance and adopted the analysis in the staff report.

BCRC 12-4.4 SIGN STANDARDS

YES List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board found that this is in compliance and adopted the analysis in the staff report.

BCRC 12-4.5 DESIGN STANDARDS

NO List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board found that the applicant likened this use to a power pole. However, the Board found that the requirement for the anti-collision light required by the FAA would be a nuisance, as it could not be shielded and downward facing, as required by this section.

BCRC 12-4.6 LANDSCAPING AND SCREENING STANDARDS



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YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found that this is in compliance and adopted the analysis in the staff report.</i>	
BCRC 12-488 (A)	COMMUNICATION TOWERS A. Communication towers and attendant facilities shall be enclosed by a fence not less than six feet (6') in height.
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found that this is in compliance and adopted the analysis in the staff report.</i>	
BCRC 12-488 (B)	COMMUNICATION TOWERS B. The base of any tower shall not be closer to any property line than a distance equal to the tower height.
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found that this is in compliance and adopted the analysis in the staff report.</i>	
BCRC 12-488 (C)	COMMUNICATION TOWERS C. The Zoning Commission shall consider the public convenience and necessity of the communication tower and any adverse effect the facility would have upon properties in the vicinity and may require such reasonable restrictions and conditions of development as to uphold the purpose and intent of this title and the comprehensive plan.
NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found that this application was not in compliance with this section. The Board found that there was conflicting evidence from the appellant and the applicant presented into the record.</i>	
<i>The Board found that the Applicant has not demonstrated that a public necessity for improved personal wireless service coverage exists or that the adverse effects the proposed Verizon cell tower would have on properties in</i>	



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the vicinity could or would be mitigated to uphold the purpose and intent of BCRC Title 12 and the Comprehensive Plan. This finding is based on the following considerations:

1. The Applicant failed to provide an objective definition of "significant gap," but makes the claim that a "significant gap" and a public necessity exist in the area.

2. When considering adequate personal wireless service coverage, the Appellant demonstrated inconsistency in how the dBm values presented by the Applicant are translated into acceptable indoor and in-vehicle coverage values. This demonstrates a prejudice by the Applicant to mid-band coverage over low-band coverage in the data they presented, even though low-band coverage was indicated as being the most effective in rural areas.

3. The data provided by the Appellants in the record demonstrates that much of the area being considered along Highway 95 has adequate Verizon wireless coverage. This included signal strength testing performed by the Appellants, which included objective details on the testing equipment, testing methods, raw data results, and summary information. The Appellants' objective test data is more detailed than the summary data provided by the Applicant. Also, the Appellants noted that the significant gap in wireless coverage claimed by the Applicant is based on summary information and a subjective interpretation of how to define "significant gap", not on detailed raw test data, dropped call log data or a handover analysis.

4. The equipment and methods used by the Applicant's engineer who conducted the drive test does not prove wireless service in the subject area is poor or non-existent when compared to the conflicting data in the record provided by the Appellants. Also, the Applicant indicated that even the proposed new tower location would not provide complete coverage in their target area. Since the Applicant's proposal does not resolve their own defined significant gap, it cannot be confirmed that the proposed new tower would reasonably address the claimed need for increased coverage in their defined search area.

5. No objective evidence has been provided to demonstrate the proposed tower location represents the least intrusive means to solving the significant gap in wireless coverage claimed by the Applicant. No alternative sites regarding other property parcels for a new tower were specifically presented by the Applicant as having been considered. Only colocation on existing towers were presented, along with a conclusory statement in their presentation that the "selected site = only viable option". The applicant's presentation claims to have considered the carrier's search ring, existing sites, zoning, dimensional standards, CC&Rs, practical concerns, access, and



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willing landowners when considering alternate sites for a new tower, but I can find no objective evidence in the record to support such claims. By contrast, the Appellant provided an alternative site for colocation that was not identified and evaluated by the Applicant, which is the Round Mountain Tower site, owned by EL Internet. As such, the Board did not find objective evidence demonstrating how the site proposed by the Applicant can be determined to be the best option with the least impact to surrounding properties for resolving their claimed significant gap in wireless coverage.

6. There is evidence in the record from licensed real estate agents that work in the region who indicated the proposed cell tower has and/or could reduce property values to the surrounding parcels. While the applicant presented an opposing view regarding property values, their opinion was based on a statement from a county assessor that is in the southern area of the state, as compared to the professional opinions offered by real estate agents local to this region. As such, the Board found the professional opinion of local real estate agents to be more relevant to this cup application.

7. The Appellant has provided alternative site locations that Verizon could use to improve their wireless coverage in the area Verizon has defined. As such, viable alternative site locations have been identified in the record. Based on the objective evidence in the record presented by the Appellants, the Board found that denying this application does not materially inhibit Verizon's ability to provide wireless services.

BCRC 12-488 (D)

COMMUNICATION TOWERS

D. Communication towers shall be built to telecommunication industry association/electronic industry association (TIA/EIA) 222 revision F standards, or as amended, for steel antenna support structures.

YES

List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board found that this is in compliance and adopted the analysis in the staff report.

BCRC 12-488 (E)

COMMUNICATION TOWERS



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	E. Communication towers shall be constructed to accommodate other future communication services where technically feasible ("collocation").
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found that this is in compliance and adopted the analysis in the staff report.</i>	
BCRC 12-488 (F)	COMMUNICATION TOWERS F. Communication towers shall meet all operational, construction and lighting standards of the federal aviation administration.
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found that this is in compliance and adopted the analysis in the staff report.</i>	
BCRC 12-488 (G)	COMMUNICATION TOWERS G. Communication towers shall not penetrate any airspace surface on or adjacent to any public or private airfields as set forth at <u>subchapter 5.2</u> of this title.
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The Board found that this is in compliance and adopted the analysis in the staff report.</i>	
BCRC 12-488 (H)	COMMUNICATION TOWERS H. Upon termination of use of a communication tower for a period of not less than one year, the landowner and/or tower operator/applicant shall remove the tower along with all supporting equipment, apparatus and foundation.
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.



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The Board found that this is in compliance and adopted the analysis in the staff report.

BCRC 12-488 (I)

COMMUNICATION TOWERS

I. Flammable material storage shall be in accordance with international fire code standards.

YES

List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board found that this is in compliance and adopted the analysis in the staff report.

BCRC 12-488 (J)

COMMUNICATION TOWERS

J. Communication towers shall not be used for signage, symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency.

YES

List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Board found that this is in compliance and adopted the analysis in the staff report.

BCRC 12-7.2

GRADING, STORMWATER MANAGEMENT AND EROSION CONTROL

YES

List the evidence from the record that supports your conclusion and the rationale for the conclusion.



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The Board found that this is in compliance and adopted the analysis in the staff report.

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BOARD OF COUNTY COMMISSIONERS STAFF REPORT FOR JANUARY 15, 2026

Project Name:	Communication Tower
File Number, Type:	CUP0022-23, Conditional Use Permit
Request:	The applicant is requesting a Conditional Use Permit to establish and operate a communication tower.
Legal Description:	9-59N-1W TAX 19 1995 FUQUA 25 X 67 RP
Location:	The project is located at 211 Cindy Lane, Sandpoint in a portion of Section 9, Township 59 North, Range 1 West, Boise-Meridian, Bonner County, Idaho.
Parcel Number:	RP59N01W097510A
Parcel Size:	Approximately 20.0 AC
Applicant and Property Owner:	Dolyniuk Family Trust and James A. & Sandy J. Dolyniuk Trustees Harmoni Towers/Verizon Wireless 2450 NW 144 th Ave Beaverton, OR 97006
Project Representative:	Paul Slotemaker/Tilson 2450 NW 144 th Ave Beaverton, OR 97006
Appellant:	Joan Esnayra
Application filed:	December 7, 2023
Notice provided:	Mail: December 9, 2025 Published in newspaper: December 9, 2025 Site Posting: December 31, 2025
Enclosure:	Appendix A – Record of Mailing for Notice of Public Hearing Appendix B – All Agency Comments Appendix C – Previous Decision Letters

VICINITY MAP

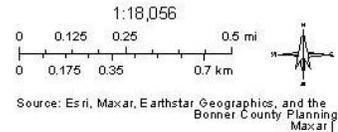
Bonner County Map



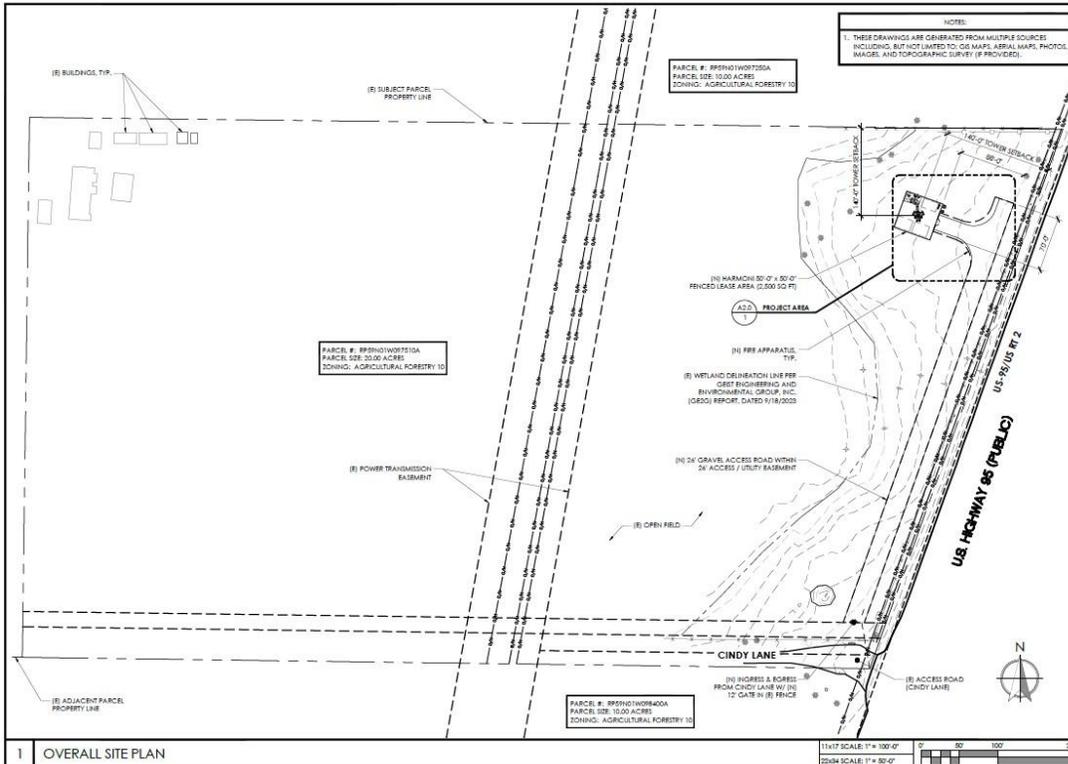
Bonner County Planning and Economic Development

1/26/2024, 2:40:28 PM

- | | | | |
|--------------------|------------------------------|--------------------|------------------|
| FIRM Panels | Stream or River-Intermittent | Ownership | Road Centerlines |
| Flood Hazard Zone | Lakes | Bonner County | Primary |
| A | Site | Unknown | Secondary |
| Streams and Rivers | Driveway | <all other values> | Local; Ramp |
| Other | | | Parcels |



SITE MAP



HARMONI TOWERS

verizon

TILSON

CAPITAL DESIGN SERVICES

DRAWN BY: JD
CHECKED BY: CJ

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT INFORMATION

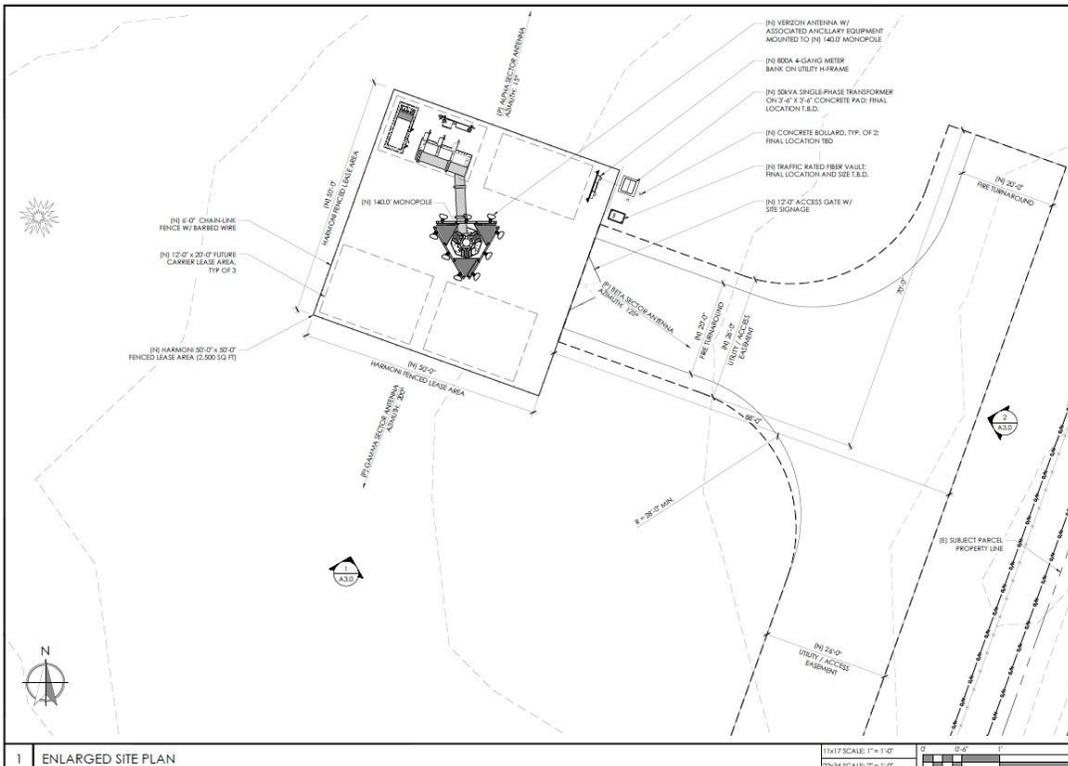
NAPLES
211 CINDY LN
SANIDPOINT, ID 83864

SHEET TITLE

OVERALL SITE PLAN

SHEET NO.

A1.0



HARMONI TOWERS

verizon

TILSON

CAPITAL DESIGN SERVICES

DRAWN BY: JD
CHECKED BY: CJ

PRELIMINARY NOT FOR CONSTRUCTION

PROJECT INFORMATION

NAPLES
211 CINDY LN
SANIDPOINT, ID 83864

SHEET TITLE

ENLARGED SITE PLAN

SHEET NO.

A2.0

Project Summary:

The applicant is requesting to construct and operate a 140' self-supporting cellular tower and ground equipment. The tower will be housed in a 50' x 50' fenced area. The proposed site is located at 211 Cindy Lane off U.S. Hwy 95 in Sandpoint, Idaho. The parcel contains 20.0-acres and is currently zoned Agricultural/Forestry 10 (A/F-10) with a land use designation of Ag/Forest Land (10-20 AC). Communications towers are conditionally permitted in this zone.

Chronology of Events:

December 7, 2023 – Application Filed with the Planning Department

February 7, 2024 – Hearing Examiner Approved the file, with Conditions.

March 12, 2024 – Hearing Examiner Decision is appealed to the Board of County Commissioners.

August 2, 2024 - Board of County Commissioners, after continuing the file from the April 18, 2024 hearing, affirmed the Hearing Examiner's decision to approve the file.

August 20, 2024 – Appellants filed a request for the BOCC to Reconsider their decision; the BOCC did not choose to reconsider.

October 10, 2024 – Appellants filed for Judicial Review.

June 27, 2025 – The Court vacated the BOCC's decision and remanded the file back to the County for further proceedings.

July 22, 2025 – The BOCC decided to hear the remanded file "de novo" and will include the entirety of the record in their review.

Applicable Laws:

The following sections of BCRC, Title 12, apply to this project:

BCRC 12-220, et seq, Conditional Use Permit, Application and Standards
BCRC 12-262: Appeals from final decision of Commission/Hearing Examiner
BCRC 12-263: Reconsideration
BCRC 12-322, Agricultural/Forestry District
BCRC 12-335, Public Use Table, Communication Towers
BCRC 12-4.2, Performance Standards for All Uses
BCRC 12-4.3, Parking Standards
BCRC 12-4.4, Sign Standards
BCRC 12-4.5, Design Standards
BCRC 12-4.6, Landscaping and Screening Standards
BCRC 12-488, Communication Towers

Background:

A. Site data:

- The subject parcel is currently utilized for residential purposes.
- Site exists as an unplatted parcel of land.
- Area of the property is approximately 20-acres.
- Site is zoned Agricultural/Forestry 10 (A/F-10).
- Site has a land use designation of Ag/Forest Land (10-20 AC).

B. Access:

- The site will be accessed from Cindy Lane, a privately owned and maintained road, via Highway 95, a State of Idaho owned and maintained public right-of-way.

C. Environmental factors:

- The site appears relatively flat, but contains minimal slopes ranging from 0-30% grade. (United States Geological Survey)
- The site contains PEM1C Freshwater Emergent Wetlands. (United States Fish and Wildlife Services/National Wetlands Inventory). The applicant has provided a wetlands delineation showing that the tower site is excluded from the wetlands.
- The majority of the site contains Pywell-Hoodoo complex soils with a farmland classification of "Prime farmland if drained" and a drainage classification of "Very poorly drained." The eastern portion of the site contains Selle-Elmira complex soils with a farmland classification of "Farmland of statewide importance" and a drainage classification of "Well drained." The southeastern portion of the site contains Colburn very fine sandy loam soils with a farmland classification of "Prime farmland" and a drainage classification of "Somewhat poorly drained."
- The site does not contain frontage on a river/stream/frontage on a lake. (National Hydrography Dataset)
- Parcel is located within SFHA Zone X, per FIRM Panel 16017C0505E, Effective Date 11/18/2009.
- The site does not contain any critical wildlife areas as identified by any local, state or federal agencies.

D. Services:

- Water: The proposed communication tower is not required to be serviced by a water system.
- Sewage: The proposed communication tower is not required to be serviced by a sewer system.
- Fire: Northside Fire District
- Power: Northern Lights, per agency comment

- School District: Lake Pend Oreille School District #84
- Ambulance District: Bonner County Ambulance District
- Hospital District: Pend Oreille Hospital District

E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Use & Density
Site	Ag/Forest Land	Ag/Forest 10	Residential, 20.0-acres
North	Ag/Forest Land	Ag/Forest 10	Residential, 10.0-acres; Residential, 10.253-acres
East	Rural Residential	Rural 5	Residential, 1.2-acres
South	Ag/Forest Land	Ag/Forest 10	Residential, 10.0-acres
West	Ag/Forest Land	Ag/Forest 10	Residential, 20.0-acres

Agency Review and Public Comments

Agencies were notified of the application on December 9, 2025. A full list of the agencies notified of this file can be found in Appendix A of this Staff Report. All comments that have been received to date have been included in the record:

The following agencies commented:

Idaho Department of Fish and Game (1.12.24, 4.1.24, 10.8.25)
 Idaho Transportation Department (3.26.24, 9.23.25, 10.14.25)
 Northern Lights Inc

The following agencies replied with “No Comment:

Idaho Department of Environmental Quality (1.31.24, 4.4.24, 10.9.25)
 Idaho Department of Water Resources (1.9.24, 9.23.25)
 Kootenai-Ponderay Sewer District (9.23.25)
 Panhandle Health District (9.25.25)
 TC Energy (9.25.25)

No other agencies replied.

Public comments were received as of the date of this staff report.

Standards Review and Analysis:

ANALYSIS AGAINST THE BONNER COUNTY REVISED CODE:

- **BCRC 12-220, et seq., conditional use permit, application and standards**

Staff: The application was received on December 7, 2023. Agencies were notified of this file on January 6, 2024, April 1, 2025, September 23, 2025 (cancelled due to a noticing error), and December 9, 2025.

- **12-223 CONDITIONAL USE PERMITS, STANDARDS FOR REVIEW OF APPLICATIONS, PROCEDURES:**

The Commission shall review the particular facts and circumstances of each proposal. To grant a conditional use permit, **the Commission must find there is adequate evidence showing the proposal is in accord with the general and specific objectives of the comprehensive plan** and Title 12 and the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

Staff: This file was submitted to the County on December 7, 2023. At the time of the application, BCRC 12-223 required that the Commission must find that the project is in accord with the general and specific objectives of the Comprehensive Plan. This differs from the current code that requires the hearing body finds the project is “not in conflict” with the policies of the Comprehensive Plan. Additionally, the Implementation Component, where goals, objectives, and polices are established, has been revised. The Board shall base its decision on Bonner County Revised Code and the Implementation Component as adopted on December 7, 2023. The following analysis of the Comprehensive Plan reflects the adopted objectives as of December 7, 2023.

ANALYSIS AGAINST THE COMPREHENSIVE PLAN OBJECTIVES:

1. Property Rights:

a. Objective: Private property shall not be taken for public uses without just compensation or due process of law.

Analysis: Per BCRC 12-335, Public Use Table, Communication Towers are a “Public Use”. However, per the application, the applicant will be compensated for the lease area that Verizon will be placing the proposed tower. There is no taking of private property proposed in this project. This project appears to be in accord with this objective of this component.

b. Objective: Impacts to other properties shall be taken into account when considering land use proposals, policies and codes.

Analysis: BCRC 12-2.2 charges the hearing body with considering impacts on other properties when considering Conditional Use Permits. The Board will make a decision in accord with Idaho Code 67-6535, and adopt a reasoned statement to accompany their decision.

2. Population:

a. Objective: Bonner County shall keep current with county census data, population estimates and projections and shall use the data to analyze community needs and project impacts.

Analysis: Bonner County, according to 2022 population estimates census data, has seen a 9.1% increase in population since the 2020 census was performed; increasing from 47,105 to an estimated 51,414. With the increase in the population, there is upward pressure on housing needs in Bonner County, both in the unincorporated portion of the County, and in the incorporated cities. This proposal is not to increase housing or density. However, the increase in population could be a factor for the proposed communication tower. This project appears to be in accord with the objective of this component.

3. School Facilities and Transportation:

a. Objective: Ensure that the proposed developments and county land use decisions do not adversely impact the local school districts and their ability to provide adequate school facilities and transportation systems.

Analysis: This project has noticed agencies, including the Lake Pend Oreille School District, four times. Each time, the Lake Pend Oreille School District and their Transportation have not provided any comment. It is unlikely that a communication tower would adversely impact the school district's ability to provide services.

b. Objective: The county should encourage school districts to proactively review development applications to determine particular school needs and concerns.

Analysis: This project has noticed agencies, including the Lake Pend Oreille School District, four times. Each time, the Lake Pend Oreille School District and their Transportation have not provided any comment.

c. Objective: Bonner County roads, trails and bicycle paths should be designed and maintained to allow safe passage of students to schools.

Analysis: This objective appears to not be applicable to this project.

d. Objective: Long-term consequences of land use proposals should be considered, including the adequacy of existing facilities and the siting of future schools.

Analysis: This project has noticed agencies, including the Lake Pend Oreille School District, four times. Each time, the Lake Pend Oreille School District and

their Transportation have not provided any comment as to how a communication tower could impact their ability to assess their existing or future infrastructure.

Economic Development:

a. Objective: Support small businesses such as markets, restaurants, recreational activities, campgrounds, and marinas that provide services which support resort residents and visitors in their local communities.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

b. Objective: Enable development of small scale cottage industries and home based occupations while protecting the surrounding areas from adverse impacts.

Analysis: A communication tower may indirectly contribute to the growth of cottage industries and home-based occupations, as it could provide coverage in any area that may lack adequate cell phone or internet service. Many communication companies, such as Verizon, are beginning to provide internet services through their towers; although it is unclear whether that service would be extended in this project. This project appears to be in accord with this objective.

c. Objective: Policies regarding economic development activities should seek to mitigate the impacts of such factors as noise, light glare, odors, fumes and vibrations on the surrounding community.

Analysis: BCRC Title 12, Chapter 4, addresses limiting the impacts of noise, light glare, odors, fumes and vibrations on the surrounding community, and Conditions of Approval will be proposed to mitigate them. The construction of the proposed tower could produce some of these, however, it is likely to be temporary in nature. It is unlikely that a constructed tower would produce any of the above-mentioned nuisances.

d. Objective: Support local economic development by increasing support for outdoor recreation in Bonner County. Encourage and protect public access to public lands and water, campgrounds, and recreational areas.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

e. Objective: Support local businesses by enabling development of workforce housing in proximity to commercial, industrial and agricultural uses.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

4. Land Use:

a. Objective: Bonner County should develop and maintain a future land use map and land use codes that acknowledge and protect its agricultural, timber and mining lands, protects the water and wildlife resources, identifies and avoids hazard areas, provides areas for economic growth, encourages affordable housing and centers growth in areas where adequate public and private services can be provided.

Analysis: Bonner County Revised Code was adopted in accordance with the Comprehensive Plan Land use objectives. The code permits Communication Towers as a Conditional Use in areas zoned Agricultural/Forestry. Agricultural and forestry pursuits are encouraged in these areas and are permitted by right through Bonner County Revised Code. This project appears to be in accord with this objective.

b. Objective: Encourage clustered development for medium and large scale commercial and industrial uses.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

c. Objective: Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of Bonner County.

Analysis: It appears that this objective will not be affected by the proposed communication tower. Communication Towers are considered to be a "public use". Furthermore, Bonner County Revised Code provides safeguards for the mitigation of light pollution and natural resources.

5. Natural Resources:

a. Objective: Bonner County's system of lakes and waterways is one of its greatest assets, and Bonner County should strive to preserve both the quality and quantity of its water resources.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

b. Objective: Bonner County values its productive agricultural lands and forests, mining lands, its fisheries, wildlife, wetlands and aquifer recharge areas and should provide measures to protect and maintain these natural features.

Analysis: According to Bonner County Assessor Data, the subject property is not receiving any tax exemptions related to agriculture or timber production. It does not appear that any agricultural activity is taking place on the property, with the exception of raising and keeping of equine animals, which is permitted by right in BCRC 12-336. Furthermore, Bonner County Revised Code has measures in place to protect these natural features.

c. Objective: Bonner County should protect its water resources by requiring adequate sewer treatment systems based on soil, density, and intensity of use to reduce impacts to water resources.

Analysis: It appears that this objective will not be affected by the proposed communication tower. The proposed communication tower does not have any proposed wastewater disposal.

6. Hazardous Areas:

a. Objective: Bonner County intends to regulate the location and density of new development in floodplain to reduce the potential for the loss of lives and property within flood hazard areas.

Analysis: It appears that this objective will not be affected by the proposed communication tower. The proposed site is not located within a floodway or floodplain.

b. Objective: Future development should be designed to reduce exposure to wildland fire and to provide for emergency and escape routes for residents.

Analysis: Per the application, the only flammable materials to be stored in relation to this use is diesel fuel. All flammable materials shall be stored in accordance with the International Fire Code. This project appears to be in accord with this objective.

c. Objective: Development within areas of excessive slopes, unstable areas and avalanche zones shall be discouraged.

Analysis: It appears that this objective will not be affected by the proposed communication tower. The site does not contain any significant slopes other than some roadside ditching; it is not located in any identified avalanche zones.

7. Public Services, Facilities and Utilities:

a. Objective: New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance, power and emergency services, water and other public or private services.

Analysis: It appears that this objective will not be affected by the proposed communication tower. This proposal will not be creating more density. Additionally, the project is within the service areas of Northside Fire District, Bonner County Sheriff, Bonner County EMS, Northern Lights, and is located on a private road, directly off of a State of Idaho owned and maintained public right-of-way.

b. Objective: Require the developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services, required by the proposed development.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

c. Objective: Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Analysis: It appears that this project is supported by this objective. Per the applicant, there is a need in the area for this service. Additionally, Bonner County Revised Code requires that communication towers are built to support collocation for other providers to install their equipment on the tower. It appears that this project is in accord with this objective.

8. Transportation:

a. Objective: Future development shall not adversely impact the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

Analysis: Idaho Transportation Department identified that Cindy Lane would require an encroachment permit. This has been added as a Condition of Approval. Additionally, according to the application, there is to be limited traffic produced from this use, as it will only be accessed for maintenance once constructed. This project appears to be in accord with this objective.

b. Objective: Roads within new development shall be built to county standards and at the expense of the developer.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

c. Objective: Roads within new development shall provide adequate access for fire and emergency vehicles and routes of escape.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

d. Objective: Future access roads shall be developed to integrate with the state and county system of roads without overburdening the transportation system.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

e. Objective: To reduce transportation costs, road building and environmental impacts, cluster development shall be encouraged.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

f. Objective: Bonner County intends for certain intense land use developments to provide paved roads.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

g. Objective: Bike ways and pedestrian paths shall be considered in development plans to provide an integrated community transportation system wherever possible.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

h. Objective: To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

9. Recreation:

a. Objective: Ensure public legal recreational access and amenities are not obstructed or adversely impacted by future development.

Analysis: It appears that this objective will not be affected by the proposed communication tower. There is no data to support any public accesses will be impacted or obstructed with this project.

10. Special Areas or Sites:

a. Objective: Future developments shall not adversely affect or destroy culturally or ecologically sensitive sites.

Analysis: It appears that this objective will not be affected by the proposed communication tower. Bonner County and Idaho State Historical Societies were notified of this request and did not provide any comment to suggest that this property is a culturally or ecologically sensitive area.

11. Housing:

a. Goal/Objective: Provide an environment that enables opportunities for diverse housing needs.

Analysis: It appears that this objective will not be affected by the proposed communication tower, as there is no proposal to increase housing on this parcel. The Agricultural/Forestry District allows for multiple housing types, including, single family dwellings, accessory dwelling units, and RV dwelling units.

12. Community Design:

a. Objective: New development should be located in areas with similar densities and compatible uses.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

b. Objective: The adverse impacts of new development on adjacent areas should be minimized.

Analysis: Currently traversing across this property and several other properties are electrical transmission lines. Cell towers are a similar public utility; however, there has been conflicting evidence provided in the record to determine the impact of cell towers.

c. Objective: Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Analysis: Bonner County Code has adopted regulation that help protect natural resources and rural features.

13. Agriculture:

- a. Objective:** Protect the rural character and agricultural heritage of Bonner County by retaining large and small scale commercial agriculture and hobby farms as viable uses.

Analysis: It appears that this objective will not be affected by the proposed communication tower. Agricultural and farming uses remain viable on the property and in the surrounding areas.

- b. Objective:** Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

- c. Objective:** Develop policies to discourage fragmentation of very large productive agricultural lands.

Analysis: It appears that this objective will not be affected by the proposed communication tower.

- **BCRC 12-262: Appeals from final decision of Commission/Hearing Examiner**

A. Presentation Of Appeal: Any "affected person", as defined by Idaho Code title 67, chapter 65, may appeal to the Board any final decision by the Zoning Commission/hearing examiner.

B. Filing Time Limit; Fee: Any affected person may file an appeal of the final decision of the Zoning Commission/hearing examiner with the Planning Director within twenty eight (28) days after the final written decision of the Zoning Commission/hearing examiner has been issued. The appellant shall pay the fee required by this title upon filing the appeal. An appeal shall not be considered to be filed until such fee has been paid. Failure to file the appeal within the time limits shall cause automatic dismissal of the appeal.

C. Notice Of Appeal Contents: The notice of appeal shall be detailed in writing and shall provide the grounds for the appeal. The grounds for appeal shall be that the decision of the commission or hearing examiner was at a minimum one of the following:

1. In violation of constitutional or statutory provisions;
2. In excess of the statutory authority of the commission or hearing examiner;
3. Made upon unlawful procedure;

4. Arbitrary, capricious or an abuse of discretion; or
5. Not supported by substantial evidence on the record as a whole.

D. Procedures For Consideration Of Appeal:

1. Within sixty (60) days of the receipt of the appeal, the Board shall conduct a public hearing. The hearing shall be conducted in the same manner using the same standards, as if the Board had original jurisdiction to hear the application.

2. Upon consideration, the Board may affirm, reverse, or modify the decision of the Zoning Commission/hearing examiner, after compliance with applicable procedural standards.

3. The decision of the Board shall be final, and any further recourse shall be as provided by law.

E. Applicability: The appeal process shall be coordinated with administration of land use ordinances. The procedures for appeal set forth herein shall be applied in a manner which is consistent with the zoning, subdivision and related land use ordinances of Bonner County. (Ord. 559, 1-4-2017; amd. Ord. 661, 3-18-2022; Ord. 681, 10-12-2022; Ord. 682, 10-12-2022)

Staff: The February 7, 2024 decision by the Hearing Examiner was appealed by email from Joan Esnayra, as an affected party. The appellants submitted their appeal documents and paid the required fee on March 12, 2024, which was within the appeal period. The basis of Joan's appeal meets 12-262 (C), and that the decision was not supported by substantial evidence on the record as a whole by stating "Harmoni has failed to offer probative evidence sufficient to support its claim that the proposed tower will be compatible with the surrounding community". The subsequent appeal hearing was scheduled within 60 days of the receipt of the appeal. All requirements for appealing the file have been met.

On August 2, 2024, the Board of County Commissioner affirmed the decision of the Hearing Examiner to approve this file. The written decision of the Board was dated August 6, 2024. The Board will be hearing this file "de novo", as they did in the appeal hearing.

- **BCRC 12-263 Reconsideration**

Every applicant or affected person seeking judicial review of the Board's final decision must first file with the Board a motion for reconsideration of the Board's decision, specifying deficiencies in the decision within fourteen (14) days of the date of the decision, along with the applicable fee. A failure to seek reconsideration is also a failure to exhaust administrative remedies.

B. Initial Decision: The Board may consider the reconsideration motion as scheduled on an open business meeting agenda and determine whether to grant or deny the request. If the Board grants reconsideration in whole or in part, a hearing before the Board will be scheduled to address the specific deficiencies identified by the applicant or affected person and to allow interested persons to have an

opportunity to be heard. If the Board denies the request for reconsideration, it shall promptly notify the parties in writing.

C. **Public Notice On Hearing:** Notice of the public hearing on the reconsideration, identifying the specific deficiencies alleged in the reconsideration request, will be provided as follows, including:

1. **Notice To Agencies And Political Subdivisions:** At least fifteen (15) days prior to the public hearing, the Director shall send notice to all political subdivisions providing services with the planning jurisdiction, including school districts and the manager or person in charge of the local public airport.

2. **Legal Notice:** At least fifteen (15) days prior to the public hearing, the Director shall publish a notice of the time and place in the official newspaper or paper of general circulation in the County.

3. **Radius Notice:** Will be provided in the same manner as originally provided on the application.

D. **Decision:** Following the hearing on the reconsideration, the Board may affirm, reverse or modify its prior decision and shall provide a written decision to the applicant and the affected person(s) within sixty (60) days of receipt of the request for reconsideration. If the Board fails to timely decide, the original decision of the Board will stand.

Staff: On August 20, 2024, the appellant had requested the Board reconsider their decision. The Board did not grant the request to reconsider. The appellant and their legal counsel filed for judicial review on October 10, 2024. The Court vacated the Board’s decision and remanded the file back to the county for further proceedings. The Board will hear this file “de novo”. The Board shall treat this hearing as if they received an appeal of the Hearing Examiner’s decision.

- **BCRC 12-335 Public Use Table**

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Communication towers	C (3)	C (3)	C (3)	C	C	C	C	C	C

Staff: Communication towers are conditionally permitted in the Agricultural/Forestry zoning Districts, subject to the following conditions.

- **BCRC 12-335 (3)** Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or appendix A of this

title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

- **Staff:** The site plan, as presented by the applicant, illustrates that the tower will be accessed by a 26' gravel ingress/egress easement off of Cindy Lane. Cindy Lane is a privately owned and maintained road. Per the Idaho Transportation Department, a commercial approach for Cindy Lane is required.

- **BCRC 12-420 General Standards**

Staff: This section establishes general development standards applicable to all structures and developments within the County. The proposed Communications Tower does include facilities subject to these standards. The project provides access from Cindy Lane, through Highway 95. Structures must comply with applicable setbacks. No temporary structures are proposed, and fencing must comply with Subsection E, and 12-488. This project must comply with these performance standards throughout the life of the use. **See Conditions of Approval**

BCRC 12-421 Performance Standards for all Uses

Staff: The requested use is unlikely to result in fire hazards, or electrical disturbance, noise, vibration, air pollution or water pollution. However, this is conflicting evidence in the record regarding the effect of communication towers in regards to radioactivity.

- **BCRC 12-4.3 Parking Standards**

Staff: There is no requirement of minimum off-street parking spaces for a Communication Tower. If required, the site has sufficient area to accommodate parking for the proposed use.

- **BCRC 12-4.4, Sign Standards**

Staff: This section of the code is not applicable to this application as no signage other than required FAA or safety signage has been proposed as part of this proposal. Furthermore, signage is regulated in BCRC 12-488. **See Analysis of 12-488 for full detail.**

- **BCRC 12-4.5 Design Standards**

- **BCRC 12-451 Applicability:** The standards in section 12-453 of this chapter shall apply to all new development in the commercial, industrial where commercial uses and services are proposed, and rural service center districts and all other commercial, multi-family, public and industrial development in other zoning districts unless otherwise noted.

Staff: Communication Towers are listed as a "public" use and found in the Public Use Table, BCRC 12-335. The standards of 12-453 do apply to this project. However, the only subsection that applies to this project is 12-453 (F) Lighting Standards.

BCRC 12-452: Site and building plans:

Staff: A Building Location Permit will be required for any new structures. The new communication tower will need to meet the standards found in BCRC Title 11, 12-488, and the approved setbacks found on the approved site plan. **See Conditions of Approval**

BCRC 12-453 (F): Lighting Standards:

Staff: The applicant does not propose any exterior lighting. No lighting is required for this use, other than those required by the FAA, if applicable.

- **BCRC 12-4.6 Landscaping and screening standards**

Applicant: While some timber and underbrush clearing is required for the Communication Tower, the area will be replanted, screened with native grasses and shrubs, as well as trees along the right-of-way. Additionally, the site will be surrounded by a 6' security fence with a barbed wire top guard.

- **Staff:** The applicant has proposed to revegetate the area using Type D landscaping, as found in 12-464 (D). Vegetation shall be maintained throughout the life of the use, and a landscaping plan matching "Type D", and in accordance with 12-4.6, shall be required at time of Building Location Permit. **See Conditions of Approval.**

- **BCRC 12-488, Communication Towers**

A. Communication towers and attendant facilities shall be enclosed by a fence not less than six feet (6') in height.

Applicant: As illustrated in the attached drawings (Exhibit A), the proposed wireless facility will be enclosed with a six-foot tall chain link fence.

Staff: Per the site plan provided by the applicant, the communication tower will be enclosed by a fence not less than 6' in height with a barbed wire top guard (see Sheet A2.0).

B. The base of any tower shall not be closer to any property line than a distance equal to the tower height.

Applicant: As illustrated in the attached site plan drawing (Exhibit A, sheet A1.0), the base of the 140-foot tall facility will be located a minimum of 140 feet from the nearest property lines.

Staff: Per the site plan provided by the applicant, the communication tower will be setback a distance equal to or greater than the height of the tower (see Sheet A1.0).

C. The Zoning Commission shall consider the public convenience and necessity of the communication tower and any adverse effect the facility would have upon properties in the vicinity and may require such reasonable restrictions and conditions of development as to uphold the purpose and intent of this title and the comprehensive plan.

Applicant: The service provided by Verizon's proposed facility will benefit the people and businesses in the surrounding coverage area with improved wireless services that are as good as or better than other areas in Verizon's network, which will promote orderly development and economic growth opportunities.

The proposed facility is a passive, unoccupied use which will be engineered to meet or exceed local building code safety requirements, ensuring a safe facility which will not be a hazard to surrounding properties or the public. The facility will only generate an average of one vehicle trip a month for maintenance via a new driveway off Cindy Lane. The monthly maintenance visit will not impact local streets or traffic. Its only interaction with other uses in the area is providing reliable wireless telecommunication services to customers in the area. There are no activities associated with the site that will produce smoke, odors, pests or dust. All equipment and materials needed to operate the site will be located within the proposed fenced area at the base of the support structure. Use of generators will be limited to emergency purposes and occasional testing.

Additionally, the proposed wireless facility will improve public health and safety for customers living, working and traveling through the coverage area by improving reliable access to emergency services and 911. This is increasingly important as the number of homes without landline phones increases, and when traditional landline phones are inaccessible or not working. This is often the case for stranded motorists, after a severe storm or the result of other types of emergencies. Law enforcement agents, neighborhood watch programs and individuals use wireless phones in emergency situations to improve emergency service with reduced notification times, improved response times, improved knowledge for emergency response teams and an increased number of life-saving outcomes. As a result, this facility will provide a net positive impact on the surrounding vicinity.

Staff: Communication towers are conditionally permitted in all zoning districts in Bonner County. The proposed wireless facility is intended to enhance service reliability within the coverage area, including access to emergency services and 911. The applicant has provided additional details in their 'Compliance and Safety' narrative.

There is conflicting evidence in the record from the applicant and appellant regarding whether the communication tower would have adverse effects on surrounding properties

D. Communication towers shall be built to telecommunication industry association/electronic industry association (TIA/EIA) 222 revision F standards, or as amended, for steel antenna support structures.

Applicant: The proposed communication tower will be designed and built to meet building code requirements. An engineer's stamped structural report will be provided as part of the building permit application.

Staff: See Conditions of Approval

E. Communication towers shall be constructed to accommodate other future communication services where technically feasible ("collocation").

Applicant: The proposed tower will be designed to accommodate the collocation of future wireless communications equipment.

Staff: See Conditions of Approval

F. Communication towers shall meet all operational, construction and lighting standards of the federal aviation administration.

Applicant: The proposed tower will meet all FAA required operational, construction and lighting standards. The FAA determination can be provided as a condition of approval.

Staff: See Conditions of Approval.

G. Communication towers shall not penetrate any airspace surface on or adjacent to any public or private airfields as set forth at subchapter 5.2 of this title.

Applicant: According to the attached TOWAIR Determination in Exhibit B (TOWAIR is a service of the FCC to identify impacts of towers on aircraft and airports), there are no airports within 5 miles of the proposed communication tower and does not require registration with the FAA. The FAA determination can be provided as a condition of approval.

Staff: It does not appear that the project is located within any of the airport overlay districts, as identified by BCRC Title 12, Chapter 5 or the Bonner County Airport Masterplan. A Condition of Approval has been proposed to require an "FAA No Hazard" determination letter.

H. Upon termination of use of a communication tower for a period of not less than one year, the landowner and/or tower operator/applicant shall remove the tower along with all supporting equipment, apparatus and foundation.

Applicant: As stated in the provided tower removal letter, the tower will be removed upon termination of use.

Staff: See Conditions of Approval

I. Flammable material storage shall be in accordance with international fire code standards.

Applicant: The applicant agrees any flammable material storage will be in accordance with International Fire Code standards.

Staff: See Conditions of Approval

J. Communication towers shall not be used for signage, symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency. (Ord. 501, 11-18-2008; amd. Ord. 661, 3-18-2022)

Applicant: The applicant agrees the proposed tower will not be used for signage (beyond FCC identification signage at the fenced compound), symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency.

Staff: See Conditions of Approval

- **BCRC 12-7.2, Grading, Stormwater management and erosion control**

Staff: A grading, stormwater management and erosion control plan was not submitted by the applicant. A grading, stormwater management and erosion control plan may be required at the time of application for a building location permit pursuant to these standards. If required, approval of these plans shall be obtained from Bonner County prior to initiation of any land disturbing activities on the site. **See Conditions of Approval.**

- **BCRC 12-7.3, Wetlands**

- **BCRC 12-731(B)(2)** The following developments are exempt from this requirement: Conditional use permit applications where the applicant can demonstrate on a site plan that the proposed building site is not within a wetland as determined from the U.S. Fish and Wildlife Service National Wetland Inventory maps or where the development will not create additional impervious surface.

Staff: The site contains PEM1C Freshwater Emergent Wetlands. However, the applicant has provided a wetland delineation letter showing that the communication tower site will not be within 40' of the delineated wetland.

Planner's Initials: **AF** Date: **January 8, 2026**

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Hearing Examiner Decision: APPROVE

Date: February 7, 2024

Board of County Commissioners Decision: Uphold Hearing Examiner’s Decision

Date: August 2, 2024

Judicial Review: BOCC Decision Vacated, and Remanded for Further Proceedings

Date: June 27, 2025

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Motion by the Governing Body:

BOARD OF COUNTY COMMISSIONERS

MOTION TO AFFIRM: I move to affirm the Hearing Examiner’s decision to approve this project, FILE CUP0022-23 for a Communications Tower, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1: The proposed conditional use permit **is** in accord with the general and specific objectives of Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2, Subchapter 2.2 Conditional Use Permits; Chapter 4 Development Standards and Chapter 7 Environmental Standards. The proposal **is** in accord with the Bonner County Revised Code.

Conclusion 3: The proposed use **will not** create a hazard or **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

MOTION TO REVERSE: I move to reverse the Hearing Examiner’s decision, and deny this project, FILE CUP0022-23 for a Communications Tower, based upon the following conclusions of law:

Conclusion 1: The proposed conditional use permit **is/ is not** in accord with the general and specific objectives of Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2, Subchapter 2.2 Conditional Use Permits; Chapter 4 Development Standards and Chapter 7 Environmental Standards. The proposal **is/ is not** in accord with the Bonner County Revised Code.

Conclusion 3: The proposed use **will/ will not** create a hazard or **will/ will not** be dangerous to persons on or adjacent to the property.

The decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the conditional use permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code

Conditions of Approval:

Standard continuing permit conditions. To be met for the life of the use:

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

A-2 The Conditional Use Permit shall not supersede deed restrictions.

A-3 Per BCRC 12-226.C, the Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) 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 an extension of the Conditional Use Permit for a period up to two (2) years. The Zoning Commission at any regular meeting, or board at

any regular meeting, may consider the request for extension. The extension request must be approved or denied prior to the expiration date of the conditional use permit.

A-4 The hours of operation will be continuous and may be accessed at any time for maintenance as needed.

A-5 Per BCRC 12-420, all structures located on site in conjunction with this Conditional Use Permit will meet the required street and property line setback standards of BCRC Title 12.

A-6 Per BCRC 12-420, all architectural projections such as canopies, eaves, balconies, platforms, decks, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into any required setback.

A-7 Per BCRC 12-420, temporary buildings, construction trailers, equipment and materials used in conjunction with construction work for the proposed project may be permitted during the period the construction work is in progress, but such temporary facilities shall be removed upon completion of the construction work.

A-8 Per BCRC 12-432, Parking Standards, the project does not need to designate parking spaces; the parcel has an adequate area for parking.

A-9 Per BCRC 12-452, any structures or development on site permitted through this Conditional Use Permit is required to obtain appropriate Building Location Permits or other approvals from the Bonner County Planning Department prior to the development on site.

A-10 All structures shall meet the standards set forth in Title 11, Bonner County Revised Code.

A-11 Per BCRC 12-453.F, any lighting on site shall meet the standards of this section of the ordinance.

A-12 Per BCRC 12-453.G, any development on site permitted through this Conditional Use Permit shall meet the standards of this section of the ordinance.

A-13 Per BCRC 12-453.J, any outdoor storage of commercial and industrial materials on site is required to meet the standards of this section of the ordinance.

A-14 Per BCRC 12-4.6, all landscaping shall be in accordance with the approved site plan. The Communication Tower and its appurtenances shall be painted to match the surrounding landscape, as proposed by the applicant.

A-15 Per BCRC 12-488.A, Communication towers and attendant facilities shall be enclosed by a fence not less than six feet (6') in height.

A-16 Per BCRC 12-488.B, the base of any tower shall not be closer to any property line than a distance equal to the tower height.

A-17 Per BCRC 12-488.C, the tower shall be constructed and operated to mitigate the effects to neighboring properties.

A-18 Per BCRC 12-488.D, Communication towers shall be built to telecommunication industry association/electronic industry association (TIA/EIA) 222 revision F standards, or as amended, for steel antenna support structures.

A-19 Per BCRC 12-488.E, Communication towers shall be constructed to accommodate other future communication services where technically feasible ("collocation").

A-20 Per BCRC 12-488.F, Communication towers shall meet all operational, construction and lighting standards of the federal aviation administration.

A-21 Per BCRC 12-488.G, Communication towers shall not penetrate any airspace surface on or adjacent to any public or private airfields as set forth at [subchapter 5.2](#) of this title.

A-22 Per BCRC 12-488.H, Upon termination of use of a communication tower for a period of not less than one year, the landowner and/or tower operator/applicant shall remove the tower along with all supporting equipment, apparatus and foundation.

A-23 Per BCRC 12-488.I, Flammable material storage shall be in accordance with international fire code standards.

A-24 Per BCRC 12-488.J, Communication towers shall not be used for signage, symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency.

A-25 At the time of Building Location Permit, a Grading, Stormwater, and Erosion Control plan may be required, in accordance with BCRC 12-7.2.

A-26 The applicant shall provide a recorded easement, granted to the lessee, to cross RP5901W097510A from Cindy Lane to the project site per the Idaho Department of Transportation's comment.

Conditions to be met prior to issuance of the Conditional Use Permit

B-1 An FAA No Hazard Determination shall be provided to the Planning Department.

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available online prior to the scheduled hearing at www.bonnercountyid.gov Bonner County Revised Code (BCRC) is available at the Planning Department or online.

Appendix A – Record of Mailing for Notice of Public Hearing

RECORD OF MAILING

Page 1 of 1

File Number: File **CUP0022-23**

Record of Mailing Approved By: 

Hearing Date: **1.15.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **9th** day of **December 2025**.



Jeannie Welter, Systems Technician

Assessor - Email
Bay Drive Recreation District - Email
Bonner County Airport Manager - Email
Bonner County EMS - Email
Bonner County Road & Bridge - Email
Bottle Bay Water & Sewer District - Email
City of Dover - Email
City of Hope - Email
City of Oldtown - Email
City of Priest River - Email
City of Spirit Lake - Email
Coolin-Cavanaugh Bay Fire District - Email
East Bonner Library - Email
Ellisport Bay Sewer - Email
GEM STATE MINER - U.S. Mail
Idaho Department of Environmental Quality (DEQ) - Email
Idaho Department of Lands - CDA - U.S. Mail
Idaho Department of Lands - Navigable Waters & Mining - Email
Idaho Department of Water Resources - IDWR - Email
Idaho Transportation Department- District I - Email
Kalispel Bay Sewer & Water - U.S. Mail
KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail
Laclede Water District - Email
Lake Pend Oreille School District, #84 (Transportation) - Email
Little Blacktail Ranch Water Association - U.S. Mail
Northern Lights, Inc. - Email
Northside Fire District - Email
Panhandle Health District - Email
Priest Lake Public Library District - Email
Sagle Valley Water & Sewer - Email
Schweitzer Fire District - Email
Selkirk Fire, Rescue & EMS - Email
Southside Water & Sewer District - Email
Spokesman-Review - U.S. Mail
Swan Shores Sewer District - U.S. Mail
Tamarack Village Water & Sewer - U.S. Mail
Trestle Creek Sewer District - Email
U.S. Fish & Wildlife Service - Email
West Bonner County Cemetery District - Email
West Bonner Library - Email
West Pend Oreille Fire District - Email
Avista Utilities - Email
Bayview Water & Sewer - Email
BONNER COUNTY DAILY BEE - U.S. Mail
Bonner County Floodplain Review - Email
Bonner County Sheriff - Email
City of Clark Fork - Email
City of East Hope - Email
City of Kootenai - Email
City of Ponderay - Email
City of Sandpoint - Email
Coolin Sewer District - Email
Drainage District #7 - Email
East Priest Lake Fire District - Email
Garfield Bay Water & Sewer District - Email
Granite Reeder Water & Sewer District - Email
Idaho Department of Fish & Game - Email
Idaho Department of Lands - Coolin - Email
Idaho Department of Lands - Sandpoint - Email
Idaho Transportation Department (Aeronautics) - U.S. Mail
Independent Highway District - Email
Kootenai-Ponderay Sewer District - Email
KSPT-KPND-KIBR RADIO - U.S. Mail
Lake Pend Oreille School District, #84 (Admin Office) - Email
Lakeland Joint School District, #272 - Email
North of the Narrows Fire District - Email
Northland/Vyve Cable Television - Email
Outlet Bay Sewer District - Email
Pend Oreille Hospital District - Email
Priest Lake Translator District - Email
Sam Owen Fire District - Email
SELKIRK ASSOCIATION OF REALTORS - U.S. Mail
Selkirk Recreation District -Email
Spirit Lake Fire District - Email
State Historical Society - Email
Syringa Heights Water Association - Email
Timber Lake Fire District - Email
U.S. Army Corps of Engineers - Email
U.S. Forest Service - U.S. Mail
West Bonner County School District, #83 - Email
West Bonner Water & Sewer District - Email
West Priest Lake Fire District - Email

Appendix B – All Agency Comments



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0022-23 Agency Review

1 message

DEQ Comments <deqcomments@deq.idaho.gov>

Thu, Oct 9, 2025 at 2:15 PM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, September 23, 2025 9:08 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>;

Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; Kayleigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0022-23 Agency Review

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Dylan Young

Bonner County Planning Department

Hearing Coordinator

208-265-1458

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Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0022-23 Agency Review

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Wed, Oct 8, 2025 at 11:54 AM

Hi Dylan,

The Idaho Department of Fish and Game does not have any new comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

Coeur d'Alene, ID 83815

208.769.1414 office

208.251.4509 mobile

merritt.horsmon@idfg.idaho.gov

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, September 23, 2025 9:08 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>;

Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lpsd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lpsd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lpsd.org>; Symone.legg@itd.idaho.gov; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <eplfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0022-23 Agency Review

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

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Dylan Young

Bonner County Planning Department

Hearing Coordinator

208-265-1458

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Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0022-23 Agency Review

1 message

Bates, Luke <Luke.Bates@idwr.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Tue, Sep 23, 2025 at 10:36 AM

REF: CUP0022-23

TO: Dylan Young – Bonner County Planning Department Hearing Coordinator

Good morning.

Idaho Department of Water Resources (IDWR) – Northern Regional Office has no comments related to CUP0022-23.

Additionally, it appears that IDWR has already commented on this project by email on 1/9/2024 as illustrated below and in comment on project website.

[EXT SENDER] FW: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

1 message

Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
To: Bonner County Planning <planning@bonnercountyid.gov>

Tue, Jan 9, 2024 at 11:36 AM

Bonner County Planning Department:

Based upon our understanding of the project, the Idaho Department of Water Resources determined it is non jurisdictional.

Sincerely,



Tammy Alleman | Water Right Agent
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

Thank you for the opportunity to comment,

Bates, Luke

Idaho Department of Water Resources
Water Resource Agent
Northern

(208) 762-2817 Work
Luke.Bates@idwr.idaho.gov
7600 Mineral Drive
Suite 100
Coeur d'Alene, Idaho 83815-7763

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, September 23, 2025 9:08 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamiieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzanhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>;

School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>
Subject: Bonner County Planning - File CUP0022-23 Agency Review

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Dylan Young

Bonner County Planning Department

Hearing Coordinator

208-265-1458

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 **Bates_ Luke.vcf**
2K



Alexander Feyen <alexander.feyen@bonnercountyid.gov>

CUP0022-23

2 messages

Alex Feyen <alexander.feyen@bonnercountyid.gov>
To: Symone Legg <Symone.Legg@itd.idaho.gov>

Fri, Oct 10, 2025 at 9:26 PM

Hello Symone,

I have a question regarding the comments you have made on CUP0022-23.

I have reviewed your comment from this year and last year (see attached). In one, you said that the approach would need to be permitted from Highway 95. In another, it says that an easement would need to be shown for the property the proposed tower is on. Can you please clarify what would be required? From the site plan shown below, I see that the access would be from Cindy Lane, do you see that differently?

Thank you,

Alex

--

Alex Feyen, MPA
Interim Planning Director
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, ID 83864
Phone: 208-265-1458

Notice: This communication is provided for informational purposes only and does not substitute for, or constitute, a decision by any hearing body of Bonner County. It does not represent approval of any project, unless explicitly stated by the relevant decision making body, nor should it be construed as legal advice or the professional advice of an engineer, surveyor, or other design or land use professional.

3 attachments

 **CUP0022-23 Site Plan (web).pdf**
698K

 **Agency Comment ITD.pdf**
395K

 **Agency Comment - ITD.pdf**
245K

Symone Legg <Symone.Legg@itd.idaho.gov>
To: Alex Feyen <alexander.feyen@bonnercountyid.gov>

Tue, Oct 14, 2025 at 7:21 AM

Apologies, please disregard the September 2025 comment. Access should come from Cindy Lane and if Verizon is going to be creating a new parcel/buying property from the owners then an easement must be recorded.

Thank you,

Symone Legg | Project Coordinator
Idaho Transportation Department | D1 Traffic/Permits
Ext: 208.772.8073 **Dept:** 208.772.1297
Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

Work schedule: Monday – Thursday 6:00AM-4:30PM

From: Alex Feyen <alexander.feyen@bonnercountyid.gov>

Sent: Friday, October 10, 2025 9:26 PM

To: Symone Legg <Symone.Legg@itd.idaho.gov>

Subject: CUP0022-23

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Hello Symone,

[Quoted text hidden]



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] Re: Bonner County Planning - File CUP0022-23 Agency Review

1 message

Symone Legg <Symone.Legg@itd.idaho.gov>

Tue, Sep 23, 2025 at 10:23 AM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Cc: Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>

The approach for this parcel is not permitted for access to US-95. The applicant will need to apply for an approach permit here: <https://survey123.arcgis.com/share/a2d69aa0e44c403e8182b92724c6dd3e?portalUrl=https://gisp.itd.idaho.gov/portal>

Thank you,

Symone Legg | Project Coordinator

Idaho Transportation Department | D1 Traffic/Permits

Ext: 208.772.8073 **Dept:** 208.772.1297

Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

Work schedule: Monday – Thursday 6:00AM-4:30PM

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, September 23, 2025 9:07 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; Manda Corbett <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov <cityclerk@spiritlakeid.gov>; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jeff Lindsey

<jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone Legg <Symone.Legg@itd.idaho.gov>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0022-23 Agency Review

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Dylan Young
Bonner County Planning Department
Hearing Coordinator
208-265-1458

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Re: Bonner County Planning - File CUP0022-23 Agency Review

1 message

'Sam Ross' via Mail-Planning <planning@bonnercountyid.gov>
Reply-To: Sam Ross <sam.ross@nli.coop>
To: Bonner County Planning Department <planning@bonnercountyid.gov>
Cc: Kristin Burge <kristin.burge@nli.coop>, Dan Scholz <Dan.Scholz@nli.coop>

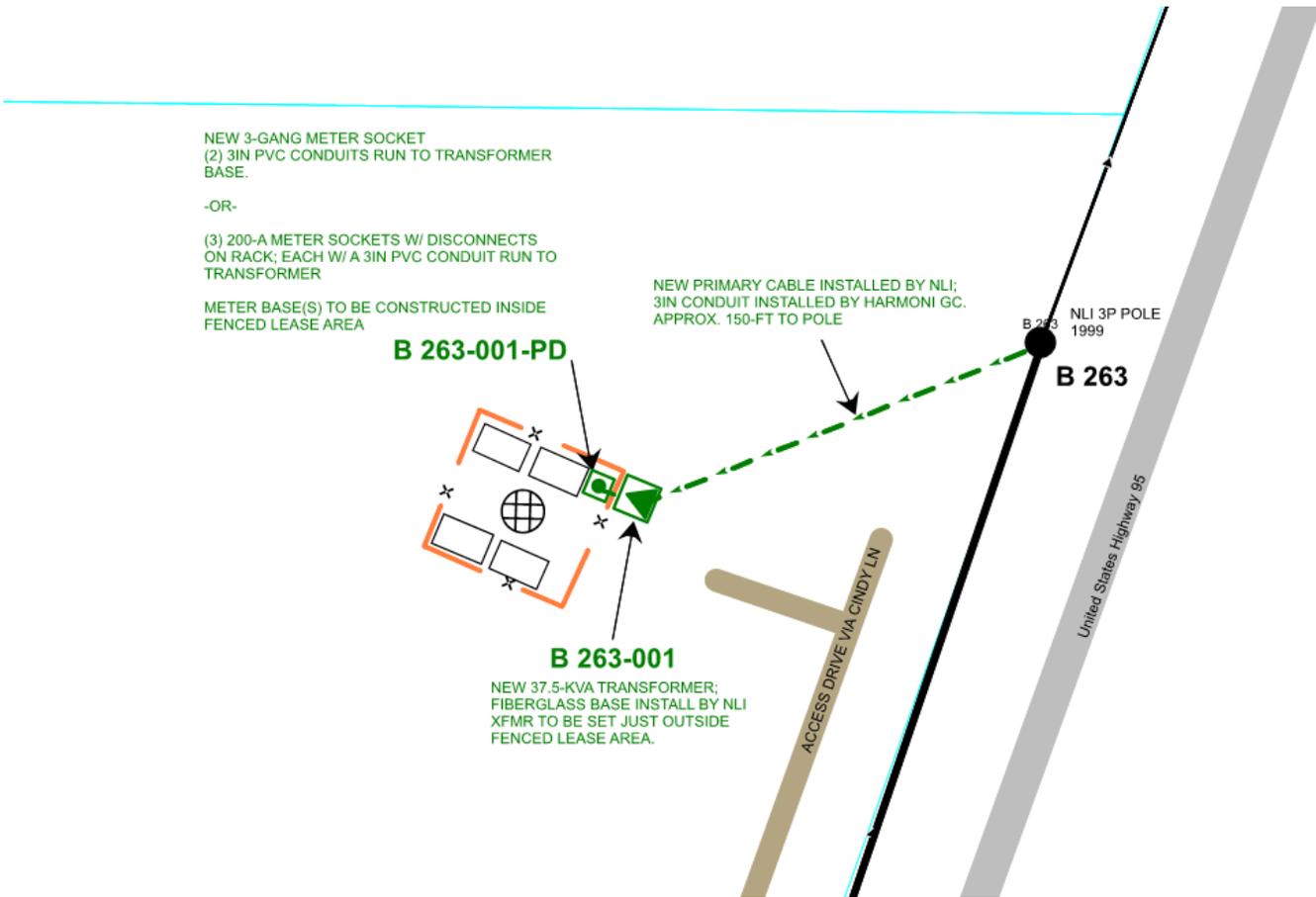
Fri, Sep 26, 2025 at 9:03 AM

Dylan,

NLI has received an application for new service to the proposed tower facility.
The applicants are requesting NLI provide power to a multi-tenant (joint user) meter base that allows for colocation at the facility.

NLI will be extending a single-phase primary power line underground from the three-phase overhead line along Hwy 95.
This line will provide power to three or more users.





Thanks for the opportunity to review and comment—sincerely,

Samuel Ross

Engineering Assistant I
Northern Lights, INC.
Email: Sam.ross@nli.coop
Office: 208.255.7183
Cell: 208.946.7787

NWPPA Certified Staking Technician

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From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Tuesday, September 23, 2025 9:07 AM
To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov <cityclerk@spirittlakeid.gov>; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits

<D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <Dan.Scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <jokren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lpsd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Kristin Burge <kristin.burge@nli.coop>; Clint Brewington <Clint.Brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lpsd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lpsd.org>; Symone.legg@itd.idaho.gov <Symone.legg@itd.idaho.gov>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0022-23 Agency Review

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We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process
 Track your permit status in real time
 Upload documents directly

Online Application Guide

Visit <https://bonnercountyid-energogovweb.tylerhost.net/apps/selfservice#/home> to get started today!

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

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NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **23rd** day of **September 2025**.

Handwritten signature of Dylan Young in blue ink.

Dylan Young, Hearing Coordinator

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, September 23, 2025**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **1:30 pm** on **Wednesday, October 22, 2025** in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following request:

File CUP0022-23 – Conditional Use Permit – Public Utility Facility

The applicants are requesting a Conditional Use Permit to construct a Communication Tower on a 20-acre parcel. The property is zoned Agriculture/Forestry 10. The project is located off U.S. Hwy 95 and Cindy Lane in a portion of Section 9, Township 59 North, Range 1 West, Boise-Meridian. On June 27, 2025, the District Court vacated the previous approval and remanded the file back to Bonner County for further proceedings. The project is located within the service area of Northside Fire District.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT Kootenai-Timberline River District 9/23/25
Name Date



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] 94-09-49737 PHD CORRESPONDENCE

1 message

Denis Twohig <dtwohig@phd1.idaho.gov>
To: Bonner County Planning <planning@bonnercountyid.gov>

Thu, Sep 25, 2025 at 3:08 PM

 <p>Public Health Prevent. Promote. Protect. Panhandle Health District</p>	<p>Denis Twohig Technical Records Specialist 1 2101 W Pine St. Sandpoint, ID 83864 P: 208.265.6384 E: ehapplications@phd1.idaho.gov W: Panhandlehealthdistrict.org</p>
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 **94-09-49737 PHD CORRESPONDENCE.pdf**
91K

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Dylan Young

Dylan Young, Hearing Coordinator

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If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT Tim French, Panhandle Health 9/25/25
Name District Date



Dylan Young <dylan.young@bonnercountyid.gov>

Bonner County Planning - File CUP0022-23 Agency Review

'Ken Flint' via Mail-Planning <planning@bonnercountyid.gov>
Reply-To: Ken Flint <ken_flint@tcenergy.com>
To: Bonner County Planning <planning@bonnercountyid.gov>
Cc: US Crossings <us_crossings@tcenergy.com>

Tue, Sep 23, 2025 at 12:08 PM

TC Energy approved.

No comments.

Land is not on ROW.

Ken Flint

From: US Crossings <us_crossings@tcenergy.com>
Sent: Tuesday, September 23, 2025 10:45 AM
To: Ken Flint <ken_flint@tcenergy.com>
Subject: FW: [EXTERNAL] Bonner County Planning - File CUP0022-23 Agency Review

FYI

From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Tuesday, September 23, 2025 11:08 AM
To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert

Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; US Crossings <us_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: [EXTERNAL] Bonner County Planning - File CUP0022-23 Agency Review

EXTERNAL EMAIL: PROCEED WITH CAUTION.

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Dylan Young <dylan.young@bonnercountyid.gov>

Bonner County Planning - File CUP0022-23 Agency Review

Symone Legg <Symone.Legg@itd.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>
Cc: Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>

Tue, Sep 23, 2025 at 10:23 AM

The approach for this parcel is not permitted for access to US-95. The applicant will need to apply for an approach permit here: <https://survey123.arcgis.com/share/a2d69aa0e44c403e8182b92724c6dd3e?portalUrl=https://gisp.itd.idaho.gov/portal>

Thank you,
Symone Legg | Project Coordinator
Idaho Transportation Department | D1 Traffic/Permits
Ext: 208.772.8073 Dept: 208.772.1297
Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation
Work schedule: Monday – Thursday 6:00AM-4:30PM

From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Tuesday, September 23, 2025 9:07 AM
To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; Manda Corbett <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov <cityclerk@spiritlakeid.gov>; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>;

Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone Legg <Symone.Legg@itd.idaho.gov>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <eplfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpoofd1@gmail.com>
Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>
Subject: Bonner County Planning - File CUP0022-23 Agency Review

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Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Dylan Young
Bonner County Planning Department
Hearing Coordinator
208-265-1458

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Fast & easy application process
Track your permit status in real time
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Online Application Guide

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

1 message

Kristie May <Kristie.May@deq.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Wed, Jan 31, 2024 at 10:50 AM

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Kristie

Kristie May | Admin Assistant II
Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Direct: 208.666.4608

Office Line: 208.769.1422

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Tuesday, January 9, 2024 8:00 AM
To: PHD <EHapplications@phd1.idaho.gov>; Northside Fire District - Brad Mitton <bmitton@northsidefire.org>; Avista Copr - Jay West <jay.west@avistacorp.com>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Bonner Sheriff <bonnersheriff@bonnerso.org>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Northern Info <northerninfo@idwr.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahoconsultationrequests@fws.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; BC EMS Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>
Cc: Robert Winningham <robertb.winningham@bonnercountyid.gov>; Travis Haller <travis.haller@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; pslotemaker@tilsontech.com
Subject: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

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The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jenna Crone, Hearing Coordinator
Bonner County Planning Department
208-265-1458 ext - 1277



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Fri, Jan 12, 2024 at 11:30 AM

Hi Jenna ,

Please consider this email as comment from Idaho Department of Fish and Game (IDFG) regarding CUP0022-23. The purpose of these comments is to assist the decision-making authority by providing technical information addressing potential effects on wildlife and wildlife habitat and how any adverse effects might be mitigated.

The Idaho Department of Fish and Game recommends that the 40' wetland setback, as noted in the wetland delineation, be adhered to.

Thank you,

Merritt Horsmon

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

[Coeur d'Alene, ID 83815](#)

208.769.1414 office

208.251.4509 mobile

merritt.horsmon@idfg.idaho.gov

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, January 09, 2024 8:00 AM

To: PHD <EHapplications@phd1.idaho.gov>; Northside Fire District - Brad Mitton <bmitton@northsidefire.org>; Avista Copr - Jay West <jay.west@avistacorp.com>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Bonner Sheriff <bonnersheriff@bonnerso.org>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Northern Info <northerninfo@idwr.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahoconsultationrequests@fws.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; BC EMS Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>

Cc: Robert Winningham <robertb.winningham@bonnercountyid.gov>; Travis Haller <travis.haller@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; pslotemaker@tilsontech.com

Subject: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Jenna Crone, Hearing Coordinator
Bonner County Planning Department
208-265-1458 ext - 1277



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] FW: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

1 message

Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
To: Bonner County Planning <planning@bonnercountyid.gov>

Tue, Jan 9, 2024 at 11:36 AM

Bonner County Planning Department:

Based upon our understanding of the project, the Idaho Department of Water Resources determined it is non jurisdictional.

Sincerely,



Tammy Alleman | Water Right Agent
Idaho Department of Water Resources
Northern Regional Office
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone: (208) 762-2800

From: Northern Info <northerninfo@idwr.idaho.gov>
Sent: Tuesday, January 9, 2024 10:28 AM
To: Alleman, Tammy <Tammy.Alleman@idwr.idaho.gov>
Subject: FW: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Tuesday, January 9, 2024 8:00 AM
To: PHD <EHapplications@phd1.idaho.gov>; Northside Fire District - Brad Mitton <bmitton@northsidefire.org>; Avista Copr - Jay West <jay.west@avistacorp.com>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Bonner Sheriff <bonnersheriff@bonnerso.org>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Kristie May <Kristie.May@deq.idaho.gov>; Northern Info <northerninfo@idwr.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahoconsultationrequests@fws.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; BC EMS Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>
Cc: Robert Wunningham <robertb.wunningham@bonnercountyid.gov>; Travis Haller <travis.haller@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; pslotemaker@tilsontech.com
Subject: Agency Project Review Request - File CUP0022-23 - Conditional Use Permit

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Thank you,

Jenna Crone, Hearing Coordinator

Bonner County Planning Department

208-265-1458 ext - 1277

 **CUP0022-23 Agency Routing Memo.pdf**
163K



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

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

January 8, 2024

TO:

Panhandle Health District	Bonner County Road and Bridge Department
Northside Fire District	Idaho Department of Environmental Quality
Avista Utilities	Idaho Department of Water Resources
Lake Pend Oreille School District #84	Idaho Department of Fish and Game
Lake Pend Oreille School District #84 - Transportation	U.S. Fish and Wildlife Service
U.S. Forest Service	State Historical Society
Army Corps (Newport)	Bonner County Ambulance District
Bonner County Sheriff	

FROM: Rob Winningham, Planner I

SUBJECT: CUP0022-23 – Conditional Use Permit - Public Utility Facility

The above-named application has been submitted to the Bonner County Planning Department for processing. The Planning Department has determined this application to be complete and a public hearing has been scheduled with the Hearing Examiner for **February 7, 2024, at 1:30 P.M.**

The applicants are requesting a Conditional Use Permit to construct a Public Utility Facility (communication tower) on a ±20.00-acre parcel. The property is zoned Agriculture/Forestry 10. The project is located off U.S. Hwy 95 in a portion of Section 9, Township 59 North, Range 1 West, Boise-Meridian.

To review this application, go to the Planning Department web site at www.bonnercountyid.gov/departments/Planning/current-projects. If you experience difficulties visiting the project web page, try an alternative browser (Mozilla Firefox or Google Chrome) for access. If you prefer to receive hard copies of the application or have any difficulties reaching this web site, please contact the planning department as soon as possible.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections by **January 30, 2024**. If your agency requires any additional information from the applicant, please advise the planning department in writing allowing ample time for applicant response. All comments will be forwarded to the applicant and representatives. If no response is provided, staff will conclude your agency has no objections to the project or recommended conditions.

If you have no comment or response, you may indicate below and return this form to the Planning Department. Thank you for your assistance.

NO COMMENT _____
Agency Name, Initials of Agency Representative Date

c: Dolyniuk Family Trust, Applicant
Tilson, Project Representative
Harmoni Towers, Project Representative



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Notice of Public Hearing - Appeal File CUP0022-23 - Conditional Use Permit - Communication Tower

1 message

Kristie May <Kristie.May@deq.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Thu, Apr 4, 2024 at 7:26 AM

Good Morning,

Thank you for providing the opportunity to comment. DEQ has no additional environmental impact comments for the appealed project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, March 26, 2024 9:41 AM

To: Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Assessors Office Group <assessorsgroup@bonnercountyid.gov>; Avista Copr - Jay West <jay.west@avistacorp.com>; Bay Drive Recreation District <kirbymc45@gmail.com>; Bayview Water & Sewer <bwsd637@gmail.com>; BC Airport Manager Dave Schuck <dave.schuck@bonnercountyid.gov>; BC EMS Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Bonner Sheriff <bonnersheriff@bonnerso.org>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai - Ronda Whittaker <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Ponderay KayLeigh Miller <klmiller@ponderay.org>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Coolin Sewer <coolinsewer@gmail.com>; Coolin-Cavanaugh Bay Fire District <coolinfirechief@gmail.com>; Kristie May <Kristie.May@deq.idaho.gov>; Drainage District #7 Kim Hoodenpyle <kjh5345@gmail.com>; East Bonner Library <vanessa@ebonnerlibrary.org>; East Priest Lake Fire Chief Tom Renzi <epbfdchief@gmail.com>; Ellisport Bay Sewer District <clerk@ebsewerdistrict.com>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Granite Reeder Sewer District <granitereeder@gmail.com>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; IDL - Nav. Waters Ryan Zandhuisen <RZandhuisen@idl.idaho.gov>; IDL -

Pend Oreille Lake Supervisory <esjoquist@idl.idaho.gov>; dbrown@idl.idaho.gov; IDWR Chase Bell <chase.bell@idwr.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD <D1Permits@itd.idaho.gov>; Jack Schenck Vyve/Northland Cable <Jack.schenck@vyvebb.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Kootenai Ponderay Sewer District <CJohnson@kootenaiponderaysewerdistrict.org>; Laclede Water District <LWdistrict@frontier.com>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lakeland Joint School District #272 Jessica Grantham <jessica.grantham@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; North of the Narrows Fire Dept <Huckbay2501@gmail.com>; Northern Lights - Kristin Mettke <kristin.mettke@nli.coop>; Northside Fire District - Karen Quenell <kquenell@northsidefire.org>; Outlet Bay Sewer District <outletbaysewer@gmail.com>; Pend Orielle Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Priest Lake Translator District - Frankie Dunn <Frankiejdunn@hotmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ruen Yeager <planning@ruenyeager.com>; Sagle Valley Water & Sewer District <saglewatersewer@gmail.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; joekren@sd83.org; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Schweitzer Fire, Spencer Newton <firedistrict@msn.com>; Selkirk Association of Realtors Danielle <danielle@selkirkaor.com>; Selkirk Fire Gavin Gilcrease <ggilcrease@selkirkfire.com>; Selkirk Recreation District <elgar@whoi.edu>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Spirit Lake Fire Dept. (Debbie Carpenter) <chief@spirittlakefire.com>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Syringa Heights Water <allwater49@outlook.com>; Timberlake Fire <cthatcher@timberlakefire.com>; Trestle Creek Sewer District Janice Best <janicesb@televar.com>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>; West Priest Lake Fire Josh Gilbert <WPLFD.Chief@gmail.com>

Cc: Robert Winningham <robertb.winningham@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; Travis Haller <travis.haller@bonnercountyid.gov>

Subject: Notice of Public Hearing - Appeal File CUP0022-23 - Conditional Use Permit - Communication Tower

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Thank you,

Jenna Crone, Hearing Coordinator

Bonner County Planning Department

208-265-1458 ext - 1277



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Notice of Public Hearing - Appeal File CUP0022-23 - Conditional Use Permit - Communication Tower

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Mon, Apr 1, 2024 at 2:34 PM

Hi Jenna,

IDFG does not have any changes to submit for its original comments on this project.

Thank you,

Merritt Horsmon

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

[Coeur d'Alene, ID 83815](#)

208.769.1414 office

208.251.4509 mobile

merritt.horsmon@idfg.idaho.gov**From:** Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, March 26, 2024 9:41 AM**To:** Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Assessors Office Group <assessorsgroup@bonnercountyid.gov>; Avista Copr - Jay West <jay.west@avistacorp.com>; Bay Drive Recreation District <kirbymc45@gmail.com>; Bayview Water & Sewer <bwsd637@gmail.com>; BC Airport Manager Dave Schuck <dave.schuck@bonnercountyid.gov>; BC EMS Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Bonner Sheriff

<bonnersheriff@bonnerso.org>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai - Ronda Whittaker <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Ponderay KayLeigh Miller <klmiller@ponderay.org>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov; Coolin Sewer <coolinsewer@gmail.com>; Coolin-Cavanaugh Bay Fire District <coolinfirechief@gmail.com>; Kristie May <Kristie.May@deq.idaho.gov>; Drainage District #7 Kim Hoodenpyle <kjh5345@gmail.com>; East Bonner Library <vanessa@ebonnerlibrary.org>; East Priest Lake Fire Chief Tom Renzi <epofdchief@gmail.com>; Ellisport Bay Sewer District <clerk@ebsewerdistrict.com>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Granite Reeder Sewer District <granitereeder@gmail.com>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; IDL - Nav. Waters Ryan Zandhuisen <RZandhuisen@idl.idaho.gov>; IDL - Pend Oreille Lake Supervisory <esjoquist@idl.idaho.gov>; dbrown@idl.idaho.gov; IDWR Chase Bell <chase.bell@idwr.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD <D1Permits@itd.idaho.gov>; Jack Schenck Vyve/Northland Cable <Jack.schenck@vyvebb.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Kootenai Ponderay Sewer District <CJohnson@kootenaiponderaysewerdistrict.org>; Laclede Water District <LWdistrict@frontier.com>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lakeland Joint School District #272 Jessica Grantham <jessica.grantham@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; North of the Narrows Fire Dept <Huckbay2501@gmail.com>; Northern Lights - Kristin Mettke <kristin.mettke@nli.coop>; Northside Fire District - Karen Quenell <kquenell@northsidefire.org>; Outlet Bay Sewer District <outletbaysewer@gmail.com>; Pend Orielle Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Priest Lake Translator District - Frankie Dunn <Frankiejdunn@hotmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ruen Yeager <planning@ruenyeager.com>; Sagle Valley Water & Sewer District <saglewatersewer@gmail.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; joekren@sd83.org; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Schweitzer Fire, Spencer Newton <firedistrict@msn.com>; Selkirk Association of Realtors Danielle <danielle@selkirkaor.com>; Selkirk Fire Gavin Gilcrease <ggilcrease@selkirkfire.com>; Selkirk Recreation District <elgar@whoi.edu>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Spirit Lake Fire Dept. (Debbie Carpenter) <chief@spiritlakefire.com>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Syringa Heights Water <allwater49@outlook.com>; Timberlake Fire <cthatcher@timberlakefire.com>; Trestle Creek Sewer District Janice Best <janicesb@televar.com>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahococonsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>; West Priest Lake Fire Josh Gilbert <WPLFD.Chief@gmail.com>

Cc: Robert Winningham <robertb.winningham@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; Travis Haller <travis.haller@bonnercountyid.gov>

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Thank you,

Jenna Crone, Hearing Coordinator
Bonner County Planning Department
208-265-1458 ext - 1277



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Notice of Public Hearing - Appeal File CUP0022-23 - Conditional Use Permit - Communication Tower

1 message

Symone Legg <Symone.Legg@itd.idaho.gov>

Tue, Mar 26, 2024 at 9:53 AM

To: Bonner County Planning Department <planning@bonnercountyid.gov>

Access must come from Cindy Ln and recorded easement to cross RP5901W097510A must be proven.

Thanks,

Symone Legg | Project Coordinator

Idaho Transportation Department | D1 Traffic/Permits

Ext: 208.772.8073 Dept: 208.772.1297

Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

Work schedule: Monday - Friday 7AM- 4PM

From: Bonner County Planning Department <planning@bonnercountyid.gov>

Sent: Tuesday, March 26, 2024 9:41 AM

To: Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Assessors Office Group <assessorsgroup@bonnercountyid.gov>; Avista Copr - Jay West <jay.west@avistacorp.com>; Bay Drive Recreation District <kirbymc45@gmail.com>; Bayview Water & Sewer <bwsd637@gmail.com>; BC Airport Manager Dave Schuck <dave.schuck@bonnercountyid.gov>; BC EMS Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Bonner Sheriff <bonnersheriff@bonnerso.org>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai - Ronda Whittaker <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Ponderay KayLeigh Miller <klmiller@ponderay.org>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint <cityplanning@sandpointidaho.gov>; City of Spirit Lake <cityclerk@spiritleakeid.gov>; Coolin Sewer <coolinsewer@gmail.com>; Coolin-Cavanaugh Bay Fire District <coolinfirechief@gmail.com>; DEQ - Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; Drainage District #7 Kim Hoodenpyle <kjh5345@gmail.com>; East Bonner Library <vanessa@ebonnerlibrary.org>; East Priest Lake Fire Chief Tom Renzi <epfdchief@gmail.com>; Ellisport Bay Sewer District <clerk@ebsewerdistrict.com>; Facilities Director LPOSD #84 <matt.diel@lposd.org>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Granite Reeder Sewer District <granitereeder@gmail.com>; ID State Historical Society - Dave Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Fish & Game <merritt.horsmon@idfg.idaho.gov>; IDL - Nav. Waters Ryan Zandhuisen <RZandhuisen@idl.idaho.gov>; IDL - Pend Oreille Lake Supervisory <esjoquist@idl.idaho.gov>; IDL - Priest Lake Supervisory Area <dbrown@idl.idaho.gov>; IDWR Chase Bell <chase.bell@idwr.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; D1Permits <D1Permits@itd.idaho.gov>; Jack Schenck Vyve/Northland Cable <Jack.schenck@vyvebb.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Kootenai Ponderay Sewer District <CJohnson@kootenaiponderaysewerdistrict.org>; Laclede Water District <LWDistrict@frontier.com>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lakeland Joint School District #272 Jessica Grantham <jessica.grantham@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; North of the Narrows Fire Dept <Huckbay2501@gmail.com>; Northern Lights - Kristin Mettke <kristin.mettke@nli.coop>; Northside Fire District - Karen Quenell <kquenell@northsidefire.org>; Outlet Bay Sewer District <outletbaysewer@gmail.com>; Pend Orielle Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Priest Lake

Translator District - Frankie Dunn <Frankiejdunn@hotmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ruen Yeager <planning@ruenyeager.com>; Sagle Valley Water & Sewer District <saglewatersewer@gmail.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; School District #83 - Joseph Kren <joekren@sd83.org>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; Schweitzer Fire, Spencer Newton <firedistrict@msn.com>; Selkirk Association of Realtors Danielle <danielle@selkirkaor.com>; Selkirk Fire Gavin Gilcrease <ggilcrease@selkirkfire.com>; Selkirk Recreation District <elgar@whoi.edu>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Spirit Lake Fire Dept. (Debbie Carpenter) <chief@spiritlakefire.com>; Superintendent No. 84 Becky Meyer <becky.meyer@lposd.org>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Syringa Heights Water <allwater49@outlook.com>; Timberlake Fire <cthatcher@timberlakefire.com>; Trestle Creek Sewer District Janice Best <janicesb@televar.com>; US Fish & Wildlife Services - Christy Johnson Hughes <FW1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpoofd1@gmail.com>; West Priest Lake Fire Josh Gilbert <WPLFD.Chief@gmail.com>
Cc: Robert Winningham <robertb.winningham@bonnercountyid.gov>; Jacob Gabell <jake.gabell@bonnercountyid.gov>; Travis Haller <travis.haller@bonnercountyid.gov>
Subject: Notice of Public Hearing - Appeal File CUP0022-23 - Conditional Use Permit - Communication Tower

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Thank you,

Jenna Crone, Hearing Coordinator
Bonner County Planning Department
208-265-1458 ext - 1277

Appendix C - Previous Decision Letters



Bonner County

Board of Commissioners

Asia Williams

Luke Omodt

Steve Bradshaw

August 6, 2024

Subj: **Appeal File CUP0022-23 – Conditional Use Permit – Communication Tower**

Decision Letter

The Bonner County Commissioners at the August 2, 2024, public hearing approved of the referenced application.

Commissioner Bradshaw moved to uphold the Hearing Examiner’s February 7, 2024 decision to approve this project, FILE CUP0022-23, based upon the following conclusions:

Conclusion 1: The proposed conditional use permit **is** in accord with the general and specific objectives of Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2, Subchapter 2.2 Conditional Use Permits; Chapter 4 Development Standards and Chapter 7 Environmental Standards. The proposal **is** in accord with the Bonner County Revised Code.

Conclusion 3: The proposed use **will not** create a hazard or **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the findings of fact and conclusions of law as set forth in the Staff Report, or as amended during the hearing and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit to all interested parties. This action does not result in a taking of private property.

Commissioner Omodt stepped down from the Chair and seconded the motion.

Roll call vote:

Commissioner Williams	NAY
Commissioner Omodt	AYE
Commissioner Bradshaw	AYE

Voted upon and the Chair declared the motion carried.

Findings of Facts:

1. The applicants are requesting a Conditional Use Permit for a Communication Tower.
2. The subject parcel is zoned Agricultural/Forestry with a land use designation of Ag/Forest Land.
3. The site is accessed off Cindy Lane, a privately owned and maintained road.
4. Public Utility Facilities are conditionally permitted in the Agricultural/Forestry zoning districts.
5. The applicant is proposing construction of a 140' tall communications tower along with a building for support equipment within a 50' X 50' lease area to facilitate functioning of the proposed communications tower.
6. A backup generator for emergency purposes will be located on the site.
7. Construction is proposed to occur in a single phase of development.
8. The facility is expected to be unmanned and will be occupied only during routine or emergency maintenance.
9. The facility will provide telecommunications service to residential properties within the vicinity 24 hours per day year-round.
10. A new tower construction requires:
 - a. Compliance with FCC rules implementing NEPA, which includes separate procedures for:
 - i. ESA and NHPA (including Section 106)
11. The Hearing Examiner approved this application on February 13, 2024.
12. The planning department received a request to appeal this file, CUP0022-23, on March 12, 2024.
13. The BOCC continued the hearing at the April 18, 2024 public meeting to July 15, 2024 and requested the applicants provided information to satisfy BCRC 12-488 C. Additionally, the BOCC continued the hearing on July 15, 2024 to August 2, 2024 to provide the appellants sufficient time to review the new data provided by the applicants.
14. The applicants submitted a drive test report, provided by Biwabkos Consultants LLC. The BOCC concluded that the drive test report demonstrated public convenience and necessity of the proposed communication tower.
15. The proposal is in line with and meets all standards for Communication Towers as found in BCRC 12-488.

Conditions of Approval:

Standard continuing permit conditions. To be met for the life of the use:

1. The use shall be developed and shall be operated in accordance with the approved site plan.
2. The Conditional Use Permit shall not supersede deed restrictions.
3. All County setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) 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 an extension of the Conditional Use Permit for a period up to two (2) years. The Zoning Commission, or board, may consider such request for extension at any regular meeting. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
5. The applicant shall provide a recorded easement to cross RP5901W097510A from Cindy Lane to the project site per the Idaho Department of Transportation's comment.

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

Please contact the Bonner County Planning Department if you have any questions.

Sincerely,



Luke Omodt, Chair
Board of County Commission

Cc:

Appellant:

Norman M. Semanko

Joan Esnayra

Applicant:

James and Sandra Dolyniuk

Harmoni Towers/Verizon Wireless, Derek Budig

Tilson, Paul Slotemaker

Busch Law Firm LLC, Richard Busch



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

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

February 13, 2024

James and Sandra Dolyniuk
211 Cindy Lane
Sandpoint, ID 83864

Subj: File CUP0022-23 – Conditional Use Permit – Public Utility Facility

Encl: (1) File CUP0022-23 Hearing Examiner Approved Site Plan

Dear Applicant,

The Bonner County Hearing Examiner at the February 7, 2024, hearing approved the referenced application with conditions.

Hearing Examiner Rucker approved this project, FILE CUP0022-23 for a Communications Tower, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1: The proposed conditional use permit **is** in accord with the general and specific objectives of Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with the criteria and standards set forth at BCRC Title 12, Chapter 2, Subchapter 2.2 Conditional Use Permits; Chapter 4 Development Standards and Chapter 7 Environmental Standards. The proposal **is** in accord with the Bonner County Revised Code.

Conclusion 3: The proposed use **will not** create a hazard or will not be dangerous to persons on or adjacent to the property.

The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Examiner Rucker further adopted the findings of fact set forth in the Staff Report as amended during this hearing and direct planning staff to draft written findings and conclusions to reflect this decision and transmit to all interested parties. The action that could be taken to obtain the conditional use permit is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

Findings of Facts:

1. The applicants are requesting a Conditional Use Permit for a Communication Tower.

2. The subject parcel is zoned Agricultural/Forestry with a land use designation of Ag/Forest Land.
3. The site is accessed off Cindy Lane, a privately owned and maintained road.
4. Public Utility Facilities are conditionally permitted in the Agricultural/Forestry zoning districts.
5. The applicant is proposing construction of a 140' tall communications tower along with a building for support equipment within a 50' X 50' lease area to facilitate functioning of the proposed communications tower.
6. No machinery will be located on the site.
7. Construction is proposed to occur in a single phase of development.
8. The facility is expected to be unmanned and will be occupied only during monthly routine maintenance.
9. The facility will provide telecommunications service to residential properties within the vicinity 24 hours per day year-round.
10. A new tower construction requires:
 - a. Compliance with FCC rules implementing NEPA, which includes separate procedures for:
 - i. ESA and NHPA (including Section 106)
11. The FCC treats the construction and registration of towers and facilities intended to host FCC licensed services as major actions that trigger agency NEPA obligations. Consequently, FCC rules impose enforceable duties on licensees and applicants in order to meet the agency's NEPA obligations.
12. The FCC is required by the National Environmental Policy Act of 1969, among other things, to evaluate the effect of emissions from FCC-regulated transmitters on the quality of the human environment.
13. EMI emissions are regulated by the FCC per 47CFRPart15.

Conditions of Approval:

Standard continuing permit conditions. To be met for the life of the use:

1. The use shall be developed and shall be operated in accordance with the approved site plan.

2. The Conditional Use Permit shall not supersede deed restrictions.
3. All County setbacks shall be met.
4. The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) 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 an extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission 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.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Hearing Examiner decisions with the Planning Director within 28 days after the final written decision of the Hearing Examiner has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., March 12, 2024. AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.**

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 the Planning Department if you have any questions.

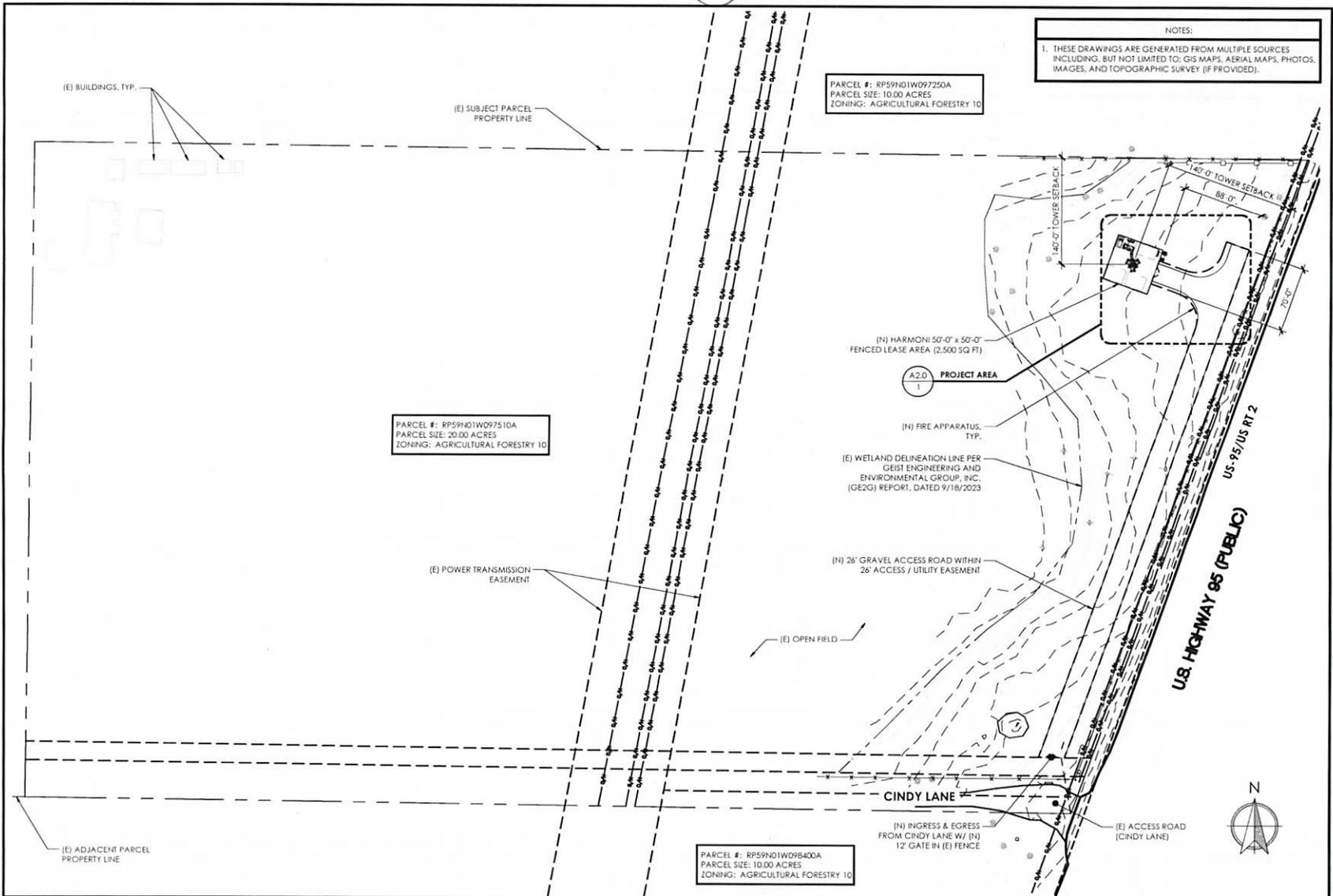
Sincerely,


Jacqueline Rucker
Hearing Examiner

c: Paul Slotemaker, Project Representative
Harmoni Towers/Verizon Wireless, Project Representative

**BONNER COUNTY
APPROVED SITE PLAN**

Jacqueline Skudler 2-13-24
DATE



NOTES:
1. THESE DRAWINGS ARE GENERATED FROM MULTIPLE SOURCES INCLUDING, BUT NOT LIMITED TO; GIS MAPS, AERIAL MAPS, PHOTOS, IMAGES, AND TOPOGRAPHIC SURVEY (IF PROVIDED).

PARCEL #: RP59N01W097250A
PARCEL SIZE: 10.00 ACRES
ZONING: AGRICULTURAL FORESTRY 10

PARCEL #: RP59N01W097510A
PARCEL SIZE: 20.00 ACRES
ZONING: AGRICULTURAL FORESTRY 10

PARCEL #: RP59N01W098400A
PARCEL SIZE: 10.00 ACRES
ZONING: AGRICULTURAL FORESTRY 10



DRAWN BY: JD
CHECKED BY: CL

DRAWING VERSION	
VER.	DESCRIPTION
1	10/12/23 PRELIM ZONING DRAWINGS
2	11/27/23 CLIENT COMMENT
3	11/29/23 FINAL ZONING DRAWING

LICENSER

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT INFORMATION

NAPLES
211 CINDY LN
SANDPOINT, ID 83864

SHEET TITLE

OVERALL SITE PLAN

SHEET NO.

A1.0

1 OVERALL SITE PLAN

11x17 SCALE: 1" = 100'-0"
22x34 SCALE: 1" = 50'-0"

Norman M. Semanko, ISB #4761
PARSONS BEHLE & LATIMER
800 West Main Street, Suite 1300
Boise, Idaho 83702
Telephone: (208) 562-4900
Facsimile: (208) 562-4901
Email: *NSemanko@parsonsbehle.com*
boisedocket@parsonsbehle.com

Filed: 06/27/2025 11:17:44
First Judicial District, Bonner County
Michael W Rosedale, Clerk of the Court
By: Deputy Clerk - Hendrickson, Joette

Attorneys for Petitioners

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

JOAN ESNAIRA; ERNIE BARTON; JOSEPH
BINDERT; SHEYENNE BINDERT; BETSY
CANFIELD; DANIELLE DALY; HEATHER
DALY; JAMES DALY; JAROD DAILY;
BRITTANY DRIGGARS; PHILIP
DRIGGARS; JOHN ENDRES; LILIANA
FERNANDEZ; JOHANI FRANZ; LAURA
GOW; MIKE GOW; JAMES JELTES;
SAVANNAH HUCKABEE; AMANDA
JACOBSON; BRET JACOBSON; TATIANA
JUNG; JEREMIE MACIAS; KEVIN
McCANN; KORIN PILLER; CHARLES
POPE; MARCELA POPE; JODI REED;
EURIE RENFRO; DEWAYNE RENFRO;
DANIEL ROSE; KATHLEEN ROSE;
STEPHANIE SCHWOERER; CHARLIE
SHUTTS; EMMA SHUTTS; MICHAEL
SKURKIS; KARI YOUNG; RUSS YOUNG,

Petitioners,

vs.

BONNER COUNTY, a political subdivision of
the State of Idaho, acting through the BONNER
COUNTY BOARD OF COUNTY
COMMISSIONERS,

Respondent.

Case No. CV09-24-1613
Honorable Ross Pittman

**ORDER GRANTING PETITIONERS'
UNOPPOSED PETITION FOR
JUDICIAL REVIEW**

PI TOWER DEVELOPMENT LLC, a
Delaware limited liability company,

Intervenor/Respondent.

Petitioners, by and through their attorneys of record, Parsons Behle & Latimer, having filed their Petition for Judicial Review on October 10, 2024 (“Petition”), and subsequent Opening Brief on April 8, 2025, and Respondent Bonner County Board of County Commissioners’ Non-Opposition to Petition for Judicial Review being filed on May 6, 2025, and good cause appearing therefor:

IT IS HEREBY ORDERED THAT the Petitioners’ Petition is hereby granted. Thus, the Decision by the Bonner County Board of County Commissioners approving Permit No. CUP0022-23 is hereby vacated and the matter is remanded to the Board for further proceedings as necessary, pursuant to Idaho Code § 67-5279(3).

6/27/2025 8:00:12 AM

DATED this ____ day of June, 2025.

Handwritten signature of Ross Pittman in black ink, with a small number '709' written below the signature.

Honorable Ross Pittman
First Judicial District, Bonner County

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of June, 2025, I served a true and correct copy of the foregoing document on the parties listed below by their designated method of service.

William S. Wilson, Civil Deputy Prosecutor
BONNER COUNTY PROSECUTOR’S OFFICE
127 S. First Avenue
Sandpoint, Idaho 83864
Attorneys for Respondent

- U.S. First Class Mail, Postage Prepaid
- U.S. Certified Mail, Postage Prepaid
- Federal Express
- Hand Delivery
- Facsimile:
- Electronic Mail:
bill.wilson@bonnercoid.gov;
prosefile@bonnercoid.gov

Joshua J. Leonard
CLARK WARDLE LLP
251 E. Front Street, Suite 310
Boise, ID 83702
Attorneys for Intervenor Harmoni Towers, LLC

- U.S. First Class Mail, Postage Prepaid
- U.S. Certified Mail, Postage Prepaid
- Federal Express
- Hand Delivery
- Facsimile:
- Electronic Mail:
jleonard@clarkwardle.com;
filing@clarkwardle.com

Norman M. Semanko, ISB #4761
PARSONS BEHLE & LATIMER
800 West Main Street, Suite 1300
Boise, Idaho 83702
Attorneys for Petitioners

- U.S. First Class Mail, Postage Prepaid
- U.S. Certified Mail, Postage Prepaid
- Federal Express
- Hand Delivery
- Facsimile: (208) 562-4901
- Electronic Mail:
NSemanko@parsonsbehle.com;
boisedocket@parsonsbehle.com



Clerk of Court

Norman M. Semanko, ISB #4761
PARSONS BEHLE & LATIMER
800 West Main Street, Suite 1300
Boise, Idaho 83702
Telephone: (208) 562-4900
Facsimile: (208) 562-4901
Email: *NSemanko@parsonsbehle.com*
boisedocket@parsonsbehle.com

Filed: 06/27/2025 11:18:33
First Judicial District, Bonner County
Michael W Rosedale, Clerk of the Court
By: Deputy Clerk - Hendrickson, Joette

Attorneys for Petitioners

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

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COMMISSIONERS,

Respondent.

Case No. CV09-24-1613
Honorable Ross Pittman

**JUDGMENT VACATING
RESPONDENT'S DECISION**

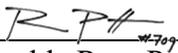
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Petitioners, by and through their attorneys of record, Parsons Behle & Latimer, having filed their Petition for Judicial Review on October 10, 2024 (“Petition”), and subsequent Opening Brief on April 8, 2025, Respondent’s Non-Opposition to Petition for Judicial Review being filed on May 6, 2025, and this Court’s Order Granting the Petition on June 27, 2025, and good cause appearing therefor:

JUDGMENT IS HEREBY ENTERED vacating the Respondent Bonner County Board of County Commissioner’s Decision approving Permit No. CUP0022-23 and remanding the matter to Respondent for further proceedings as necessary, pursuant to Idaho Code § 67-5279(3).

6/27/2025 8:02:20 AM
DATED this ____ day of June, 2025.



Honorable Ross Pittman
First Judicial District, Bonner County

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of June, 2025, I served a true and correct copy of the foregoing document on the parties listed below by their designated method of service.

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Clerk of Court