



Bonner County

Board of Commissioners

Jeff Connolly

Daniel McDonald

Steve Bradshaw

Public Hearing Minutes

Planning

Date: December 19, 2022
Location: 1500 Hwy 2, Suite 338
Sandpoint, ID 83864

CONVENE AT: 9:00 a.m.

ADJOURN AT: 1:33 p.m.

COMMISSIONERS PRESENT: Connolly, Bradshaw & McDonald

OTHERS PRESENT: Planning Staff: Jake Gabell, Jenna Crone, Daniel Britt, Jason Johnson; Attorney – Bill Wilson

Commissioner McDonald opened the hearing at 9:00 a.m.

Commissioner McDonald asked if anyone needed assistance for this hearing, there were no requests. Commissioners McDonald, Bradshaw and Connolly advised that they had no conflicts with these files.

Action Item: Discussion/Decision Regarding File VS0002-21 – Title 40 Road Vacation – Right of Way – M3 Id Camp Bay LLC. is requesting the vacation of approximately 2,550 ft (2.93 acres) of the Camp Bay Road right-of-way from the north boundary of the Petitioner's Parcel No. RP56N01E184811A, south to the end of the road, in Parcel No. RP56N01E188600A. The property is zoned Rural-10 & Rural-5 and is located off Camp Bay Road in Section 18, Township 56 North, Range 1 East, Boise-Meridian. If approved, the vacated right-of-way will be replaced with private roadway access and utility easements to serve the Petitioner's property as well as the properties located on South Camp Bay Road beyond the Petitioner's property (collectively the "South Camp Bay Properties"). Additionally, if approved, the applicant will create and dedicate a public easement for a pathway providing the public with a fifty (50) foot wide public access point to Lake Pend Oreille.

This hearing, which has been ordered by the Bonner County District Court, will focus solely on the proposed walking path and its impact on the public interest in the proposed vacation. Validating the terminus point of Camp Bay Road is not the intended purpose of this hearing, and the Bonner County Board of Commissioners will not consider evidence or testimony offered on that topic.

Planning Department Comment:

Staff report presented by Jake Gabell (see attached staff report).

Applicant Comment: Bill Brownlee, M3 Id Camp Bay LLC, spoke about the boundaries between private and public lands, offering an alternate proposal of a walking path. Spoke of current facilities at different public access points on the lake. Vacate and abandon the public right of way in exchange for a public

pathway providing access to the lake. Two components to the trail, cost would be about \$100-\$200,000 to construct. Usable for every purpose other than motorized vehicles. General rules established, no campfires or moorage of boats, hours of 8 a.m. to 8 p.m. Trail benefits for the community. Applicant has agreed to pay for the costs instead of a collection of user fees or property tax dollars. Would provide a connection to multiple trails in the area.

Public Comment:

Multiple members of the public spoke regarding the file. (Please see attached sign-in sheets.)

MOTION TO APPROVE: Commissioner Bradshaw made a motion to approve this petition, FILE VS0002-21, to vacate a portion of Camp Bay Road as shown on the submitted site plan finding that it is in accord with Idaho Code §40-203 as enumerated in the foregoing conclusions of law, and 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 and direct planning staff to draft written findings and conclusions to reflect this motion and transmit to all interested parties. The action that could be taken to obtain the vacation is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property. Commissioner Connolly seconded the motion. Roll Call Vote: Commissioner McDonald – Aye. Commissioner Connolly – Aye. Commissioner Bradshaw – Aye. The motion passed.

Commissioner Connolly made a motion to approve resolution #2022-107 vacating a portion of Camp Bay Road as shown on the submitted site plan. Commissioner Bradshaw seconded the motion. Roll Call Vote: Commissioner McDonald – Aye. Commissioner Connolly – Aye. Commissioner Bradshaw – Aye. The motion passed.

The meeting was adjourned at 1:33 p.m.

Deputy Clerk: Claire May