

**BONNER COUNTY PLANNING AND ZONING COMMISSION
PUBLIC HEARING MINUTES
OCTOBER 18, 2018**

CALL TO ORDER: Chair Davis called the Bonner County Planning and Zoning Commission hearing to order at 5:30 p.m. in the 1st Floor Conference Room of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho.

PRESENT: Commissioners Chair Don Davis; Brian Bailey; Taylor Bradish; Trevor Kempton; Sheryl Reeve; Suzanne Glasoe; and Matt Linscott

ABSENT: None

ALSO PRESENT: Planning Director Milton Ollerton and Office Manager Jeannie Welter

ANNOUNCEMENTS:

Commissioner Kempton announced he has to excuse himself for the meeting at 6:15 p.m.

CONSENT AGENDA:

APPROVAL OF MINUTES: The Chair requested the Commissioners declare if they had any corrections or changes to the approval of minutes as written for: October 4, 2018. Hearing no changes or objections, the Chair declared the minutes approved as written.

CHAIR VOTE: Commissioner Bailey moved to elect Commissioner Davis as Chair. Commissioner Glasoe seconded the motion. Voted upon and the motion carried unanimously.

Commissioner Glasoe moved to elect Commissioner Bailey as Vice Chair. Commissioner Reeve seconded the motion. Voted upon and the motion carried unanimously.

PUBLIC HEARINGS:

CONDITIONAL USE PERMIT:

CALL FOR VISUAL, HEARING OR OTHER IMPAIRMENT REQUIRING ASSISTANCE: The Chair asked whether anyone needed special assistance to hear, see or participate in these proceedings. Hearing no response, the Chair continued with the public hearing.

File CM1007-18 – Modification to PUD – Trestle Creek Investments is requesting to modify an approved planned unit development decreasing from nine residential lots to six residential lots with 3 lots dedicated to open space. The

project will remove the proposed wastewater treatment lagoon and land application area to now include a community leach field. The new proposal will replace a hammerhead with a cul-de-sac requiring a stormwater management plan. The project is located off Hwy 200 on Idaho Country road, in a portion of Section 21, Township 57 North, Range 1 East.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS: The Chair requested the Commissioners declare any conflicts of interest or disclosures. The Chair noted that there were no disclosures or conflicts.

STAFF PRESENTATION: Director Ollerton presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

APPLICANT PRESENTATION: Certified Land Use Planner Marty Taylor, James A. Sewell & Associates stated he relies on the application. The applicant is proposing to take an area that is largely land application and open space and put a leach field there. Reason for change in the level of service is due to lack of practicality developing the former proposed wastewater lagoon and treatment system. It has been approved by Panhandle Health District showing the soil is suitable and within appropriate setbacks.

PUBLIC/AGENCY TESTIMONY: Richard Villelli stated he owned the property for 23 years. He stated the modification design is to put the leach field over a well that he states he currently owns the rights to. He stated the application shows two wells that will be abandoned. He stated he still owns the wells and the permits and water rights are still in place. He stated in the past when the property flooded all eleven septic tanks flooded.

APPLICANT REBUTTAL: Commissioner Bradish asked Mr. Taylor if Mr. Villelli owns the well rights. Mr. Taylor stated that issue was reviewed in the original application that was approved several months prior to this modification request.

Mr. Taylor stated the focus of this should be that the health district has approved this site for subsurface disposal, and that is the agency with purview over the site. He further stated this is not the purview to determine who has the water right.

COMMISSION DELIBERATION: The Chair closed the hearing to public testimony. The Commission discussed Findings and Conclusions.

MOTION: Commissioner Kempton moved to recommend to the Board of County Commissioners approval of this project FILE CM1007-17 for modification of a previously approved planned unit development recommending approval of the proposed modifications and attached conceptual land use plan and preliminary plat finding that it is in accord with the Bonner County Comprehensive Plan and Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Kempton further moved to adopt the following findings of fact, conclusions of law and conditions of approval. The