

**BONNER COUNTY HEARING EXAMINER
PUBLIC HEARING MINUTES
AUGUST 27, 2026**

PLEDGE OF ALLEGIANCE

CALL TO ORDER: Allan Songstad called the Bonner County Hearing Examiner hearing to order at 10:00 am in the 1st Floor Conference Room, of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

PRESENT: Hearing Examiner, Allan Songstad

ABSENT: None

ALSO PRESENT: Planning Director, Kendra Smith, Assistant Planning Director, Alex Feyen; Planner I, Kyle Snider, Systems Technician, Jeannie Welter, and Administrative Assistant III, Maya Johnson

CHANGES IN AGENDA: None

APPROVAL OF MINUTES: None

ACTION ITEMS:

PUBLIC HEARING

File V0006-26 – Variance – Shoreline Setback: Request for a 0’ shoreline setback where 40’ is required and a 50% bulk increase for the purposes of reconstructing and adding on to an existing grandfathered cabin. The ≈0.904-acre property is zoned Recreation. The project site is located off West Garfield Bay Road in Section 21, Township 56 North, Range 01 West, Boise-Meridian.

CONFLICTS: None

STAFF PRESENTATION: Planner I, Kyle Snider, presented a PowerPoint summary of the project and previously circulated staff report.

APPLICANT PRESENTATION: Project Representative, Russell Edwards stated they raised the structure to meet the flood elevation standards. He stated the structure is hooked up to Garfield Bay sewer district. He further stated this is a secondary residence and stated that they are just wanting to replace the structure.

PUBLIC/AGENCY TESTIMONY: The following individual spoke on the record in favor of the project: Gregg Gaudet – Property Owner

REBUTTAL: None

The Hearing Examiner deliberated using the Bonner County Planning Department’s

Reason Statement Worksheet and considered public comments to structure his decision.

DECISION TO APPROVE: Hearing Examiner, Allan Songstad, approved this FILE V0006-26, requesting a 0' shoreline setback where 40' is required and a 50% bulk increase for the purposes of reconstructing and adding on to an existing grandfathered cabin., finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

Conditions apply to the property that **do not** apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control.

Conclusion 2

Special conditions and circumstances **did not** result from the actions of the applicant.

Conclusion 3

The granting of the variance **is not** in conflict with the public interest in that it **will not** be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. (Ord. 559, 1-4-2017)

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Hearing Examiner, Allan Songstad, adopted the reasoned statement as discussed in my 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.

Note: Only the development highlighted on the site plan has been reviewed for variance standards. All other development shown must comply with Bonner County Revised Code. This variance shall not supersede any deed restrictions.

File S0001-26 – Preliminary Plat Subdivision – Meadow Ridge Estates First

Addition: Request to subdivide ±78.17 acres into eight 9.77 acre lots. The property is zoned A/F-10 and Rural-10. The project is located off Wrenco Loop in Section 28/33 Township 57 North, Range 3 West, Boise-Meridian.

CONFLICTS: None

STAFF PRESENTATION: Assistant Planning Director, Alexander Feyen, presented a PowerPoint summary of the project and previously circulated staff report. Alexander also answered any questions from the Hearing Examiner, Allan Songstad.

APPLICANT PRESENTATION: Applicant, John Gillham, stated that he had the engineer do a trip generation, to which he presented the report and the form that was filled out. He further stated he met with the Fire Marshal of Selkirk fire, at which time the Fire Marshal encouraged him to put in holding tanks. As a result of this conversation

he will be installing 10-gallon fire tanks on the property, and maintained by the Road Association, who checks them every 3 months. The applicant stated he will also pave the road, which isn't required but asked of by the Fire Marshall, as well as switching the road from public to private. Mr. Gillham addressed the concerns of a well and stated that the area is a good water area and provided a water report. The applicant also mentioned that Panhandle Health District came out to do testing, and well happy with the results. John Gillham also answered any questions from the Hearing Examiner.

PUBLIC/AGENCY TESTIMONY: The following individual spoke on the record in opposition of the project: Betty Knoles

REBUTTAL: None

The Hearing Examiner deliberated using the Bonner County Planning Department's Reason Statement Worksheet and considered public comments to structure his decision.

Allan Songstad proposed a condition be added that the applicant comply with Idaho Revised Code regarding setbacks with Wetlands, there is a 40-foot setback. He also mentioned that the Trip Generation and distribution letter be submitted and approved prior to final plat.

MOTION TO APPROVE: Hearing Examiner, Allan Songstad, approved this project, FILE S0001-26, Meadow Ridge Estates First Addition, requesting the creation of 8 residential lots on a 78.17-acres property zoned A/F-10 and Rural-5 located in Section 28/33, Township 57 North, Range 3 West, Boise Meridian, Bonner County, Bonner County, Idaho, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1: The proposed subdivision **is** in accord with the purposes of this Title and of the zoning districts in which it is located.

Conclusion 2: The site **is** physically suitable for the proposed development.

Conclusion 3: The design of the proposed subdivision **will not** adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.

Conclusion 4: The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision **are** adequate for the needs of future residents or users.

Conclusion 5: The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

Conclusion 6: The design of the proposed subdivision or related improvements **will** provide for coordinated access with the county system of roads and with adjacent properties and **will not** impede the use of public easements for access to, or through

the proposed subdivision. The proposed transportation system **is** designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

Conclusion 7: The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Hearing Examiner, Allan Songstad, further adopt the reasoned statement as discussed in deliberation at this hearing, as stipulated in Idaho Code §67-6535, and adopt the analysis as presented in the Staff Report (or as amended during deliberation). The written findings and decision of this file will be rendered within 45 calendar days, as enumerated in BCRC 12-268. This action does not result in a taking of private property.

Conditions of Approval:

1. The project is proposed to be served by individual wells for water services and individual septic systems for sewage disposal.
2. Per BCRC 12-620, any easements, specific constraints on building placement, other than easements, and land areas reserved, shall be shown and plainly marked on the plats.
3. Per BCRC 12-621, all proposed lots which are four hundred feet (400') or less in width shall maintain a depth to width ratio of not greater than three to one (4.2:1).
4. Per BCRC 12-623.D, all proposed lots shall be designed by the applicant to provide a fire protection plan for the proposed lots to provide, at a minimum, an assessment of fire risk and plans to reduce the risk, and provisions for defensible space, where material capable of allowing a fire to spread unchecked will be treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur, and for at least one of the following:
 1. Prior to final plat, an approved water and fire hydrant system capable of providing one thousand (1,000) gallons per minute for a minimum of two (2) hours where a community water system exists or is proposed as part of the development and is capable of delivering the pressurized water supply necessary for delivering fire flows as prescribed by the international fire code, as adopted by the state fire marshal, and such later editions as may be so published and adopted by the state fire marshal, or as amended, modified or superseded, and incorporated herein by reference with a copy on file with the office of the clerk of the board of county commissioners, and hereinafter referred to as IFC.
 2. A note on the final subdivision plat stating: "At the time of building location permit or building permit, the lot owner shall install a minimum two thousand (2,000) gallon water storage system, meeting IFC standards". Refill on demand is not required to meet IFC standards.
 3. A note on the final subdivision plat stating: "The installation of an approved IFC residential fire suppression sprinkler system is required in all newly constructed residences".

4. Prior to final plat, a manmade or natural water source with a dry hydrant capable of delivering adequate water supply as prescribed by IFC.
5. A note on the final subdivision plat stating: "At the time of building permit or building location permit, the lot owner shall install an approved fire suppression method to the satisfaction of Bonner County".

A note shall be included on the face of the final plat for fire suppression plan.

5. Per BCRC 12-624.A, all new roads created for subdivisions shall be designated by unique road names, unless such roads are determined to be and are designed to be extensions of existing roads. Upon further review of the project, the proposed road names will be verified for uniqueness. Road names will require a modification if not found to be unique.
 6. Per Ordinance 472, Section 9 of the Bonner County Road Standards Manual, A Trip Generation & Distribution Letter is required for this project, and must be submitted and approved before final Plat approval.
 7. Per BCRC 12-642.B.10, the preliminary plat shall show all parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated.
 8. Per BCRC 12-643.I, the preliminary plat shall be valid for a period not to exceed three (3) years from the date of approval. At any time prior to the expiration date of the preliminary plat, an applicant may make a written request to the planning director for a single extension of the preliminary plat for a period up to three (3) years. The board may consider such request for extension at any regular business meeting. The extension request must be approved or denied prior to the expiration date of the preliminary plat.
 9. Per BCRC 12-644.A, after the preliminary plat is approved, the subdivider shall have an improvement plan for the subdivision prepared by a registered civil engineer. Two (2) copies of the improvement plan shall be filed with the county engineer. This plan shall include the following:
 1. The subdivision name and number, geographic grid (township, range and tier, section number and location within the section), north arrow, date and scale no smaller than one hundred feet to the inch (1" = 100').
 2. The plan and profile of all proposed roads showing final grades and cross sections of roads in accord with the requirements contained in title 2 of this code.
 3. The plan and profile of proposed sanitary and stormwater systems with grades and sizes indicated. Drain calculations may be required.
 4. A grading plan, showing stormwater drainage for each lot.
 5. Any other improvements such as curbs, gutters, sidewalks, bridges, lift stations, fire hydrants, street lighting, etc., as required, and in accord with the requirements contained in title 2 of this code.
 10. After the approval of the improvement plans has been obtained from Bonner County, the subdivider may begin construction of improvements on site as approved. After the completion of the improvements on site, the applicant's engineer shall submit inspection reports of the built improvements to the County for review.
- Per BCRC 12-644.B, the county engineer, or his representative, shall check inspection reports of the applicant's engineer and shall perform a final inspection and additional inspections (if called for). Construction and inspection of road improvements shall be completed in accord with the requirements contained in

Title 2 of the Bonner County Revised Code or Appendix A of Title 12 of the Bonner County Revised Code.

11. Per BCRC 12-644.C, in lieu of completing all improvements as required before final plat recording, the subdivider shall enter into a surety agreement with the board agreeing to complete the improvements in accordance with surety agreement conditions and preliminary and final plat approvals. A cash deposit, certificate of deposit, corporate surety bond written by an insurance company licensed in Idaho having a rating from AM Best & Company of "A" or better, letter of credit issued and backed by a federal or state chartered bank, is required equivalent to one hundred fifty percent (150%) of the project engineer's estimated cost of construction of the improvements for the purpose of guaranteeing completion of the work and repair of any defects in improvements which occur within one year of the first acceptance of the completed work by the board. Sureties guaranteeing the work and repair of any defects in improvements which occur within one year after first acceptance of the completed work by the board may be reduced by the board by one-half (1/2) for that one year. The surety agreement shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the surety agreement, the subdivider may make a written request to the planning director for a single extension of the surety agreement for a period up to two (2) years. The board may consider such request for extension at any regular business meeting. The extension request must be approved or denied by the board prior to the expiration date of the surety agreement.

12. Per BCRC 12-660, BCRC 12-661 and BCRC 12-662, the final plat shall conform to these sections of the Bonner County Revised Code.

13. Per BCRC 12-7.2, the applicant submitted a stormwater management and erosion control plan, dated May 20, 2026, prepared by Cedars Civil Engineering and stamped by a Idaho licensed engineer, Patrick M Fitzgerald on May 21, 2026.

File S0002-26 – Preliminary Plat Subdivision – Golden Tee Estates Eleventh

Addition: Request to divide one 7.57-acre lot into twenty-three residential lots ranging from 0.15-acres to 0.52-acres. The parcel is zoned Recreation. The project site is located off N. Idaho Club Drive, Section 36, Township 58 North, Range 1 West, Boise-Meridian.

CONFLICTS: None

STAFF PRESENTATION: Assistant Planning Director, Alexander Feyen, presented a PowerPoint summary of the project and previously circulated staff report. Mr. Feyen also answered any questions from the Hearing Examiner, Allan Songstad.

APPLICANT PRESENTATION: Project Representative, Jeremy Grimm, Whiskey Rock Planning + Consulting, presented a PowerPoint providing history and details of the project. He also answered questions from the Hearing Examiner regarding condition C9 and concerns about stormwater.

PUBLIC/AGENCY TESTIMONY: The following individuals spoke on the record opposition of the project: Chris Norton, Dave Frohnen, Read Tuddenham, Jim Ziola,

Jim Ziola's neighbor (DIDN'T GIVE NAME), Clarence Dwiggins, Karen Kelly, and Bruce Hotchkiss.

REBUTTAL: Mr. Grimm responded to public comments stating the applicant is not Valiant, not Gem State and not TIC Utilities, but is NICD Development. He addressed the concern of utility providers and related elements. He also answered questions from the Hearing Examiner regarding being bound by 832-05, condition about C-9, conditions of approval, stormwater and erosion control plans, the capacity of water for fire suppression, and the plan for lot 10.

Steve Cortice, a professional licensed engineer of Idaho, answered questions from the Hearing Examiner about facility plans and their trigger points from DEQ, active connections on the other 22 lots, utility providers responsibilities, and phases approved without the capacity having been connected. The hearing examiner quoted conditions of approval that need to be done prior to final plat for each phase and asked follow up questions for reassurance about compliance. Jeremy Grimm, then stood to answer the follow up questions. He emphasized that standard for preliminary plat is a will-serve letter from the utility company. He stated that they have both sewer and water will serve letters, and the applicant has done all that is required to fulfill conditions. The hearing examiner mentioned there is an additional requirement for the final plat, which is having DEQ approved plans, and asked if they had those. Mr. Cortice answered, following clarification, that at the moment it is not necessary at this time and that Mr. Songstad not be lead astray on the purpose of why they were here tonight.

The Hearing Examiner deliberated using the Bonner County Planning Department's Reason Statement Worksheet and considered public comments to structure his decision.

MOTION TO APPROVE: Hearing Examiner, Allan Songstad, approved this project, FILE S0002-26, Golden Tee Estates 11th Addition Subdivision, requesting the creation of 23 residential lots on a 7.57-acres property zoned Recreation and located in Section 36, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Bonner County, Idaho, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1: The proposed subdivision **is** in accord with the purposes of this Title and of the zoning district in which it is located.

Conclusion 2: The site **is** physically suitable for the proposed development.

Conclusion 3: The design of the proposed subdivision **will not** adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.

Conclusion 4: The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision **are** adequate for the needs of future residents or users.

Conclusion 5: The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

Conclusion 6: The design of the proposed subdivision or related improvements **will** provide for coordinated access with the county system of roads and with adjacent properties and **will not** impede the use of public easements for access to, or through the proposed subdivision. The proposed transportation system **is** designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

Conclusion 7: The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Hearing Examiner, Allan Songstad, further adopted the reasoned statement as discussed in deliberation at this hearing, as stipulated in Idaho Code §67-6535, and adopt the analysis as presented in the Staff Report (or as amended during deliberation). The written findings and decision of this file will be rendered within 45 calendar days, as set forth in BCRC 12-268. This action does not result in a taking of private property.

Conditions of Approval:

1. Show all easements of record including sufficient recording data to identify conveyance, if not already shown. See BCRC 12-620 and BCRC 12-642.B.9.
2. The proposal shall provide water and sewer services.
3. A fire suppression plan was submitted as part of this application. As per the submitted plan, the applicant intends to provide approved water and fire hydrant system capable of providing more than one thousand (1,000) gallons per minute for a minimum of two (2) hours where a community water system exists or exists as part of the development and is capable of delivering the pressurized water supply necessary for delivering fire flows as prescribed by the International Fire Code per BCRC 12-623.D.1. A letter of approval of the fire suppression plan was received from Northside Fire District. Such improvements shall be constructed prior to the recording of the final plat.
4. The associated PUD, C832-05 was approved with a deviation permitted to construct the private roads to a minimum of the International Fire Code Standards and to be paved. The proposed private road shall meet these standards.
5. All lots shall have direct road frontage.
6. Show all existing wells, springs drainage channels, overhead and underground utility lines, structures, sanitary sewers and culverts within the tract and immediately adjacent thereto, if any. See BCRC 12-642.B.7.
7. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners with the purpose indicated – Indicate purpose of Lot 10. See BCRC 12-642.B.10.
8. A statement setting forth the intended land use of the parcels, i.e., residential, agricultural, commercial, industrial or other appropriate land use classifications shall be noted on the plat. See BCRC 12-642.B.11.
9. The proposed private road shall be constructed to a minimum of the

International Fire Code standards and be paved. The Bonner County Engineering Department shall review the road design and profile. Updates shall be made to the plans as required and approval of the plans obtained prior to the recording of the final plat and prior to start of road construction on site.

10. Per BCRC 12-643(I) The preliminary plat shall be valid for a period not to exceed two (2) years from the date of approval. At any time prior to the expiration date of the preliminary plat, an applicant may make a written request to the planning director for a single extension of the preliminary plat for a period up to two (2) years. The board may consider such request for extension at any regular business meeting. The extension request must be approved or denied prior to the expiration date of the preliminary plat.

An improvement plan for the subdivision shall be submitted after the approval of the preliminary plat. The contents of the plan shall include the following.
See BCRC 12-644.A.

- a. The subdivision name and number, geographic grid (township, range and tier, section number and location within the section), north arrow, date and scale no smaller than one hundred feet to the inch (1" = 100').
 - b. The plan and profile of all proposed roads showing final grades and cross sections of roads in accord with the requirements of International Fire Code.
 - c. The plan and profile of proposed sanitary and stormwater systems with grades and sizes indicated. Drain calculations may be required.
 - d. A grading plan, showing storm water drainage for each lot.
 - e. Any other improvements such as curbs, gutters, sidewalks, bridges, lift stations, fire hydrants, street lighting, etc., as required, and in accord with the requirements contained in title 2 of this code.
11. Applicants' engineers shall provide inspection reports for County Engineer's review and final inspections. See BCRC 12-644.B.
12. The subdivider may enter into a surety agreement with the Board in lieu of completing all improvements, other than completion of and compliance with C-9 of File #C832-05, as required before final plat recording, agreeing to complete the improvements in accordance with surety agreement conditions and preliminary and final plat approvals. See BCRC 12-644.C for more details.
13. The final plat shall comply with all conditions as listed in BCRC 12-646 and shall show the following on the plat –
 - a. The "initial point" and description thereof, shall be indicated on the drawing and the location and description in conformance with Idaho Code. (BRCR 12-646.C)
 - b. Street lines of all existing or recorded streets, principal property lines, patent lines, Township lines or Section lines, intersecting, crossing or contiguous to the subdivision (which should be mathematically tied to the lines of the subdivision by distances and bearings) and the status of adjoining property shall be indicated (name of subdivision or unplatted area). (BRCR 12-646.D)
 - c. The accurate location and description and filing of all monuments

shall be in accordance with the Corner Perpetuation and Filing Act, Idaho Code title 55, chapter 16. (BCRC 12-646.E)

d. The accurate outline of all property that is offered for dedication for public use, with the purpose indicated thereon and all property owners in the subdivision and conform with the Idaho Code. (BCRC 12-646.H)

e. Private restrictions, if any. (BCRC 12-646.I)

f. A certificate of a licensed engineer or surveyor of the State to the effect that the plat represents a survey made by him that all of the monuments, shown thereon, actually exist and that their positions are as shown. (BCRC 12-646.K)

14. All endorsements shall be shown on the final plat per BCRC 12-647.

15. Stormwater management report and erosion control plans, prepared by James A Sewell & Associates, were submitted as part of the application. The plans are currently under reviewed by Bonner County Engineering Department. These plans shall be resubmitted and approved by Bonner County Engineering Department prior to the recording of the final plat or prior to the start of construction activities on site.

16. After the approval of the preliminary plat, a final plat shall be prepared in conformance with BCRC 12-646, BCRC 12-647 and submitted to the Planning Department for review. The applicant shall also submit a copy of a current preliminary title report along with the final plat, as per BCRC 12-648.

17. A digital copy of the final plat shall be submitted to the Bonner County Planning Department satisfying the requirements of BCRC 12-649.

18. The applicant shall follow conditions found in file #C832-05 including without limitation C-9 requiring "as built" water and sewer improvements approved by Idaho Department of Environmental Quality sufficient to serve this proposed subdivision.

DISCUSSION:

- 1) September 24, 2026, Agenda Items – 1 File
- 2) Hearing Examiner and Staff Updates

The Chair declared the hearing adjourned at 12:44 P.M. until 10:00 a.m. September 24, 2026.

Respectfully submitted,



Alex Feyen, Assistant Planning Director

Bonner County Zoning Commission



Allan Songstad, Bonner County Hearing Examiner