Bonner County
Board of Commissioners
Brian Domke Asia Williams Ron Korn

Public Hearing Minutes
Planning

Date: October 1, 2026
Location: 1500 Hwy 2, Suite 338
Sandpoint, ID 83864
Convene at: 10:00 AM

COMMISSIONERS: Domke – Absent Williams – Present Korn – Present
OTHERS PRESENT: Alex Feyen

Purpose/Topic Summary: APPEAL - File CUP0008-25 – Conditional Use Permit - Marina

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Minutes from August 6, 2026:
COMMISSIONERS: Domke – Present Williams – Present Korn – Present
OTHERS PRESENT: Kendra Smith, Alex Feyen, Dave Fisher, Daniel Britt

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Commissioner Korn opened the hearing at 10:12 a.m.
Commissioner Korn, Williams, and Domke advised they have no conflicts with this file.
***APPEAL - File CUP0008-25 – Conditional Use Permit - Marina**: Request for a conditional use permit for a marina and upland accommodations on ±2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian.*
Staff Report Presented By: Daniel Britt

- *Please see attached packet. There are no slopes or wetlands on the property. It does have waterfront to Lake Pend Oreille. Noise will likely increase in the area, but it will still be less than what was generated by the restaurant that was previously on the site. The parking lot must have at least .5 parking spaces for each boat slip. There must be 46 parking spaces, as there are a proposed 92 slips.*
- *The board clarified that they do not have any authority over the boat slips – IDL deals with the boat slips. Daniel confirmed this, and said they are focusing on the parking, cabins, and the boat rental service. The board discussed property values.*

Applicant Presented: Jake Gabell, in his private planning capacity; Laura Cannon, HMH Engineering; Justin Shaw, HMH Engineering

- *Jake explained his role in this file. He is not working in his capacity as a Planner for Priest River; he is working in a private capacity.*
- *Jake talked about the faulty reasoning behind the commission's denial of this file. Jake talked about the agencies that stated this would not create a hazard in the area.*
- *Laura Cannon talked about the noise increase and how it is not anticipated to reach the same amount as the prior restaurant. She said that when they did a traffic analysis, they did not reach the 50-car threshold to warrant a full traffic study.*
- *There was previously a CUP for this site. There are 47 boat slips, two rental cabins, a boat rental shed, and the old restaurant which has been turned into caretakers' quarters. All in-water work has already been approved by IDL. The current zone is compatible with the proposed use.*
- *Laura talked about the requirement for a parking lot path if certain requirements are met. They don't believe their proposal meets those requirements, but county's legal team disagreed. However, Laura argued that even if a path is put in place, it will be unfavorable for pedestrians, and they will opt not to use it due to its location and steepness.*

- *The boat rental shed was built without a building location permit, but they plan to get one to be in compliance. They also got the shed an address, as was requested by staff.*
- *Justin Shaw talked about traffic. Justin said their trip generator estimated that this proposal would create about 22 trips per hour on a weekend. They did an estimate on how many trips would take place if this was still a restaurant, and they estimated that those trips would be nearly doubled.*
- *He talked about accidents. 80-90% of the accidents at this intersection were people trying to turn left off of Lakeshore onto Highway 95. The two other leading factors for accidents here are animals in the roadway and DUI. ITD has been spending a lot of time trying to figure out how to make this intersection safer. They recently removed the option of a left turn off of Lakeshore, hoping to improve the safety in this area.*

Recess until 2:00 p.m.
Reconvene at 2:07 p.m.
Public Comment Opened at 2:07 p.m.

- *No one spoke in favor of this file.*
- *Steve Blaska – He requested a denial of this file. There is a driveway being used for this project and it is too close to the intersection of the highway. The Zoning Commission decision was not arbitrary or capricious.*
- *Kathleen Bender – Requested a continuance of this file so more people can be here to oppose it. The road is still dangerous even with the updated turn requirements. The J-turn is not big enough to make a turn. This needs more studies from ITD before it is approved.*
- *Kathy Wimer – This is a safety issue. Why did ITD not submit any studies for this?*
- *Mary Slavech – There is a lot of traffic in that intersection. The turn restrictions have helped slightly.*
- *Leslie Wood – She was surprised that a driveway was permitted that's too close to Lakeshore. The boat rentals will incur hundreds of cars per day. Each rental will generate 3-5 cars. How will they only be open from 7am-9pm?*
- *Carie Jardine – Listed concerns about traffic. Said there will be way more traffic with a marina than there ever was with the restaurant.*
- *Andrew Jardine – There will be a pedestrian accident in only a matter of time*
- *Tina Harvey - Invited the commissioners to come out and watch the traffic from her house. There is way more than they are claiming there is.*
- *Lisa Keys – A safety permit was denied for this file. Human life is more important than boat slips. The left turn restrictions have not made things better. She has been hit pulling out of this intersection. The J-turn is unsafe.*
- *Teague Sterling – He is worried about the amount of waste that will be generated from this. If something overflows, it will go right through his mother's property and right into the lake. There is going to be way more traffic with this marina. There will be more cars and more boat traffic. The restaurant was mainly a dinner spot; this will be an all-day thing.*
- *John Hagadone – Sent his piece in an email so he doesn't have anything else to say.*
- *Jonna Plante – Thinks this should be denied. Concerned about traffic. Thinks this will generate more trailer traffic even with no launch. This will create more noise. This should be public use rather than private use.*
- *Wayne Martin – Traffic was not the only reason the Zoning Commission denied this. The traffic is a huge issue. There will be noise increases with traffic. The restaurant did not generate a lot of traffic.*
- *Randy Carn – He drives that road every day and there are big hazards with traffic.*
- *John Watters – Concerned about the traffic hazards. He also believes the increase in boat traffic will be a hazard. He shouts at boat drivers with a bullhorn from his property when they are violating the 200-foot wake zone.*
- *Kelsie Bryan – Concerned about boat traffic. Concerned about vehicle traffic. Quality of life would decrease if this was approved.*
- *Dennis Engelhardt – Answered a prior question from the board regarding assessment and cost.*

Public Comment Closed at 2:53 p.m.
Staff Rebuttal Presented By: Jake Gabell

- *Justin talked about the requirements for approaches from intersections to driveways. He talked about ITD's longer term plans with the proposed frontage roads that will mitigate the issues with the Lakeshore*

intersection. Justin clarified the amount of boat slips that are being put in. They currently have 47. There will be a total of 92. The state has said that this area can accommodate 268 slips.

- *Laura said they have eight sewer connections on that property, and they are only using one right now. They do have enough capacity to take on as much sewage as is generated by this expansion.*
- *Commissioner Korn asked about multiple cars coming in to rent one boat. The owner of the property said the current boat rental only allows two parking spaces per boat rental. If there are any more vehicles, they must park elsewhere. All boats are due back by 6 p.m., so they will maintain their closing time strictly. They are let in and let out at the gate by the gate attendant. He said they can limit boat rentals to one parking space if the board desires. He said currently, they have no parking issues at the marina. Everything runs well.*

Deliberation and Discussion among the Board:
Commissioner Williams pointed out that no one is arguing that this area is hazardous for traffic overall. ITD had a chance to comment, and they did not. There is nothing the board can do about that right now. Commissioner Williams said she would like ITD's input as well as Road and Bridge's. Commissioner Domke said he is not comfortable making a decision on this file before he hears back from both of those entities as well. Commissioner Korn said ITD had the opportunity to respond and they did not.
Lengthy discussion was had regarding how the board would like to proceed.
Commissioner Williams made a motion to continue File CUP0008-25, Conditional Use Permit Marina, to 10/01/2026 at 10:00 a.m., requesting receipt from Road and Bridge for a traffic impact study, as well as a comment on encroachment, with the option of a comment from ITD regarding the health and safety of the road, allowing for public comment only on those items. Commissioner Domke seconded the motion. Roll Call Vote: Commissioner Domke – Yes; Commissioner Korn – Yes; Commissioner Williams – Yes. The motion carries.
Deputy Clerk: Lauren Reichenbach

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Minutes from October 1, 2026:

COMMISSIONERS: *Domke – AbsentWilliams – Present* *Korn – Present*
OTHERS PRESENT: *Alex Feyen, Kendra Smith, Nate Adams*

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Commissioner Korn reconvened this hearing at 10:00 a.m.
Commissioners Williams and Korn advised that they had no conflict with this file.
Commissioner Korn asked if anyone needed assistance for this hearing, there were no requests.
***APPEAL - File CUP0008-25 – Conditional Use Permit - Marina**: Request for a conditional use permit for a marina and upland accommodations on ±2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian. At the public hearing on August 6, 2026, the Board of County Commissioners continued the file to a date and time certain of October 1, 2026, at 10:00 A.M. requesting receipt from Bonner County Road and Bridge of a traffic impact study and any additional comment on encroachment and comment from ITD regarding the health and safety of the road, limiting public comment to these items only.*
Staff Report Presented By: Alex Feyen

- *Please see attached packet. Alex discussed some corrections that were made to the staff report. Commissioner Williams talked about additional information that the board had requested, and asked Alex to go over those topics. Alex said the board had requested a traffic review study, and he discussed the Road and Bridge Department's comment on that study. He also discussed the comment from the Idaho Transportation Department. Alex then went through the results of the traffic study.*
- *Commissioner Williams asked ITD if this would cause such a negative impact in traffic that it would be a hazard. Rob Beechner said ITD has been monitoring this intersection for a long time and listed multiple concerns that they have with the area. There are risks with this area, but ITD has been working to mitigate those risks as much as possible.*

Applicant Presented: Laura Cannon, HMH Engineering; Jake Gabell, North Idaho Planning & Consulting; Dan Taddick

- *Dan said the intersection operates at an acceptable level for this proposed project. They are only proposing an additional 45 boat slips, not the additional 216 that has been rumored. He talked about recent accidents at that intersection, one being an animal collision, the other being a rear end accident. He showed some slides of proposed long-term plans from ITD to fix that overall stretch of Highway 95.*

- *Dan discussed the traffic study. Two were conducted – one on a weekday and one on a weekend, during peak morning and evening hours.*

Public Comment Opened at 10:38 a.m.

- *No one spoke in favor.*
- *Neutral – John Waters – He has serious concerns about the traffic impact study and doesn't feel like it accurately represents how dangerous the intersection really is. We cannot treat the lake like coastal towns that have much longer boating seasons than we do. The impact studies were taken on days where the area was experiencing high wildfire smoke issues, and not many people were outside. These days don't accurately represent how busy this intersection really is in the summer. The board deserves accurate information. This is not accurate information.*
- *Against – Wayne Martin – He has concerns with ITD's future plans with going from two lanes to four lanes. That will create significant bottlenecking in this area that is already dangerous. The board should be considering the many weekends in the summer that events are taking place, and traffic is much higher than normal. What is a "reasonable speed" according to ITD? He sees people travel at excessive speeds and turn at the last second. It is dangerous.*
- *Tina Harvey – This new encroachment permit is for another driveway; how do we know that the sight lines will be sufficient?*
- *Steve Blaska – Objected to the limited scope of available public comment. Asked the board to reconsider.*

Commissioner Williams asked Alex if the Planning Department had adequately noticed which public comments would be accepted, and if they had given the public adequate time to provide comments. Nate Adams said that they did notice things correctly, but Road and Bridge and ITD did submit their comments – after the time for public comment had closed. Therefore, the public could not submit comments based on Road and Bridge and ITD's positions on the matter. Nate said while unfortunate, they cannot control when agencies submit their comments. He believes the board would be allowed to consider comments that were technically submitted late but were given in response to the comments submitted by the agencies.

- *Steve Blaska – The study fails to address safety concerns. The existing driveway is unsafe and should never have been approved, let alone see even more traffic with this proposed project. The line of sight was inadequately measured. Why did the developers not survey actual traffic from the marina? The applicant fails to address the board's safety concerns.*
- *Jonna Plante – She feels like not having the traffic impact study with more time before the meeting is an open meeting violation. Having these extra slips will create more traffic for Springy Point, which is also on Lakeshore. She does not see how the board can approve this.*
- *Tammy VonBuck – Lives in LA, has a house on Lakeshore. The public does not have to provide evidence that this project is unsafe; the applicant has to provide evidence that it is safe, and they have not done that. They should have studied their own marina that is already there, and they chose not to do that. Therefore, the safety data they have presented is unreliable. The traffic impact study is not accurate in terms of stop time and sight lines. Asked to appeal the limited scope of public comment because of the late comments from ITD.*
- *James Pound – Thanked ITD for putting the right-hand-only requirements at Lakeshore, but this has caused problems for his road.*
- *Jennifer Barber – The 20-year traffic study assumes a 1.4% trip increase, but the last few years have already seen over 3% increases.*
- *Lynne Frank – Speed is a huge issue on Lakeshore. Road and Bridge has not addressed this appropriately. People speed across the Long Bridge constantly, and no one does anything about it.*
- *Dave Dale – He uses the right-hand turn onto Highway 95 from Lakeshore all the time. It needs to be fixed, it is horrible. The shoulder is narrow, cars throw gravel onto the pavement all the time, and it makes the turn very tricky, especially for motorcyclists.*
- *Rick Kirschner – The studies are based on flawed information. He has almost been in multiple accidents at that intersection. Approving this would be a bad idea.*
- *Cheryl Long – They live right off of Lakeshore and she has had many close calls with vehicles speeding through that intersection. They used to be able to walk down Lakeshore because cars drove slowly and it was safe, and now it is not.*

Public Comment Closed at 11:19 a.m.

Appellant Rebuttal Presented By: Dan Taddick, HMH Engineering

- *Their studies were consistent with recent ITD studies. They saw no anomalies with less traffic during their studies because of the smokey conditions. The boat rental shack is being moved to help lengthen sight distance and create a safer intersection.*

Discussion/Deliberation by the board:
Commissioner Williams asked ITD about a public comment regarding outdated information being used for the traffic study. Matt Mulder spoke about the new edition of this manual with updated information. He said it has not even been out for a year, and the manual is $1,500, so he has been giving leeway to many firms who are still using some of the last edition information, as it is still technically valid information, even if it's not the newest information. Commissioner Williams asked ITD if they believe the traffic study could have been impacted based on the dates they conducted them. ITD said they believe the studies are valid, although the smoke may have impacted the traffic on those days. Discussion followed regarding sight lines. Matt Mulder said the regulations say a driveway should be around 330 feet from an intersection "wherever possible." In this case, he said that is not possible, as 330 feet is far beyond the applicant's property, and upholding this regulation would require the applicant to cut through multiple neighboring properties just to access their own property.
Commissioner Williams said she is not ready to go into the worksheet. Because of the late response from agencies, she believe that the late public comments should be accepted, and there are more than she can reasonably go through while she sits through this hearing. Commissioner Korn said he is willing to move forward today, as he does not see anything in Code saying the board would be unable to do so. Discussion followed on how the board would like to proceed.
Commissioner Williams asked the applicant if they plan to prohibit trailers in general in the parking lot, even to the onsite caretaker of the grounds. Dan Taddick said no boat trailers will be allowed on the lot. Commissioner Williams asked about trailers of any kind. Dan said what is on the property currently exceeds the new parking regulations, and it will need to be moved if this project goes forward.
Commissioner Williams made a motion to continue to a date and time certain for file CUP0008-25 conditional use permit to 9:30 a.m. on October 7. Commissioner Korn stepped down from the chair and seconded the motion. Roll Call Vote: Commissioner Williams – Yes; Commissioner Korn – Yes. The motion carries.
Deputy Clerk: Lauren Reichenbach

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Minutes from October 7, 2026:

COMMISSIONERS: *Domke – Absent* *Williams – Present* *Korn – Present*
OTHERS PRESENT: *Alex Feyen, Kendra Smith, Nate Adams*

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Commissioners Korn and Williams were present.
Commissioner Korn called the meeting to order at 9:33 a.m.
Commissioners Korn and Williams stated that they have no conflicts of interest with this file.
Commissioner Korn discussed the continued hearing from October 1, and how the board closed public comment when they continued this hearing, so none will be allowed today. They did, however, enter any late written comments into the record for consideration.
Commissioner Korn said that since there is no full board today, they typically offer the applicant a continuation to another time when all three board members will be present. Dan Taddick, applicant, said they would prefer a full board and would appreciate a continuation. Commissioner Williams said that since Commissioner Domke has not been present for some of the past hearings for this file, she is unsure that he would even plan to vote on this issue, so there would be no reason to wait for him if he does not plan to vote regardless.
Recess until 9:40 a.m.
Reconvene at 9:40 a.m.
Commissioner Korn said that Commissioner Domke was gotten a hold of and he said he would be fine making a decision, so they discussed continuing this hearing again.
Commissioner Williams made a motion to continue this file to a date and time certain of November 5 at 10:00 a.m., where all board members will be present for the continuation of the file as indicated in the notice for today's hearing, noting that there is no change in what will be received or discussed on November 5, 2026.
Commissioner Korn stepped down from the chair and seconded the motion. Roll Call Vote: Commissioner Korn – Yes; Commissioner Williams – Yes. The motion passes.
Deputy Clerk: Lauren Reichenbach

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BEGIN Minutes for November 5, 2026

COMMISSIONERS: Domke – Present Williams – Present Korn – Present
OTHERS PRESENT: Alex Feyen, Kendra Smith, Nate Adams

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Commissioner Korn reconvened this hearing at 10:01 a.m.

Commissioner Korn asked if anyone needed assistance for this hearing, there were no requests. Commissioners Williams, Domke, and Korn advised that they had no conflict with this file.

APPEAL - File CUP0008-25 – Conditional Use Permit – Marina – Request for a conditional use permit for a marina and upland accommodations on ±2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian. At the public hearing on August 6, 2026, the Board of County Commissioners continued the file to a date and time certain of October 1, 2026, at 10:00 A.M. requesting receipt from Bonner County Road and Bridge of a traffic impact study and any additional comment on encroachment and comment from ITD regarding the health and safety of the road, limiting public comment to these items only. At the October 1, 2026, public hearing, the Bonner County Commissioners continued this file to a date and time certain of October 7, 2026, at 9:30 am, for commissioner deliberation only; no additional public comment will be taken. *At the October 7, 2026, public hearing, the Bonner County Commissioners continued this file to a date and time certain of November 5, 2026, at 10:00 am, for commissioner deliberation only; no additional public comment will be taken.*

Commissioner Korn advised that this hearing will hear the applicant's rebuttal to new public comments and for board deliberation. He reiterated that the public comment portion is closed. Commissioner Williams briefly discussed the process of why this hearing was continued and that the decision made today will be valid.

Applicant Rebuttal Presented by Dan Taddick, HMH Engineering
Rebuttal regarding comments on the traffic impact study.
This study was prepared in accordance with industry standard practices and the Bonner County Road & Bridge standards manual; it was initiated in summer of 2025 and was completed and stamped by an Idaho licensed engineer in October 2025. He discussed the ITD manual that was published in August of 2025 as well as the Bonner County Road & Bridge manual regarding TIS.

Board Deliberation:
Commissioner Williams – This one was hard to go through due to public input. She discussed what Jason Topp, R&B Director, explained to her regarding the road and traffic questions, as well as a standard being used that no longer exists. She discussed the public's concerns as well as what stage the project is currently at; HMH thoughtfully put this together and they have gone above what they are required to do for this project.

Commissioner Domke – This is about three key issues, the traffic concerns at the intersection being one of the biggest issues. He discussed the comment from ITD and the TIS, he will rely on the professional opinion of the experts although he does not think the concerns have been addressed regarding the traffic impact. He also discussed the non-conformance to the code regarding the encroachment giving legal access to the parcel. He discussed the deviations regarding the parking area at length.

Commissioner Korn – He noted that the denial of the Zoning Commission was due to traffic, that everything else fit the comp plan.

There was a lengthy discussion regarding the applicant requested deviations, including setbacks, stormwater swales, and buffers. Commissioner Williams asked Planning staff to explain the unique natural features and this deviation, and why they approve of it. The discussion regarding the deviations 1 and 2 continued with the board, Planning staff, and Nate Adams, Legal.

The board began a lengthy discussion regarding deviation 3. Matt Mulder, R&B Engineer, provided input regarding the safety concerns and the TIS for this phase only. Discussion continued. Alex Feyen, Planning, provided input on the Zoning Commission's decision regarding the deviations.

A lengthy discussion regarding deviation 4. Commissioner Domke requested clarification if this code was applicable; Alex discussed that it was applicable and the deviation is a reasonable request. Discussion followed and Nate provided input. Following this discussion, Commissioner Domke withdrew his concerns.

Commissioner Willaims thinks that the deviation 2 is where they are stuck. The board discussed their concerns regarding this deviation and what the applicant could do for this deviation. Commissioner Domke does not think further discussion will change his mind on this due to it being non-conforming.

AT 11:24 a.m. Commissioner Korn called for a brief recess.

Reconvened at 11:31 a.m.

LAND USE DECISION-MAKING WORKSHEET
CONDITIONAL USE PERMIT: DOCKS, MARINAS, UPLAND ACCOMODATIONS

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.*
Idaho Code §67-6516: Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.

NO 2-1, Commissioner Korn was in disagreement

There was a lengthy discussion regarding the code that was being considered; it was determined to be the incorrect code. The board requested legal opinion and how the applicant would like to proceed. There was a lengthy discussion and the applicant requested time to confer with their client.

Commissioner Korn called a recess at 12:19 p.m. to allow the applicant to confer with their client.

Reconvened at 12:26 p.m.

There was a lengthy discussion with the board, the applicant, Planning staff, and Steve Blaska, a member of the public regarding what would be presented at the continuation and if public comment would be allowed.

Commissioner Williams made a motion to continue this to a date and time certain of 11/24/2026 at 1:00 p.m., for staff and the applicant to review codes 67-6512, 65-67, and 65-6716, deviation #1, deviation #2, and deviation #3, with public comment open on all issues identified.

A lengthy discussion followed regarding available dates/times for a continuation, how much time the applicant and staff would need to prepare to address the concerns brought forward, and noticing requirements.

Commissioner Williams made a motion with respect to CUP000825, we will continue this to December 21st, 2026 at 10 a.m. The applicant will provide Planning additional information by 11-17-2026 before 5 p.m.; public comment will be open until 12-14-2026 at 5 p.m. The staff will review code 67-6512, 65-67, 67-6516, and the applicant will have the opportunity to address deviation number 1, deviation number 2, and deviation number 3. Public comment will be confined to what is being continued, not the entire application.
There was a brief discussion clarifying the times stated in the motion. Commissioner Domke seconded the motion. Roll call vote: Commissioner Williams – Yes; Commissioner Korn – Yes; Commissioner Domke – Yes. The motion carries.

This hearing was **CONTINUED** to a time and date certain of Monday, December 21, 2026 at 10:00 AM at 12:34 p.m.

Deputy Clerk: *Alisa Schoeffel*