

MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF CARIBOU COUNTY, IDAHO HELD THURSDAY, AUGUST 15TH, 2019.

ROLL CALL SHOWED THE FOLLOWING PRESENT: Reagan Phillips - Chairman
Glayd Christensen – Vice Chairman
Nolan Koller
Jeff Godfrey
Scott Hayden
JoAnna Ashley, Secretary

ABSENT:

ALSO PRESENT:	Jason Maughan, P4 Production	Vickey Munro
	Nels & Valerie Jensen	Albert Munro
	Will & Rae Dawn Dock	Tod & Deita Jensen
	Kyle Moore	Jessica Fuechsel
	Jeff & Joni Hansen	James Ackerman
	Justin Hansen	Julie Snooks
	Criss James	Blake Poulsen, County Build. Insp.
	Dennis & Caroline Haderlie	Alan Skinner, Soda Springs City Director

7:05 PM Chairman Phillips called the meeting to order. Chairman Phillips moved to approve the minutes from the April 3rd, 2019 and July 18th, 2019 meetings, seconded by Scott Hayden. All in favor, motion approved.

7:08 PM Chairman Phillips declared the public hearing open to give consideration to the application of P4 Production L.L.C. (a member of the Bayer group of companies), requesting approval of an amendment to the zoning map in the City of Soda Springs Area of Impact. The Zone Amendment would allow a change from an A-2 Agricultural Zone to an M-1 Light Industrial zone. Additionally P4 Production L.L.C. is requesting a Conditional Use Permit on the same parcel, contingent on the adoption of the Zone Amendment. The Conditional Use Permit is for a water treatment and discharge facility under the United States Environmental Protection Agency's CERCLA-Superfund and NPDES programs. The property in question is 66 acres in approximately the northern 1/3 area of the parcel identified on the map, located directly south of Hooper Rd and west of North 3rd E in Soda Springs, Caribou County, Idaho. Secretary Ashley read the notice of public hearing.

Jason Maughan, representative for P4 Production L.L.C and Bayer companies, stated they are requesting this rezone after recommendation from the City of Soda Springs after the previous zone amendment they pursued for the land located to the east of this parcel.

Jeff Hansen stated that he was in favor of the approving the requests as long as there is a restriction on further expansion towards the City. Chairman Phillips agreed and stated he would like a defined boundary for the buffer between the Bayer Site to the City. Mr. Maughan stated that they purchased the land per the CERCLA requirements. He stated that further development of the industrial plant south is not going to happen. Chairman Phillips asked if they had the water right to accommodate for the approximate 400,000 gallons that will be sent to Soda Creek in a 24-hour window. Mr. Maughan stated the water will all stay in Soda Creek and the Bear River water basin and be utilized by the City and surrounding irrigation systems. Additionally they have been in direct collaboration with Idaho Department of Environmental Quality (IDEQ) and Idaho Department of Water Resource (IDWR).

Nolan Koller asked Mr. Maughan to clarify what the majority of the water in the cooling pond comes from.

Mr. Maughan stated it comes from the plant however, is not a processed water and simply flows to cool and then is discharged without being involved in the process.

Julie Snooks asked if aesthetically there will be changes in the area out there. Many people come to the area to visit and taste the Hooper Springs water. She fears that any industrial additional appearance would deter people further from drinking the Hooper Springs water.

Mr. Maughan stated that they intend to install a fence as well as landscaping to beautify the area. 2000 gallons a minute is currently going into the pond with a 36" pipe taking water into the pond and then discharging to Soda Creek.

Jeff Hansen stated he is in favor as long as there is a condition placed that there absolutely cannot be further industrial development to the south in the future. Julie stated she agreed with me Mr. Hansen's statement. Mr. Hansen added further he would like a height restriction be placed on future development of the land for industrial portion. Possibly restricting to 2 ½ stories.

Albert Munro stated he was in favor as long as a restriction requiring a defined buffer between the current Bayer Plant and the City was imposed.

Alan Skinner, the City Director for Soda Springs stated they were in favor now that it had been cleared up what area exactly would be effected by the zone amendment and matched the original 66 acres discussed. He stated he felt it was something that should have been cleared up before the meeting.

Chairman Phillips asked if there were any opposed, there were none.

7:45 PM Chairman Phillips closed the public hearing and opened it to discussion among the commission members. Nolan Koller stated he feels P4 Production and Bayer are trying to do the right thing by cleaning up the ground water which will benefit the community. There was a brief discussion among the Commission members. Nolan Koller move to recommend the Commissioners approve the Zone Amendment changing the zoning for the 66 acres from A-2 Agricultural to M-1 Light Industrial, seconded by Chairman Phillips. All in favor, motion approved.

Chairman Phillips stated he felt that a defined buffer zone from the south end of the surveyed piece to the very southern parcel boundary line would be a good buffer zone. Chairman Phillips moved to recommend the Commissioners approve the conditional use permit for water treatment facility with the condition that there is defined buffer zone to limit any further industrial expansion toward the City of Soda Springs, seconded by Jeff Godfrey. All in favor, motion approved.

7:55 PM Chairman Phillips opened the public hearing to give consideration to the application of Dennis & Carolyn Haderlie requesting approval of a variance of 14.55 acres to the 20-acre minimum lot requirement in the Low Density Residential Zone. The variance would allow a single-family dwelling, garage and accessory building as necessary to be built upon the approximate 5.45 acres at the parcel identified by the County as parcel number 05S46E083400, which is located near Freedom, Idaho on the south side of Highway 34 approximately 7 miles west of the Idaho/Wyoming border in Caribou County, Idaho. Secretary Ashley read the notice of public hearing.

Attorney Criss James stated that he was representing Dennis & Carolyn Haderlie in their request for the variance. He showed pictures to the Commission of the property and showed there is already a well house on the property and approximately half of the property is in the trees and the remaining three acres is grass. He stated the property borders the Grouse Creek subdivision which also has lots which are as small as five

acres in size. Mr. Dennis Haderlie stated they have used this property for some time and reiterated the history outlined in the letter that accompanied the application. He stated previously the property had a house on it, although it has not been there for quite some time.

8:10 PM Chairman Phillips closed the public hearing. Chairman Phillips expressed concern that a future land buyer would construct a house too large for the current septic system and wells. Secretary Ashley pointed out that those concerns are addressed in the building permit phase and proof of the septic must accompany the building permit. Jeff Godfrey move to recommend the Commissioner approve the requested variance of 14.55 acres to the 20-acre minimum lot requirement in the Low-Density Residential Zone allowing the construction of a single-family dwelling, garage and accessory buildings, seconded by Nolan Koller. All in favor, motion approved.

The Commission moved into discussion regarding the proposed subdivision ordinance as well as the setbacks as defined in the County's Zoning code.

8:47 PM Nolan Koller moved to adjourn the meeting, seconded by Scott Hayden. Meeting adjourned