

North Latah County Highway District

1132 White Avenue
Moscow, Idaho 83843

Deary Phone: (208) 877-1101 Moscow Phone: (208) 882-7490 Potlatch Phone: (208) 875-0717
Fax: (208) 877-1298 Fax: (208) 883-3926 Fax: (208) 875-8967
nlchd@turbotel.com

July 29, 2008

Brad Lewis
315 S Almon
Moscow, ID 83843

Mr. Lewis:

As per our conversation on this date, this letter is in regards to your proposed rezone of the property on Foothill Road.

Normally, the North Latah County Highway District would make a request to the Latah County Zoning Commission that – in addition to compliance with any applicable requirements of the Land Use Ordinance – the following conditions be put upon the rezone:

- The applicant shall be required to dedicate an appropriate and sufficient amount of public right-of-way for public highway purposes along the property.
- The applicant shall be made responsible to pay for and/or construct, as the Highway District may determine, any access and/or public highway improvements occasioned by the Applicant's development of the rezoned property.

This being a relatively small plat, the North Latah County Highway District does not foresee negative impact on the road system in that area, but the proposed conditions are suggested to mitigate problems that may occur in the future. There are three possible accesses to the property (Foothill, Lewis, and Nearing Roads) and any are acceptable, but the Board of Highway District Commissioners would prefer only one of them to be used and that it be the only access to the rezoned property.

Sincerely,
For the Board of Highway District Commissioners



Dan Carscallen, Clerk

cc: Latah County Planning and Building Dept. (via email)

BOCC HRG: RZ 780 Applicant: BGB LLC. Exhibit No. 19 Date: March 31, 2009	LCZC Hrg: RZ780 Applicant: BGB LLC. Exhibit #: 21 Date: 12/17/2008
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Public Health

North Central District Health Department

Nez Perce County
216 17th Street
Lewiston, ID 83501
(208) 766-3100
Fax (208) 766-0349

Latah County
333 E Palouse River Drive
Moscow, ID 83843
(208) 862-7506
Fax (208) 862-3494

Clearwater County
105 119th Street
Crofton, ID 83544
(208) 476-7850
Fax (208) 476-7494

Idaho County
805 West Main
Grangeville, ID 83530
(208) 883-2642
Fax (208) 989-2645

Lewis County
132 N. Hill Street
F. O. Box 277
Kamiah, ID 83536
(208) 985-2124
Fax (208) 935-0223

November 26, 2008

Jarrold Nichols
Latah Realty
128 East Main St.
Moscow, ID 83843

Dear Mr. Nichols,

At your request I reviewed your land division proposal of 135-acre area located off Lewis Road north of Moscow, ID known as T 40 North, R 05 West, Section 16 and 17. The evaluation was conducted for a preliminary review of the parcel to be rezoned to create four building site out of an area approximately 40 acres. The remaining 95 acres will be in a conservation program. It is my opinion that these large proposed lots can support subsurface septic systems for single-family dwellings. Typically the soils found in this area are silty clay and clay loam. These soils are classified as C-2 soils, which are very tight and slow to perk. If sized properly for daily use have a very long-term acceptance rate and work very well. If the site evaluation reveals soils with clay content greater than 40% or a limiting layer within 6" of the surface the property can still be deemed suitable for sewage disposal. The large proposed parcel size and gentle slopes will accommodate alternative systems.

You have provided me with the following items:

- ❖ A map of the approximate boundaries
- ❖ Description of proposal

To grant approval for a land division I will need the following information:

- ❖ Roads proposed and / or existing
- ❖ Easements if any are going to be needed
- ❖ Proposed locations of wells that would serve the homes
- ❖ Test holes 6' deep on each proposed lot to determine soil type
- ❖ Land division review fee

If you have any questions please call me at 208-882-7506.

Sincerely,

Nancy M. Becker, REHS

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 20
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 2K
Date: 12/17/2008

**LATAH COUNTY ACKNOWLEDGEMENT
FORM FOR SHERIFF
SHORT PLAT - 4 OR FEWER LOTS**

THE LATAH COUNTY SHERIFF'S DEPARTMENT ACKNOWLEDGES FOR

BGB SHORT PLAT CONSISTING OF 4 LOTS:
RZ # 780

- The service requirements for the proposed short plat will not have an adverse effect upon existing service capabilities or finances of the jurisdiction.
- The service requirements for the proposed short plat will have an adverse effect upon existing service capabilities or finances of the jurisdiction.

SIGNED: *Harve Rausch*

TITLE: SHERIFF

DATE: 07/31/08

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 21
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 21
Date: 12/17/2008



Conserving the open space,
wildlife, water and scenery
of the Palouse

P.O. Box 8506
Moscow, Idaho 83843
208-882-5208
www.PalouseLandTrust.org

January 30, 2008

Brad Lewis, Manager BGB, LLC
315 South Almon St.
Moscow, ID 83843

Dear Mr. Lewis:

This letter is to formally confirm the acceptance by the Board of Directors of the Palouse Land Trust of your organization's donation of property on Lewis Road in Moscow, Idaho. The Palouse Land Trust takes this action based on the assumption that the general outline of the property conveyance process outlined in our meeting with your group on January 7th remains valid. Thus we will assume that the donors (BGB, LLC) will cover any costs involved with property transfer, such as a formal survey and title insurance, and that the conveyance be similar to the map presented to the Palouse Land Trust in the January 7th meeting.

The Palouse Land Trust, will in turn, assure that the conveyed property remains undeveloped and, to the extent possible, remains in active agricultural production. Lacking this option, we will pursue others, such as the reestablishment of native Palouse Prairie. We feel it is most appropriate to refrain from discussing any other specific management options on the donated property until after the public hearings. We look forward to working with you.

Sincerely, (For the Board)

Gerry Wright, President

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 22
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 2M
Date: 12/17/2008

Aimee Shipman

From: Jarrod Nichols [JNichols@LatahRealty.com]
Sent: Monday, December 01, 2008 10:41 AM
To: Aimee Shipman
Subject: Fw: Letter of Support

>
>>>>
>>>> -----Original Message-----
>>>> From: The Breakfast Club [mailto:clary@turbonet.com]
>>>> Sent: Friday, November 28, 2008 11:37 AM
>>>>
>>>> >> To: Craig and Kathy Knott
>>>> Subject: Re: Letter of Support
>>>>
>>>>
>>>> To: Latah County Commissioners and Zoning Commission
>>>> 522 S. Adams
>>>> Moscow, ID 83843
>>>>
>>>> We are in support of the 40 acre rezone off Lewis/Foothill Rd. from
>>>> AG/F to Rural Residential to create 4 home sites. My wife and I
>>>> have been looking to build a home on a larger piece of land that is
>>>> still close to Moscow and the availability of such land is very
>>>> limited. Please strongly consider this application.
>>>>
>>>> Sincerely,
>>>> Kevin Clary
>>>>
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>>>>

BOCC HRG: <u>RZ 780</u> Applicant: <u>BGB LLC</u> Exhibit No. <u>23</u> Date: <u>March 31, 2009</u>	LCZC Hrg: <u>RZ780</u> Applicant: <u>BGB LLC</u> Exhibit #: <u>3</u> Date: <u>12/17/2008</u>
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Aimee Shipman

From: Michelle Fuson [mfuson@latah.id.us]
Sent: Monday, December 01, 2008 10:06 AM
To: 'Besser, Tom'
Cc: 'Aimee Shipman'
Subject: RE: Rezone application #780 BGB LLC

Tom and Kathleen,

I have forwarded your e-mail to Aimee Shipman and it will be given to the Zoning Commission prior to the hearing.

Michelle Fuson

From: Besser, Tom [mailto:tbesser@vetmed.wsu.edu]
Sent: Saturday, November 29, 2008 11:31 PM
To: mfuson@latah.id.us
Subject: Rezone application #780 BGB LLC

November 30, 2008

Latah County Planning and Zoning Commission
Moscow ID

Re: Rezone application #780, BGB LLC, 40 acres of a 135 parcel

We are currently travelling but as Latah County landowners with our primary residence adjacent to the property affected by this re-zone request, we would like to comment on this issue. It is not clear from the website when the hearing on this request will be scheduled – while it is not on the December 3, 2008 meeting agenda currently posted, the public hearing packed is on the calendar on this date. Therefore, we hope that these comments will be received in time for their consideration prior to ruling on this rezone request. We apologize if these comments are late, but we only today became aware of this rezone proposal and the possibility of a hearing..

This rezone proposal is very similar to the proposal RZ731, Terramark / Michael Hoffman from 2006 in that it requests conversion of 40 acres of productive farmland to rural residential, with a plan for four new building sites. We think that the decision on RZ731 was entirely appropriate and consistent with the Latah County Comprehensive Plan, and strongly urge you to reject the current proposal based on the same solid reasoning:

1. This rezone proposal is inconsistent with the community design element of the Latah county comprehensive plan as the land involved is currently in use for productive agriculture, and in that respect differs from adjacent residential land to the north and east where the nearest residential areas are located. This land is suitable for ag and in fact has been farmed for >80 years.
2. This rezone proposal is inconsistent with the population element of the comprehensive plan in that the topography of the land is very suitable for productive agriculture, and *the change in yield for the land*

12/2/2008

BOCC HRG: <u>RZ 780</u> Applicant: <u>BGB LLC</u> Exhibit No. <u>24</u> Date: <u>March 31, 2009</u>	LCZC Hrg: <u>RZ780</u> Applicant: <u>BGB LLC</u> Exhibit #: <u>4</u> Date: <u>12/17/2008</u>
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out of production. It would encourage growth in sites that are not existing residential sites and in sites not likely to be annexed to cities. As the land is not near any incorporated area or any existing public services, it will not be annexed in the foreseeable future.

3. The proposed building lots would be entirely surrounded by agricultural land currently in production, and therefore this proposal would not promote economic diversification, foster agriculture and forestry and provide for land uses appropriate to local and regional economic needs; therefore this proposal is inconsistent with the economic development element of the comprehensive plan.

4. Highway improvements maybe required to accommodate the increased traffic to the area in support of these new building sites and the NLCHD may be required to cover the expenses of developing turn lanes off Highway 95, at considerable expense to the Latah county taxpayers. Therefore this proposal is inconsistent with the Public Services, Facilities and Utilities element of the comprehensive plan.

5. Similarly, the transportation element of the comprehensive plan would require development of safer means of turning off Highway 95 to reach this proposed development. Therefore significant public costs could be incurred meeting this element of the plan if the proposed re-zone is approved.

6. The Housing element of the comprehensive plan seeks to encourage a variety of housing types on land 'suitable for development'. The proposed development is on land that has been in productive agriculture for >80 years and therefore is not suitable for development, therefore inconsistent with the housing element of the plan.

7. The comprehensive plan seeks to preserve agricultural and forest lands to ensure continued viability of the ag and forest based county economy. These four sites would take productive agricultural land out of production so is inconsistent with this most basic element of the county plan.

8. The comprehensive plan seeks to promote clustered housing of higher density residential uses in and around areas with adequate public services. The proposed development is inconsistent with nearly all aspects of this plan: it is scattered, it is low density (10 ac / lot), it is away from public services, and therefore is not in accordance with the comprehensive plan.

9. Finally, the proposed re-zone meets all the definitions of a 'spot zone' and spot zoning is inconsistent with the comprehensive plan.

Thank you for your consideration of these comments.

Sincerely,

Thomas Besser and Kathleen Potter
3443 Foothill Road, Moscow, ID 83843
besser@hughes.net

12/2/2008

RECEIVED

DEC 04 2008

LATAH COUNTY

December 3, 2008

Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RE: Rezone #780

I am in favor of the proposal to rezone this property. Growing up on a 10 acre parcel of land, I know these larger home sites will provide a great opportunity for some families. I also appreciate the consideration taken to keep a majority of the land a conservation area.

Sincerely,

Emily Hurley

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 25
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 5
Date: 12/17/2008

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DEC 05 2008
LATAH COUNTY

December 2, 2008

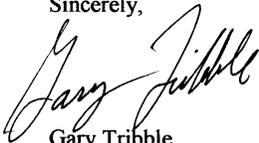
Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RE: Rezone #780

I am in support of the 40 acre rezone from Agricultural/Forest to Rural Residential. I believe the proposal is compatible with the existing developments that are in close proximity to the subject property and that the conservation subdivision model may prove to be an effective new tool for land use development. Given that over 70% of the parcel will be designated as a conservation area, this will translate to more open space which will provide large buffers between the proposed home sites and the neighboring property owners. Additionally, this rezone will help meet a market demand for parcels of this size and design close to the Moscow area.

The owners of the property have a well thought out plan that takes into the account the well being of neighboring property owners and the goals of Latah County.

Sincerely,



Gary Tribble
2027 E. 6th St.
Moscow, ID 83843

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 26
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 6
Date: 12/17/2008

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DEC 05 2008

LATAH COUNTY

**Rezone #780
Nearing addition**

We want to write this letter in support of the 40 acre rezone from Ag Forest to Rural Residential. As resident of Latah County my whole life I feel this plan would work best for the area. I like the fact that they are taking a large number of acres and donating them to the palouse land trust. I feel like this shows that the developer have the neighbors best interest at heart.

**Russel Spangler
1025 Matson Rd
Viola, Id.**

Russel Spangler

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 27
Date: March 31, 2009

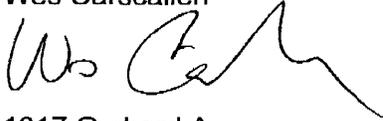
LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 7
Date: 12/17/2008

Subject: Rezone #780

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DEC 05 2008
LATAH COUNTY

I am writing to pledge my support of the rezone of 40 acres,
from Ag Forest to rural residential, for four home sites. I feel
there is a need in Latah County for more rural home sites
and think this plan fits the comprehensive plan well.

Wes Carscallen



1317 Orchard Ave
Moscow, Id

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 28
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 8
Date: 12/17/2008

12/2/08

Rezoning #780

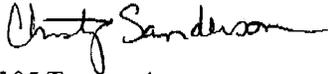
RECEIVED

DEC 02 2008

LATAH COUNTY

I am writing this letter to show my support for the rezoning of the 40 acres on Lewis Road to be changed from Ag Forest to rural residential. Creating additional home sites will accommodate the need for future homes.

Christy Sanderson



105 Terrace Avenue
Deary, ID 83823

BOCC HRG: RZ 780
Applicant: BGB LLC.
Exhibit No. 29
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 9
Date: 12/17/2008

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DEC 05 2008
LATAH COUNTY

12/2/08

Rezoning #780

I am in support for the rezoning of the 40 acres on Lewis Road to be changed from Ag Forest to rural residential.

David Whitcomb

David Whitcomb

PO BOX 36
Deary, ID 83823

BOCC HRG: RZ 780 Applicant: <u>BGB LLC</u> Exhibit No. <u>30</u> Date: <u>March 31, 2009</u>	LCZC Hrg: RZ780 Applicant: BGB LLC. Exhibit #: <u>10</u> Date: <u>12/17/2008</u>
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Aimee Shipman

From: CRAIG.KNOTT@usbank.com
Sent: Monday, December 08, 2008 9:23 AM
To: ashipman@latah.id.us
Cc: jnichols@latahrealty.com
Subject: Fw: Letter of Support

RECEIVED
DEC 08 2008
LATAH COUNTY

Aimee - below is a letter of support for our upcoming rezone proposal, Rezone #780, I believe you have been in conversation with Jarrod Nichols about this.

Please confirm receipt, and I will be sending another in a few minutes. Thanks. - Craig Knott

From: Sam Dial [mailto:sam.dial@hotmail.com]
Sent: Friday, December 05, 2008 10:09 PM
To: cdknott@potlatch.com
Subject: RE: Letter of Support

To: Latah County Commissioners and Zoning Commissio
522 S. Adams
Moscow, ID 83843

I am in support of the 40 acre rezone off Lewis/Foothill Rd. from AG/F to Rural Residential to create 4 home sites. I think that this kind of development in this specific area is a logic, reasonable and favorable use of the property.

SAM E. DIAL
929 Bitterroot
Moscow, ID 83843

U.S. BANCORP made the following annotations

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12/8/2008

BOCC HRG: <u>RZ 780</u> Applicant: <u>BGB LLC</u> Exhibit No. <u>31</u> Date: <u>March 31, 2009</u>	LCZC Hrg: <u>RZ780</u> Applicant: <u>BGB LLC</u> Exhibit #: <u>11</u> Date: <u>12/17/2008</u>
--	--

December 4, 2008

RECEIVED

DEC 08 2008

To Latah County Zoning Commission,
 We reside at 1019 Nearing Road in Moscow, Idaho. I have also been a lifelong resident to this area. It has come to my attention the proposal of the property across the road from us. I think the development is a good idea. I personally know the owners of the land and they want what is in the best interest of the community. They are all people of honesty and integrity. My fear is that if you don't allow them to split this property up into large lots, they will then sell it to an outside investor who is looking to develop this into smaller parcels. It will just take the right people and attorneys and this will eventually happen. With current proposal, this will not change the landscape of the area much and the wildlife in the area. Let me be the first person to say I am not in favor of that area being developed. I plan to be a lifelong resident at 1019 Nearing road and do not want the area to be populated. I do know that it will eventually happen and would rather see it split up the way they are proposing. Please call me with any questions.

Sincerely,



Eric & Kyla Kiblen
 1019 Nearing Rd.
 Moscow, Id 83843
 208-882-8281

BOCC HRG: RZ 780 Applicant: BGB LLC. Exhibit No. 32 Date: March 31, 2009	LCZC Hrg: RZ780 Applicant: BGB LLC. Exhibit #: 12 Date: 12/17/2008
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RECEIVED
DEC 08 2008
LATAH COUNTY

December 3, 2008

Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RE: Rezone #780

I am writing in support of the 40 acre rezone from Agricultural/Forest to Rural Residential. I believe the owners of this property have a great plan that will be desirable for Latah County and the surrounding neighbors. I think the county will benefit from the conservation subdivision model that is proposed and use it for future developments.

I have known the owners of this development both personally and professionally for over 10 years and know they have the county's best interest at heart.

If you have any further questions please feel free to contact me.

Sincerely,



Jeff Pilcher
314 Conestoga
Moscow, ID 83843

BOCC HRG: RZ 780
Applicant: BGB LLC.
Exhibit No. 33
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 13
Date: 12/17/2008

December 3, 2008

Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RECEIVED
DEC 08 2008
LATAH COUNTY

Re: Rezone #780

To Whom It May Concern:

I am in favor of the proposal to rezone the acreage from forest/agricultural to rural residential. The owners of this land have a carefully planned design of how to divide the land. Making an immense portion of the land designated towards conservation use will not only preserve the Palouse scenery, but also create a partition between existing properties and the proposed plan.

Regards,

Shannon McLuen
Moscow Resident

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 34
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 14
Date: 12/17/2008

December 5, 2008

RECEIVED

DEC 08 2008

LATAH COUNTY

Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RE: Rezone #780

As a citizen of Latah County I am in support of the proposed rezone #780 moving 40 acres from Agricultural/Forest to Rural Residential. There are two pillars to this rezone that make sense. First, this rezone would be consistent with similar developments in the area. Second, the conservation area allows for development while preserving the natural landscape. Not only do I support this rezone I think this can provide a model by which to make rezoning decisions in the future.

Please accept my sincerest thanks for considering this letter of support for rezone #780.

Sincerely,

Ben McLuen
Moscow Resident

BOCC HRG: RZ 780
Applicant: BGB LLC.
Exhibit No. 35
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 15
Date: 12/17/2008

RECEIVED

DEC 08 2008

LATAH COUNTY

December 8, 2008

Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RE: Rezone #780

I support the 40 acre rezone to Rural Residential. The proposed development designates over 70% to conservation area. This conscientious approach to land development could prove to be a model of future sound development practices on the Palouse. The rezone is also compatible with the parcel sizes of neighboring developments.

As a Latah County land owner, I understand the desire to live out of town where your neighbors are not 20 or 30 feet away. This development allows for the privacy of country living, as well as taking into account the conservation mindedness that contributes to the ideals of responsible growth and land use. This conservation approach to a rezone plan takes into account the needs of the residences, both current neighboring land owners as well as potential buyers.

Sincerely,



Lani K. Lemmon

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 36
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 16
Date: 12/17/2008

Aimee Shipman

From: CRAIG.KNOTT@usbank.com
Sent: Wednesday, December 10, 2008 8:42 AM
To: ashipman@latah.id.us
Subject: Fw: Letter of support

RECEIVED
DEC 10 2008
LATAH COUNTY

Aimee - here is another support letter for Rezone #780 off Lewis Rd. from Brad Broenneke. See below. Thanks.

-----Original Message-----

From: Brad Broenneke [mailto:bbroenneke@latah.id.us]
Sent: Monday, December 08, 2008 10:38 AM
To: cdknott@potlatch.com
Subject: RE: Letter of support

To: Latah County Commissioners and Planning & Zoning Commission
522 S Adams
Moscow, ID 83843

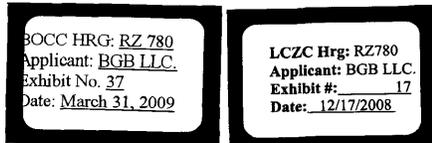
I would like to voice my support to have the two parcels (RP40N05W177230 and RP40N05W165616) totaling 135.12 acres located about 5 miles north of Moscow where Saddle Ridge Rd. hits Lewis Road on the south side of Moscow Mtn/Steakhouse Hill, be rezoned from Ag land with the 40 acres of rural residential for 4 homesites and the remaining 95 acres to be donated as conservation land. I feel this is a correct and responsible use of the land and the rezone should be approved.

Brad Broenneke
1548 Dogwood Ct
Moscow, ID 83843

U.S. BANCORP made the following annotations

Electronic Privacy Notice. This e-mail, and any attachments, contains information that is, or may be, covered by electronic communications privacy laws, and is also confidential and proprietary in nature. If you are not the intended recipient, please be advised that you are legally prohibited from retaining, using, copying, distributing, or otherwise disclosing this information in any manner. Instead, please reply to the sender that you have received this communication in error, and then immediately delete it. Thank you in advance for your cooperation.

12/10/2008



Tim Kinkeade
121 East Third Street
Moscow, Idaho 83843
208 883 1815

RECEIVED

December 10, 2008

DEC 10 2008

LATAH COUNTY

Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RE: Rezone #780

I am in support of the 40 acre rezone to Rural Residential. The proposed change appears to be compatible with the surrounding area. The owners of the property have sought professional advice on mitigating conflicting water issues with neighbors.

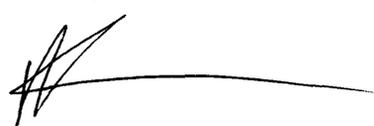
I noted that 70% of the parcel will be designated as a conservation area, this open space which will prove compatibility with the existing uses and neighbors.

Additionally, continual supplies of available lots will enable a steady – smart growth for our area.

It seems apparent development is designed to for the greater good of the surrounding neighbors and Latah County.

Best regards,

Tim Kinkeade



BOCC HRG: RZ 780
Applicant: BGB LLC.
Exhibit No. 38
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 18
Date: 12/17/2008

December 8, 2008

RECEIVED
DEC 10 2008
LATAH COUNTY

Latah County Zoning Commission
522 S. Adams St.
Moscow, ID 83843

RE: Rezone #780

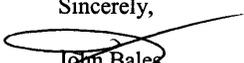
To whom it may concern,

I support the 40 acre rezone from Agricultural/Forest to Rural Residential #780. I believe the proposal is compatible with existing developments in close proximity of the subject property and appreciate the high priority given to conservation aspects of this model.

Today our local market lacks a supply of parcels of this size and features. These additional parcels will add to our local tax base while maintaining open space and habitat.

I believe this development is well researched and designed to include the well being of neighboring property owners and Latah County.

Sincerely,


John Bales
1233 Wallen Rd
Moscow ID, 83843

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 39
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 19
Date: 12/17/2008

Aimee Shipman

From: Dave Kiblen [dave@latahtitle.com]
Sent: Thursday, December 11, 2008 8:34 AM
To: ashipman@latah.id.us
Subject: Rezone 780

RECEIVED
DEC 11 2008
LATAH COUNTY

Hello I am writing this in support of the rezone 780. My great grandfather Guy Nearing and my grandfather Guy J. Nearing who was the developer of Nearing addition, 1, 2 and 3 had a great opportunity to share and develop this wonderful part of Latah County. My brother Eric Kiblen and father Tod Kiblen and my mother Karen McGarvey (Nearing) also own land across the road from proposed development. I think this rezone could make some wonderful home sites combined with a large conservation area which will provide large open areas for free range of wildlife.

I know that owners well, they are long time residents of Latah County and only have the best interest's of Latah County at heart. I am very confident that this would be developed in a very professional and thoughtful way to not upset any neighboring properties.

I am in full support of this rezone.



12/11/2008

BOCC HRG: <u>RZ 780</u> Applicant: <u>BGB LLC</u> Exhibit No. <u>40</u> Date: <u>March 31, 2009</u>	LCZC Hrg: <u>RZ780</u> Applicant: <u>BGB LLC</u> Exhibit #: <u>20</u> Date: <u>12/17/2008</u>
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DEC 11 2008

LATAH COUNTY

December 10, 2008

Latah County Zoning Commission/Board of County Commissioners
522 S. Adams St.
Moscow, ID 83843

RE: 40 Acre Rezone

I am in support of the 40 acre rezone near Lewis Road. The area near the subject property has evolved into a rural residential setting and the current proposal is a great fit for the area.

Sincerely,



Chuck Spurgeon
1227 Wallen Rd.
Moscow, ID 83843

BOCC HRG: RZ 780
Applicant: EGB LLC.
Exhibit No. 41
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 21
Date: 12/17/2008

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DEC 11 2008
LATAH COUNTY

Latah County Zoning
Rezone #780
Nearing Addition

I want to give my support of the 40-acre rezone from Ag Forest to Rural Residential. As a resident of Latah County for over 30 years, I feel this plan will work best for the area. I believe the fact that they are donating a large number of acres to the Palouse Land Trust shows the developer has the neighbor's best interest in mind. I feel this rezone is a good plan for all involved.

Nancy Largent
Nancy Largent
1300 Cora Road
Potlatch, Idaho 83855

BOCC HRG: RZ 780
Applicant: BGB LLC
Exhibit No. 42
Date: March 31, 2009

LCZC Hrg: RZ780
Applicant: BGB LLC
Exhibit #: 22
Date: 12/17/2008

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DEC 11 2008

LATAH COUNTY

Latah County Zoning
Rezone #780
Nearing Addition

I want to give my support of the 40 acre rezone from Ag Forest to Rural Residential. As a resident of Latah County I feel this plan will work best for the area. I believe the fact that they are donating a large number of acres to the Palouse Land Trust shows the developer has the neighbors best interest in mind. I feel this rezone is a good plan for all involved.


David Germer
551 Northwood Dr.
Moscow, Idaho 83843

BOCC HRG: RZ 780
Applicant: BGB LLC.
Exhibit No. 43
Date: March 31, 2009

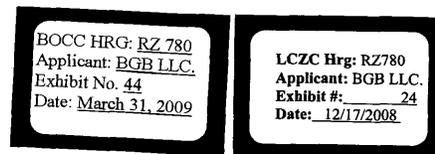
LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 23
Date: 12/17/2008

Aimee Shipman

From: Sid Eder [side@uidaho.edu]
Sent: Thursday, December 11, 2008 9:51 AM
To: ashipman@latah.id.us
Subject: exhibit request

I request that exhibits #10 and #13 from the Rezone 731 packet be submitted as written testimony into the RZ 780 packet, as their comments and conclusions are just as pertinent to RZ 780 as they were for RZ 731. Thank you for your assistance. Sid Eder

12/11/2008



Elliot, 3281 Foothill Road, Moscow, ID 83843
208 883 4494 elliot@mosow.com

October 25th, 2006

Latah County Zoning Commission
Latah County Courthouse
522 South Adams
Moscow, ID 83843

RECEIVED
OCT 26 2006
LATAH COUNTY

Dear Sirs:

Proposed Rezone of 36 of 135 acres at the intersection of Lewis and Foothill Roads

It has come to my attention that Bennett Realty, on behalf of their client, has requested a rezone of 36 acres within a 135 acre parcel north of the intersection of Foothill and Lewis Roads. I am opposed to this rezone. My main concern is that the water in this area may not be adequate to support this level of housing density.

1. I am a registered professional engineer, and have studied the well yields in this area in some detail in preparation for the Naylor Water Rights Application in 2005.
2. I have checked the yields of 21 wells in the area of the proposed zoning change, in Sections 17 to the north and 21 to the south of the site. The IDWR records show that of these 21 wells, one was dry, 5 yielded less than 1 gal/min, 7 were between 1.5 and 5 gal/min, 4 were between 6 and 10 gal/min, and only 4 yielded more than ten gal/min.
3. Four of the 21 owners had to drill two wells in this area, and one owner drilled 3 wells before getting an acceptable yield.
4. The well logs record that all of these wells were in granite. In granite, water is stored in fissures and cracks, and not in the mass of rock. Therefore, the chances of drilling into a fissure or crack is low, as demonstrated by the above distribution of well yields. Also, if a well does intersect a crack that was already tapped into by a previous owner, there is a high likelihood that the new well could dewater the previous one, particularly if it is downhill. The proposed rezoning is in fact, downhill from many of the 21 wells noted in point 2. Prior to this application, I have heard from two property owners in this area that they have had such an experience when a new well was drilled downhill from their well. There are likely others who have had similar experiences.

I am not opposed to all rezoning requests to allow additional rural residences. In this case, however, with a large number of existing wells immediately uphill from the proposed rezoning site, and with all wells in granite, I believe it is technically unwise to start such dense housing development in the absence of any plans for a community water supply. Therefore, unless the developers can provide sound evidence of an adequate water source, not in granite, to support such a development, it must be rejected as it will adversely impact water resources, and the value of existing properties.

Sincerely

William J. Elliot, PE, PhD

LCZC Hrg: RZ780
Applicant: BGB LLC.
Exhibit #: 25
Date: 12/17/2008

BOCC HRG: RZ 780
Applicant: BGB LLC.
Exhibit No. 45
Date: March 31, 2009

Kevin M. Brackney, P.G.
Hydrogeologist
838 Lynn St.
Moscow, Idaho 83843

October 29, 2006

Latah County Zoning Commission
Latah County Courthouse
522 South Adams
Moscow, ID 83843

RECEIVED
OCT 30 2006
LATAH COUNTY

Attn: Chris Nicholson

Re: Proposed Rezone of 36 of 135 acres at the intersection of Lewis and Foothill Roads

Dear Sirs,

I am an Idaho Registered Professional Geologist, Certificate No. 817, and a Certified Ground Water Professional by the Association of Ground Water Scientists and Engineers, Certificate No. 120675. I have previously commented on the Naylor Farms Conditional Use Permit Application and the Naylor Farms Water Application to the Idaho Department of Water Resources in 2005.

I have reviewed Bill Elliot's comments to the Latah County Zoning Commission dated October 25, 2006, and I concur with his assessment that the groundwater resources of the local granitic bedrock are probably inadequate to support four home sites on 36 acres without negatively impacting the water levels of the existing wells. I have worked with Mr. Elliot on the Naylor Farms water right appeal, and I am confident in his ability to compile the publicly available water well records. His interpretation of the data leads me to the same obvious conclusions.

1. It is difficult to find sufficient groundwater in this fractured granitic aquifer to support a home.
2. Fracture networks may be interconnected and drained by water wells intercepting the network at the lowest elevation.
3. In addition, a well owner with a depleted well may be unsuccessful in finding additional groundwater deeper than 300 feet below ground surface, because the pressure exerted by the overlying rock tends to compress fractures too tightly below this depth, reducing the permeability and storage volume of these deeper fractures.

The west end of Moscow Mountain is relatively dry, particularly in the summer and fall, and local precipitation is the only mechanism for recharging this granitic aquifer. Because the storage capacity of granitic aquifers are low compared to basalt aquifers, the

Zoning Comments 102906.doc

LCZC Hrg: RZ780
Applicant: BGB LLC.
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Date: 12/17/2008

BOCC Hrg: RZ 780
Applicant: BGB LLC.
Exhibit No. 46
Date: March 31, 2009

quantity of water available for pumping will vary from year to year depending on the quantity and timing of precipitation.

In my opinion, new developments requiring water in this area should first be required to have a developed and proven water supply that can be demonstrated, through hydrogeologic analysis, not to deplete the existing marginal water wells in the vicinity. To do otherwise will invite inevitable water supply conflicts between neighbors that will be difficult to resolve.

Sincerely,

Kevin M. Brackney, P.G.