

Latah County Zoning Commission Meeting Minutes

Date: 06/17/2015

Location: Latah County Courthouse Room 2-B

Members Present: Rodney Parker, Patrick Wilson, Bob Henriksen, John Akin and Nancy Largent

Staff Present: Chris Blankenship, Mauri Knott and Taylor Minshall

Meeting opened by Patrick Wilson, Chairman, at 17:30.

Adoption of Minutes: June 3rd, 2015

Motion: J. Akin moved to accept, seconded B. Henriksen

Action: Approved. Yes: 4 No: 0 Abstain: 0

CUP #950 - A request by Whitcomb Excavation for a mineral resource development for blasting, crushing, and stockpiling on a 7 acre of a 106 acre parcel. The site is located on Hwy 8 approximately 3 miles south of Bovill, Idaho, in Section 18, Township 40 North, Range 01 East B.M., and is currently referenced as assessor's parcel number RP41N01E180050A.

Opened Public Hearing: 17:36 – Staff Report by M. Knott

Opened Public Comment: 17:38 – Applicant Testified

Closed Public Comment: 17:40

Motion: J. Akin moved to accept CUP #950 subject to the following conditions:

1. The mineral resource development shall be in compliance at all times with all applicable federal, state and local laws, rules and regulations.
2. The mineral resource development shall at all times be in substantial compliance with the application as submitted and presented.
3. The mineral resource development's hours of operation are limited to Monday through Saturday, 6AM to 9 PM for general operations. Blasting is restricted per §4.03.02.5 to 9:30 AM to 4:30 PM Monday through Friday.
4. The mineral resource development shall be in compliance with all applicable requirements listed in Section 4.03.02, #2-9 of the Latah County Land Use Ordinance #269, as amended:
 2. *Written verification of compliance with the Idaho Surface Mining Act, including filing of any reclamation plan required by the Idaho Surface Mining Act.*
 3. *The excavation site, any overburden and stockpiles, and a 50 foot buffer strip surrounding these areas shall be maintained so that they are continuously free of all noxious weeds as determined by the Latah County Noxious Weed Control Superintendent.*
 4. *The operator shall provide, by certified mail, written notification to all residences within one mile of any blasting. The notification shall be distributed and in the possession of the occupants of these residences at least 72 hours prior to any blasting. The notification shall*

give the date and time of the planned blast.

5. Blasting shall be restricted to the hours of 9:30 AM to 4:30 PM, Monday through Friday. No blasting shall occur on Saturdays, Sundays, or the following holidays: January 1, Memorial Day, Labor Day, Thanksgiving Day, and December 25.

6. An owner or operator may request, and the Director may grant, an exception to provide for additional hours of operation for a mineral resource development when additional hours of operation are needed to alleviate a public emergency. Public emergencies include the following:

A. Damage to public roads or structures that require immediate repair.

B. Road construction or repair that is scheduled during nighttime hours to reduce traffic conflicts.

7. Signs, upon approval of the signs by the Planning Department, warning of truck entrances shall be posted within one-quarter (1/4) mile of the site's entrance onto a public road.

8. The mineral resource development shall be marked by warning signs posted 200 feet from mine operations.

9. A plan to retain storm water runoff within the mineral resource development boundaries.

5. This conditional use permit shall expire ten (10) years from the date of issuance.

Seconded by R. Parker

Action: Approved. Yes: 4 No: 0 Abstain: 0

CUP #792C - A request by Verle Koehn to amend CUP #792A to amend the previously approved CUP to include an additional 8.5 acres to the previously approved mineral resource development location on a portion of a 185-acre parcel in the Agriculture/Forest zone. The amended mineral resource development will include blasting, crushing, stock piling, and limited asphalt batching. The property is accessed off of Highway 9, approximately 2.5 miles south of the unincorporated town of Harvard, Idaho. The property is located in Sections 20 and 21, Township 41 North, Range 03 West, B.M. in Latah County and referenced as Latah County Assessor's parcel number RP41N03W207262A, RP41N03W201942A and RP41N03W215561.

Opened Public Hearing: 17:46 – Staff Report by M. Knott

Open to Public Comment: 18:02 – Applicant, applicant representative, and 6 others testified.

Closed to Public Comment: 19:10

Motion: J. Akin moved to accept CUP #792C subject to the following conditions:

1. Compliance with all federal, state, and local regulations.
2. Compliance with the application materials as submitted and presented.

3. The mineral resource development's hours of operation are limited to Monday through Friday, 6AM to 6PM and Saturday 6AM to 12PM for general operations. Blasting is restricted per §4.03.02.5 to 9:30 AM to 4:30 PM Monday through Friday.
4. The operator shall provide, by certified mail, written notification to all residences within one mile of any blasting. The notification shall be distributed and in the possession of the occupants of these residences at least 14 days prior to any blasting. The notification shall give the date and time of the planned blast. The operator shall send verification of this mailing to the Planning Office.
5. The mineral resource development shall be in compliance with all applicable requirements listed in Section 4.03.02, # 2,# 3, and #5-#9 of the Latah County Land Use Ordinance # 269, as amended:

2. Written verification of compliance with the Idaho Surface Mining Act, including filing of any reclamation plan required by the Idaho Surface Mining Act.

3. The excavation site, any overburden and stockpiles, and a 50 foot buffer strip surrounding these areas shall be maintained so that they are continuously free of all noxious weeds as determined by the Latah County Noxious Weed Control Superintendent.

5. Blasting shall be restricted to the hours of 9:30 AM to 4:30 PM, Monday through Friday. No blasting shall occur on Saturdays, Sundays, or the following holidays: January 1, Memorial Day, Labor Day, Thanksgiving Day, and December 25.

6. An owner or operator may request, and the Director may grant, an exception to provide for additional hours of operation for a mineral resource development when additional hours of operation are needed to alleviate a public emergency. Public emergencies include the following:

A. Damage to public roads or structures that require immediate repair.

B. Road construction or repair that is scheduled during nighttime hours to reduce traffic conflicts.

7. Signs, upon approval of the signs by the Planning Department, warning of truck entrances shall be posted within one-quarter (1/4) mile of the site's entrance onto a public road.

8. The mineral resource development shall be marked by warning signs posted 200 feet from mine operations.

9. A plan to retain storm water runoff within the mineral resource development boundaries.

6. This conditional use permit shall expire five (5) years from the date of issuance.
7. The operator may not utilize the new proposed road that crosses adjacent properties for this mineral resource operation.

8. If written permission is obtained from the well owners of the five closest wells, including: Jay and Cheri Price, Kyle and Carrie Littlefield, Ron and Helen Miller, Kim and Don Cochrane, and Mike and Kathy Orr, then the operator shall place well monitoring devices, in the same fashion as previous monitoring occurred, on these wells, not including his own, to gather information during blasting events. If these well owners do not provide written permission, the operator shall not place monitoring equipment on their wells, but can operate the rock pit under the other conditions set forth via this permit. The readings from these monitoring devices shall be made readily available to the well owners and the county.

Seconded by N. Largent

Action: Approved. Yes: 4 No: 0 Abstain: 0

Meeting Adjourned by Patrick Wilson at 20:14

Respectfully submitted,
Rodney Parker