

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE PUBLIC HEARING
WEDNESDAY, JULY 27, 2016
6:00 P.M.**

The Board of Ada County Commissioners (Board) met this date in the Ada County Public Hearing Room of the Ada County Courthouse Complex. Staff members present: Mark Perfect, Brent Danielson, Diana Sanders, Development Services; and Ax Yewer, Prosecuting Attorney's Office. Minutes Recorder: Angel Dicus.

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- I. IN THE MATTER OF CALL TO ORDER:**
Commissioner Jim Tibbs called the meeting to order at 6:00 p.m.
- II. IN THE MATTER OF ROLL CALL:**
Commissioners Jim Tibbs, Rick Yzaguirre and David L. Case were present.
- III. IN THE MATTER OF CHANGES TO THE AGENDA:**
There were no changes to the agenda.
- IV. IN THE MATTER OF NEW BUSINESS:**
- **201600361-A; BOISE CITY, GREAT OLD BROADS FOR WILDERNESS, AND ADA COUNTY FISH & GAME LEAGUE:** An appeal from the City of Boise and a joint appeal from Great Old Broads for Wilderness and Ada County Fish & Game League. All appellants are appealing the Planning & Zoning Commission's decision to approve a conditional use and master site plan application for a private aircraft landing field (1,200 feet long & 40 feet wide) and a 3,600 square foot accessory structure. The accessory structure will be used as a shop and hangar. The property contains 149.43 acres and is located at E. Table Rock Rd., Boise, ID 83712 in Sections 7 and 8, T. 3N., R. 3E
- J. Tibbs opened the public hearing.
- B. Danielson presented the Staff report.
- Hal Simmons, Planning Director for City of Boise, stated his name and address for the record and presented testimony in favor of the appeal. He expressed concerns for fire risk and wildlife preservation. He asked that the Board overturn the Planning and Zoning Commissions' (P&Z) decision.
- Elaine Clegg presented testimony in favor of the appeal. She stated she believes an airfield is not an appropriate use for the foothills and asked the Board approve the appeal.
- Dennis Doan, Boise Fire Chief, stated his name for the record. He presented testimony on the fire risks and stated the Boise Fire Department will not respond to a fire in this area because the Wildhorse Subdivision refuses to put in proper water resources. He recommended Applicant be required to follow the NFPA 407 minimum standards for fueling aircrafts as a condition of use should this application be approved.
- J. Tibbs and B. Danielson discussed other airstrips in the foothills.
- Angela Rossmann, Great Old Broads for Wilderness, and John Caywood, Fish and Game League, stated their names and addresses for the record. A. Rossmann presented testimony in opposition of the airstrip stating she believes the wilderness will be negatively impacted and expressed concerns that the area may turn into a fly-in residence. J. Caywood presented testimony on how the flight pattern affects wildlife.
- J. Tibbs disclosed that he had received several phone calls and emails about this application but stated he could remain impartial.
- Sabrina Durt and Dean Hilde stated their names and address for the record and presented testimony. S. Durt reviewed the comprehensive plan and the City of Boise Blueprint zoning. She stated wildlife would not be affected and Applicant will not permanently store fuel onsite. D. Hilde, Developer, provided a brief history of the project. He presented testimony explaining the aircraft causes very little noise and advised that the neighbors are supportive of the project. He discussed current air traffic and stated he could not find any record of an airplane starting a wild fire. He advised that he has followed the rules that were given to him.

Forrest Goodrum stated his name and address for the record. He stated he is representing the Boise Height's neighborhood. He presented testimony in opposition of the application stating he does not want private airports and believes the County's Ordinance should be applicable with the City of Boise's Comprehensive Plan. He asked the Board to approve the appeal.

Kate Thorpe stated her name and address for the record. She presented testimony in opposition of the application stating she found an article supporting planes do cause fires and reiterated previous testimony.

Mary Hamerly stated her name and address for the record. She presented testimony in favor of the appeal expressing her concerns for noise and fire risk.

Sheldon Bluestein stated his name and address for the record. He reiterated previous testimony in favor of the appeal and discussed public access to the airstrip.

Dr. Robert DiGrazia stated his name and address for the record. He reiterated previous testimony in favor of the appeal and stated he believes the property owner has disregard for public safety.

Pam Conley stated her name and address for the record. She reiterated previous testimony and asked the Board to approve the appeal.

Jim Nunley stated his name and address for the record. He reiterated previous testimony in favor of the appeal and discussed the importance of communication between meteorologists and pilots.

Burk Mantel stated his name for the record. He presented testimony in favor of the appeal. He explained the definitions of airstrip and airport and stated he believes that, by definition, this application is an airport. He recommended doing a wildlife impact hazard assessment. He stated that when he voted for the Foothills levy it was for the protection and preservation of the Foothills, especially favoring non-motorized vehicle use. He asked the Board to overturn the P & Z decision and approve the appeal.

Mack Kreizenbech stated his name and address for the record. He presented testimony in opposition of the appeal stating that statistics show there are more wildfires caused by automobiles.

Doug Bates stated his name and address for the record. He presented testimony in opposition of the appeal. He stated most of the testimony in favor of the appeal is from individuals not living in the area and he believes more disruption is caused by bikers, ATV's and even fireworks. He expressed his concerns for fire, but asked the Board to deny the appeal.

Lee Godshalk stated her name and address for the record. She reiterated previous testimony in favor of the appeal and stated she voted for the Foothills Levy.

[The Board took a short recess.]

Anne Hausrath stated her name and address for the record. She presented testimony in favor of the appeal. She stated she believed the P & Z's decision was based on Applicant's personality and piloting ability. She expressed concerns of not being able to monitor flights and stated there is no common good with this application.

Sandy Carter stated her name and address for the record. She stated she would like to know about the funding of the volunteer fire department and discussed wildlife wintering habitat data. She reiterated previous testimony in favor of the appeal.

Andrew George, Idaho Aviation Association, stated his name and address for the record. He presented testimony in opposition of the appeal stating there is already air traffic over the area and it has not had detrimental effects on wildlife.

Gail Chandler Hawkins left the hearing but gave B. Danielson a letter in favor of the appeal which he entered into the record as Exhibit No. 295.

Stephen Allen stated his name and address for the record. He reiterated previous testimony in favor of the appeal and stated the application does not mention flight coordination with the Boise Airport.

Thomas Hill stated his name and address for the record. He reiterated previous testimony in opposition of the appeal and asked the Board to deny the appeal. He stated he supports private property rights.

Danny Cafferty stated his name and address for the record. He advised there have been many violations on his property including vandalism and trespassing. He stated he offered the City of Boise and Boise Parks Department the opportunity to purchase the property but both declined and that Idaho Fish and Game said the property was not critical big game habitat because there are not enough animals in the area to justify management or ownership. He stated if the project was approved it would retain the scenery and not impact traffic or fire concerns.

Jeff Dinwiddie stated his name and address for the record. He presented testimony in opposition of the appeal stating he believes that the landing strip will increase property value. He stated planes can crash anywhere and there is already noise in the foothills. He encouraged the Board to support P&Z's decision and deny the appeal.

Kin Kildew stated his name and address for the record. He reiterated previous testimony in opposition of the appeal.

Michael Snoa stated his name and address for the record. He advised that he is a member of the Sunset Fire District and gave an overview of the department's goals for operation.

Bill Vasconcellas stated his name and address for the record. He repeated previous testimony in favor of the appeal and presented testimony regarding the Boise Private Pilots' Association.

Josh Kuntz stated his name and address for the record. He restated previous testimony in favor of the appeal and asked the Board to overturn P & Z's decision and approve the appeal.

Howard King stated his name and address for the record. He reiterated previous testimony in opposition of the appeal.

Gary Campbell, Developer of Wildhorse Subdivision, stated his name and address for the record. He repeated previous testimony in opposition of the appeal.

Jerome Mapp stated his name and address for the record. He explained his background in planning and zoning. He presented testimony in favor of the appeal stating a conditional use permit should have enforceable conditions and argued that the application does not state why an airstrip would be appropriate for this area.

Dean Briggs stated his name and address for the record. He presented testimony in opposition of appeal stating the property is a single parcel and the application is for a landing strip not an airport. He asked that Condition No. 23 be changed to read that Applicant and/or owner shall only fuel the plane from a portable tank and there shall be no permanent storage tanks on the property. He noted that the information and testimony presented is the same information that was presented at the P & Z hearing.

Lana Weber stated her name and address for the record. She reiterated previous testimony in favor of the appeal.

Chelsea Hilde stated her name and address for the record. She presented testimony in opposition of the appeal stating she found it interesting that the City of Boise approved 173 homes in the foothills but are opposing the idea of 1% of a 150 acres being developed. She stated she believes the airstrip would be preserving the land.

Scott Maclean stated his name and address for the record. He restated previous testimony in opposition of the appeal.

Brooke Bates, representing Mike Boren, stated her name and address for the record. She read his letter of opposition of the appeal into the record.

Rod Blackstad stated his name and address for the record. He repeated previous testimony in opposition of the appeal.

Justin Cafferty stated his name and address for the record. He presented testimony in opposition of the appeal stating he believes Applicant is entitled to the permit, but questioned if whether the impacts can be sufficiently litigated. He believes those testifying in opposition

tonight are requesting a change in the zoning ordinance and suggested that the zoning ordinance be reviewed.

D. Case disclosed that J. Cafferty used to work for Ada County. J. Cafferty affirmed and stated he reviewed the rules of ethics prior to testifying.

H. Simmons, Planning Director for City of Boise, restated his name and address for the record and presented rebuttal testimony explaining that if the property was annexed it would be zoned A2, which would not allow airfields.

E. Clegg restated her name for the record. She presented rebuttal testimony stating that there are restrictions for ATVs and motorcycles in parts of the foothills.

D. Doan re-approached the podium and presented testimony discussing fire risks of small aircrafts. He stated the number one vulnerability in Boise is wildland urban interface fires. He advised that the Boise Fire Department inspects every airplane. He stated he met with the Sunset Fire Protection district and doesn't know how they can purchase equipment and build a station on their current budget.

J. Tibbs asked D. Doan if the refueling regulations were given to Staff. D. Doan affirmed. J. Tibbs then asked D. Doan if the Boise Fire Department will respond to the foothills even if the application is denied. D. Doan stated they would not respond.

D. Case and D. Doan discussed foothills fire response and challenges.

D. Case and H. Simmons discussed the Eastern foothills plan and wildlife impact of Harris Ranch.

D. Case asked E. Clegg about the foothills levy and why the City of Boise's decided not to purchase the land. E. Clegg explained the policies in the foothills levy and the City of Boise's policy for purchasing land.

A. Rossmann presented rebuttal testimony stating the area is beloved and protected.

J. Caywood presented rebuttal testimony regarding low level flight effects on the foothills and reiterated fire concerns and challenges of enforcing the conditional use permit.

J. Tibbs closed the public hearing.

The Board thanked those who testified and stated they needed additional time to review the evidence and testimony before making a final decision.

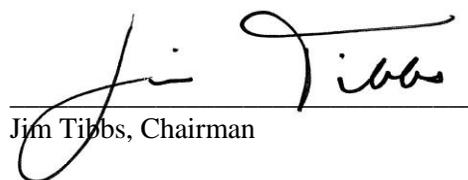
ACTION: D. CASE MOVED TO TABLE APPLICATION NO. 201600361-A; BOISE CITY, GREAT OLD BROADS FOR WILDERNESS, AND ADA COUNTY FISH & GAME LEAGUE, TO AUGUST 10, 2016, FOR A FINAL DECISION. R. YZAGUIRRE SECONDED.

DISCUSSION: D. CASE INQUIRED ON THE AUGUST 10, 2016 MEETING TIME. B. DANIELSON STATED IT WILL BE AT 6:00 P.M.

ACTION: D. CASE AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

V. IN THE MATTER OF ADJOURNMENT:

There being no further business to come before the Board on this date, the meeting was adjourned at 9:21 p.m.


Jim Tibbs, Chairman

ATTEST:


Christopher D. Rich, Ada County Clerk