



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

AGENDA

BANNOCK COUNTY

SPECIAL PLANNING & DEVELOPMENT COUNCIL MEETING

AUGUST 10, 2023 – 4:00 PM

The public meeting will be held in Council Chambers, Chubbuck City Hall, 290 E Linden Ave, Chubbuck, Idaho 83202. Due to limited seating in the Council Chambers, there will be overflow seating available in the City Hall multi-purpose room.

Any citizen who wishes to address the Council, must first complete a sign-up sheet and give their name and address for the record. If a citizen wishes to read documentation of any sort to the Council, they must have a copy available to submit as part of the record. There will be a three (3) minute time limitation for presentations by citizens. The purpose of this agenda is to assist the Council and interested citizens in the conduct of this public meeting. **Citizens should examine the agenda for the item of their interest. However, citizens are advised that only Public Hearings allow for public comment during the discussion / consideration process.**

Citizens have an opportunity to be heard by the Council if the item meets the criteria as described in the agenda. *You must sign in at the start of the meeting to be recognized.*

RECESS: The Council Chair or Vice Chair may call a recess, as they deem necessary, to allow Council members and participants a brief rest period.

Bannock County complies with requirements of the Americans with Disabilities Act. Special accommodations can be provided with three (3) days advance notice by calling 208.236.7230, emailing development@bannockcounty.gov, or coming into the office.

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|-----------------|----|--|
| AGENDA ITEM NO. | 1. | ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST – EX-PARTE COMMUNICATION AND SITE VISIT
Disclose any communication, including who was there and the basic substance of conversation. Disclose if a site visit was made, location(s) of the site visit and what was seen. |
| AGENDA ITEM NO. | 2. | PRELIMINARY BUSINESS
a) Agenda Clarification and Approval (Action Item) |

The application for each item will be available to the public by request at Planning and Development Services office and on the department's website at www.bannockcounty.us/planning. Written testimony of fewer than two (2) pages must be received by the Planning and Development Services office no later than August 2, 2023. Written testimony may also be sent to development@bannockcounty.gov. Any written testimony not received by the deadline must be brought to the council meeting and presented at the public hearing. All submitted testimony shall be considered public record. Discriminatory testimony shall not be permitted. Written testimony must comply with standards established in §560.7 of the Bannock County Zoning Ordinance.

PUBLIC HEARING PROCEDURE

1. A presentation is made by the applicant. (Time limit 6 minutes)
2. An explanation of the subject of the hearing is presented by the Planning and Development Service staff. (No time limit)
3. Testimony is given by the audience in favor of the proposal and then neutral on the proposal and against the proposal. Questioning of the participants, and rebuttals are entertained by the Planning and Development Council (time limit 3 minutes; may allow designation of additional time from sign in sheet)
4. The applicant may rebut the arguments offered by the opposition.
5. The Planning and Development Council discusses the hearing subject; they may direct questions to the staff, the applicant and the audience during this stage of the hearing process.
6. The hearing is closed to oral testimony from the applicant and the audience. The hearing process is concluded.

The Council accepts oral testimony and may accept limited written testimony from those in attendance, but only if the parties have filled out the testimony sign-in sheet. **If you have submitted written testimony as part of the packet, you cannot also give an oral testimony unless it is to read the written testimony into the record.** In order to keep a clear audio recording of this hearing, when testifying, a person must come to the podium and state their full name and address. Comments will not be accepted from the audience seats and discriminatory testimony shall not be permitted. There shall be no booing, hissing, or cheering.

AGENDA ITEM NO. 4
CONDITIONAL USE PERMIT
GRAVEL PIT



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

CONDITIONAL USE PERMIT PUBLIC HEARING: August 10, 2023 STAFF REPORT

FILE #: CUP-23-7

LOCATION: The Bannock County tax parcel number is RPR3803048300.

REQUEST: The applicant proposes to expand operation of a long-term existing commercial construction company with a gravel pit.

APPLICANT:	OWNER:
John Wilkes	Russell Johnson
10200 Batista Road	P.O. Box 2051
Pocatello, ID 83202	Pocatello, ID 83206

RECOMMENDATION: Staff recommends approval with the following conditions:

1. Provide a 50' buffer area, as noted in the ordinance, along any shared property lines adjacent to a residential zone.
2. Comply with all requirements for ordinance relative to a gravel pit/mining operation.
3. Conditional Use Permit shall expire after one year, unless prior to expiration, the use complies with Section 530.91.

Council may wish to add additional conditions as needed.

REQUEST & BACKGROUND: The applicant, John Wilkes, on behalf of Staker Parson Companies, dba Idaho Materials & Construction petitions for a conditional use permit to establish a gravel pit.

SITE CHARACTERISTICS AND ZONING:

ZONING: Agricultural

PROPERTY SIZE: ~ 158.46 acres

VIEWS: The property is visible from West Siphon Road and N. Laughran Road.

EXISTING STRUCTURES: None

STAFF REPORT
CONDITIONAL USE PERMIT- Wilkes
Page 1 of 6

SURROUNDING LAND USES AND ZONING

NORTH: Primarily bare ground with residential and agricultural uses, and is designated as Agricultural on the zoning map.

EAST: Primarily residential use, and is designated as Residential Suburban on the zoning map.

SOUTH: Primarily bare ground with agricultural use and designated as Light Industrial on the zoning map.

WEST: Primarily industrial use and is located in the Fort Hall Reservation.

APPLICABLE LAWS AND PLANS:

1. Idaho Code §67-6512, SPECIAL USE PERMITS, CONDITIONS, AND PROCEDURES
2. 2021 Bannock County Comprehensive Plan
3. Bannock County Zoning Ordinance, 1998-1, specifically:
 - a. §310 AGRICULTURAL ZONING DISTRICT
 - b. §395 USE REGULATIONS SUMMARY
 - c. §530 CONDITIONAL USE



SITE MAP

STAFF REPORT
CONDITIONAL USE PERMIT - Wilkes
Page 2 of 6

The Council should review these uses to determine whether this proposed use would adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- B. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.**

Staff Findings of Fact

Truck traffic will increase on W. Siphon Road, trips will be less than 200 per day.

- C. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.**

Staff Findings of Fact

The use for the gravel pit will be year-round. There are potential methods to minimize the dust and odor potentially produced.

- D. The proposed use would be consistent with the goals and policies of the Comprehensive Plan.**

Staff Findings

Staff has identified the following applicable goals and policies (others may be identified by the Council):

The Bannock County Comprehensive Plan states:

Policy 1.1.1: Collaborate with developers to ensure that new development bears the costs associated with providing services to said development.

Objective 1.5: Ensure that the County's land use policies and regulations do not violate private property rights.

Policy 1.5.2: Ensure land use actions, decisions and regulations align with the County's responsibility to protect public health, safety and welfare.

Policy 3.2.3: Ensure that impacts of adjacent land uses are mitigated (e.g. agricultural, commercial, industrial and residential) through buffer zones, design standards and other land use policies.

Objective 4.1: Ensure County Functions, policies and services support economic development efforts.

Objective 4.2: Support the development of a skilled, talented and trained workforce and increase access to livable wage jobs and higher-paying job opportunities.

Policy 4.2.1: Coordinate and support efforts to invest in workforce development.

Policy 4.2.5: Support efforts to provide training and employment opportunities for special populations and disenfranchised groups.

Policy 5.3.1: Design roadways to meet the safety and access needs of current and future traffic conditions.

- E. The proposed use would be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical.**

Staff Findings of Fact

Upon application for a building permit, the applicant will be required to comply with all Bannock County Ordinances and building code. Buffer areas shall be considered by Council and staff, if and when, permits are applied for.

CONDITIONS OF APPROVAL (ZONING ORDINANCE §530.7)

Upon the granting of a Conditional Use Permit, conditions may be attached to a permit including, but not limited to, those:

- A. Minimizing adverse impact on other developments, such as:
 - 1. Requirements for special yards, open space, buffers, fences, walls, and screening.
 - 2. Requirements for installation and maintenance of landscaping and erosion control measures.
 - 3. Requirements for road improvements and dedications.
 - 4. Regulations of signs.
 - 5. Regulation of hours or other characteristics of operation.
 - 6. Establishment of development schedules or time limits for performance or completion.
- B. Controlling the sequence and timing of development,
- C. Controlling the duration of development,
- D. Assuring that development is maintained properly,
- E. Designating the exact location and nature of development;
- F. Requiring the provision for on-site or off-site public facilities or services;
- G. Requiring more restrictive standards than those generally required in an ordinance; and
- H. Imposing other conditions that the Planning and Development Council deems necessary to ensure compatibility with surrounding uses, to preserve the public health, safety and welfare and to ensure compliance with the standards listed in Section 530.6.

IDAHO CODE REGARDING CONDITIONAL USE PERMITS

IC 67-6512(a): Denial of a special use permit or approval of a special use permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with requirements established thereby.

IC 67-6512(e): Prior to granting a special use permit, studies may be required of the social, economic, fiscal, and environmental effects and any aviation hazard as defined in section 21-501(2), Idaho Code, of the proposed special use. A special use permit shall not be considered as establishing a binding precedent to grant other special use permits. A special use permit is not transferable from one (1) parcel of land to another.

AGENCY COMMENTS:

1. Idaho Department of Environmental Quality date July 3, 2023.

PUBLIC COMMENTS:

1. Received comment letters are attached.

REPORT BY:

Hal W. Jensen, Director
halj@bannockcounty.us
208-236-7230

REPORTED DATE: August 3, 2023

**Staff comments in this report are based solely upon evidence available at the time of the report. Additional information may be brought to light at or before the hearing.*

EXHIBITS:

1. Application
2. Site Plan
3. Evidence of Notices (on file with Staff)
4. Applicable Laws (on file with Staff)
5. Agency/Public Comments (if any)
6. Zoning Ordinance Sections 200, and 415

EXHIBIT 1

APPLICATION AND SITE PLAN



Bannock County, ID

08/03/2023

CUP-23-7

Conditional Use Permit

Status: Active

Date Created: May 19, 2023

Applicant

John Wilkes
dmaxfield@stakerparson.com
10200 North Batiste Road
Pocatello, ID 83202
(208) 251-0907

Primary Location

0 0
Rural North , ID 832025001

Owner:

RUSSELL O JOHNSON
13447 N HAWTHORNE RD POCATELLO, ID
832025001

Conditional Use Permit

Parcel

RPR3803048300

Zoning

Agricultural

Please describe your project.

Idaho Materials & Construction sand and gravel pit.

What product or service are you providing?

Construction materials & services.

Proposed hours of operation

7 am to 7pm, with possible DOT variance.

Proposed days of the week operation will be in use

Monday thru Saturday, with possible DOT variance.

Method for Handling Waste

In accordance with DEQ regulation

Proposed number of employees

10

Equipment and Machinery Use

Loader, dozer, dump trucks, water truck, and employee vehicles.

Water Supply

Private

Sewage Disposal

Private

Will New Buildings be Required?

Yes

If yes, describe:

Batch office and scales

Will Existing Buildings be Utilized?

No

Vehicles Used in Operation:

Dump trucks, water trucks, and employee vehicles.

Will there be any emissions, such as smoke, dust, etc.?

With completely new and modern equipment, emissions are anticipated to be very low.

Daily One-Way Vehicle Trips, Including Employees, Deliveries, etc.

150

Standards for Approval

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
5. The proposed use would be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

Narrative addressing how your application meets criterion 1

With vegetative berm buffer and lowering of the operational elevation on the subject property, proposed use will become compatible with the eastern residential use. Other surrounding uses are currently compatible with the proposed use as well.

Narrative addressing how your application meets criterion 2

Because existing pits to the west are depleted and that traffic no longer exists, we would be replacing previous volumes of traffic. The proposed traffic will be almost exclusive to Siphon Road to Rio Vista Road where our traffic currently exists. We already have truck traffic from the location we currently operate at and by that traffic shifting to this new location, no additional truck traffic is anticipated. Currently, we haul the aggregate to a hot asphalt plant located at another site. The public benefit of having resources such as this closer to the market includes: 1) truck traffic

traveling less distance to market helps reduce wear/maintenance on public streets, 2) maintain competitive pricing, 3) jobs closer to where employees live, and 4) helps keep the sales tax base local.

Narrative addressing how your application meets criterion 3

With vegetative berm buffer and lowering of the operational elevation on the subject property, proposed use will become compatible with the eastern residential use. Other surrounding uses are currently compatible with the proposed use as well.

Narrative addressing how your application meets criterion 4

The proposed use will help in achieving the goals of the County in the following ways: 1) Natural resources such as sand & gravel add to the economic vitality of the region by growing industry as well as allowing for businesses and developments to not only be built but also to allow for the incorporation of elements that promote active lifestyles further enhancing the health and well-being of the workforce and residents. 2) This critical natural resource will serve to help build the transportation infrastructure needs for the region and ensure that those transportation systems meet standards for current and future needs.

Narrative addressing how your application meets criterion 5

See site plan. Vegetative and landscaped buffers are proposed as well around the perimeter of the property.

Acknowledgement

Electronic Signature [Typed Name of Applicant]

John Wilkes

Date

05/19/2023

P&Z Council Public Hearing Information

EXHIBIT 2

AGENCY COMMENTS



July 3, 2023

Mr. Hal Jensen, Planning Director
Bannock County Office of Planning & Development Services
5500 S. 5th Ave
Pocatello, ID 83204

Subject: Conditional Use Permit – Gravel Pit Hot Mix Asphalt Plant – Wilkes

Dear Mr. Jensen:

The Idaho Department of Environmental Quality (DEQ) has reviewed the subject document and would like to offer the following comments:

Gravel Mining:

If gravel mining is done at the site, the applicant will have to work with the Idaho Department of Lands (IDL) to ensure that the operation is in compliance with the Rules Governing Exploration and Surface Mining In Idaho, IDAPA 20.03.02

DEQ's best management practices for ground water protection at gravel mining sites are attached.

Air Quality:

Any business or industry (source) in Idaho that emits, or has the potential to emit, pollutants into the air is required to have an air pollution control permit or exemption from DEQ. **The hot mix asphalt plant proposed to be located on site** will require an Air Quality Permit and possibly a Portable Equipment Relocation Form (PERF) if the equipment is portable. **If a crusher and screening plant is located on the site**, a PERF form must be submitted. Keep in mind that PERF's are required to be submitted to DEQ at least 10 days prior to operation. DEQ Permit information can be found on the DEQ website: www.deq.idaho.gov, or by contacting the DEQ Air Quality Permit Hotline 1-877-573-7648.

The gravel pit will also be required to adhere to IDAPA 58.01.01.650 and 650 **Rules for Control of Fugitive Dust**. The requirements in Sections 650 and 651 of the Rules for Control of Fugitive Dust are included in the **Air Quality** section of the General Recommendations, which are also attached.

If you have questions or comments, please contact me at (208) 236-6160 or via email at Allan.Johnson@deq.idaho.gov.

Sincerely,



Allan Johnson, P.E.
Regional Engineering Manager
DEQ Pocatello Regional Office

EDMS# 2023AGD3500

Attachments: Best Management Practices for Ground Water Protection at Gravel Mining Sites
DEQ General Recommendations for Land Development Projects.

c: Katy Bergholm, Regional Administrator, DEQ Pocatello Regional Office
Nick Nielsen, Mining Project Coordinator, DEQ Pocatello Regional Office
Melissa Gibbs, Regional Air Quality Manager, DEQ Pocatello Regional Office

Best Management Practices for Ground Water Protection at Gravel Mining Sites

The Ground Water Quality Rule, IDAPA 58.01.11, is administered by the Department of Environmental Quality (DEQ). Section 301.02 of the rule requires that DEQ ensure activities with the potential to degrade General Resource aquifers shall be managed in a manner which maintains or improves existing ground water quality through the use of best management practices and best practical methods to the maximum extent practical. Section 150.04 of the rule directs DEQ to coordinate with other agencies when necessary to protect ground water. The Rules Governing Exploration and Surface Mining In Idaho, IDAPA 20.03.02, are administered by the Idaho Department of Lands (IDL). Section 001.03 of these rules requires all operators to comply with all applicable rules and regulations and laws of the state of Idaho.

DEQ and IDL have worked together to address the potential for ground water contamination from gravel sources and developed a list of best management practices (BMPs). It is the responsibility of gravel mine owner/operator to adopt BMPs, as appropriate, to ensure protection of the ground water. The following are key issues that need to be addressed:

Reclamation

- Meet with IDL and DEQ prior to development of the final reclamation plan to discuss the details of the plan. The plan should address final grading of slopes, details regarding topsoil or suitable growth medium to be spread across the walls and floor for reclamation, and revegetation. The type and quantities of seed, fertilizer, and mulch to be applied to all disturbed areas should be specified and any plans for a seasonal wetland to be created on the pit floor should be described.
- The plan should describe how mining activities will be conducted concurrently with reclamation in order to maintain a minimal area of exposed gravels at any given time. The plan should include methods of replacing topsoil on all disturbed lands during reclamation, including land covered by water.
- The plan should specify that final reclamation activities will be completed within six (6) months after termination of mining activities.
- Following final reclamation, it will be necessary for the owner/operator to cooperate with DEQ and IDL in a joint inspection of the mining site. If the reclamation meets specifications, IDL/DEQ will provide documentation of final approval.

Operations

- Vehicular access to the site should be controlled by means of fences, gates, or other types of barriers as appropriate. Signs should be posted to emphasize restricted access. Periodic inspection and maintenance of access control structures will be needed to ensure effectiveness.
- Access by heavy equipment should be limited to only those times when active mining and reclamation activities are underway.
- Crushers, asphalt batch plants, and concrete plants should be operated only in areas well away from exposed gravels and ground water. "Baghouse" dust collection systems are preferred for use with mixing plants. However, if "wet" or pond scrub systems are to

be utilized, they must be in lined areas well away from exposed gravels and ground water.

- Berms, ditches, etc. must be constructed as appropriate to divert surface water run-on/run-off around the mining area.
- Fueling and equipment service/maintenance/storage should be staged in areas well away from exposed gravels and ground water.
- Fuel storage facilities should be placed in bermed areas with HDPE liners well away from exposed gravels and ground water.
- A spill prevention control and countermeasure (SPCC) plan should be implemented on each occasion that mining or reclamation activities are conducted. The plan should specify the maximum response time for spill clean-up.
- Portable toilet facilities should be located well away from exposed gravels and ground water.

Environmental Monitoring

Under certain circumstances, such as mining below the ground water table, monitoring of surface water and ground water may be necessary.

General Recommendations

The following comments are generally applicable to land development projects or other land use activities with the potential to cause impacts to ground water, air quality or surface water. DEQ provides this guidance in lieu of more site-specific comments when information regarding the land use proposal is limited.

Engineering

DEQ recommends consolidation of drinking water and/or wastewater services wherever feasible especially in areas where ground water used for public drinking water supplies is potentially impacted. DEQ considers the following alternatives generally more protective of ground water resources than using individual well and septic systems for each lot, and we recommend that the county require the developer to investigate the following options:

- Provide either a centralized, community drinking water or centralized community wastewater system or both, or
- Connect each lot to an existing community drinking water system or to an existing community wastewater system or both.

In accordance with Idaho Code 39-118, construction plans & specifications prepared by a professional engineer are required for DEQ review and approval prior to construction if the proposed development is to be served by either a community drinking water or sewer system. DEQ requires that a water system serving 10 or more connections is constructed and operated in compliance with IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems."

Air Quality

New emission sources are generally required to follow applicable regulations for permitting or exempting new sources. These are outlined in the Rules for the control of Air Pollution in Idaho.

Of particular concern is IDAPA 58.01.01.200-228 which establishes uniform procedures and requirements for the issuance of "Permits to Construct".

Sections 58.01.01.220-223 specifically may be used by owners or operators to exempt certain sources from the requirements to obtain a permit to construct.

Land development projects are generally required to follow applicable regulations outlined in the Rules for the control of Air Pollution in Idaho. Of particular concern is IDAPA 58.01.01.650 and 651 Rules for Control of Fugitive Dust.

Section 650 states, "The purpose of sections 650 through 651 is to require that all reasonable precautions be taken to prevent the generation of fugitive dust."

Section 651 states "All reasonable precautions shall be taken to prevent particulate matter from becoming airborne. In determining what is reasonable, consideration will be given to factors such as the proximity of dust emitting operations to human habitations and/or activities and atmospheric conditions which might affect the movement of particulate matter. Some of the reasonable precautions may include, but are not limited to, the following:

01. Use of Water or Chemicals. Use, where practical, of water or chemicals for control of dust in the demolition of existing building or structures, construction operations, the grading of roads, or the clearing of land.
02. Application of Dust Suppressants. Application, where practical of asphalt, oil, water, or suitable chemicals to, or covering of dirt roads, materials stockpiles, and other surfaces which can create dust.

03. Use of Control Equipment. Installation and use, where practical, of hoods, fans and fabric filters or equivalent systems to enclose and vent the handling of dusty materials. Adequate containment methods should be employed during sandblasting or other operations.

04. Covering of Trucks. Covering, when practical, open bodied trucks transporting materials likely to give rise to airborne dusts.

05. Paving. Paving of roadways and their maintenance in a clean condition, where practical.

06. Removal of Materials. Prompt removal of earth or other stored materials from streets, where practical.”

Surface Water Quality

Land disturbance activities associated with development (i.e. - road building, stream crossings, land clearing) have the potential to impact water quality and riparian habitat.

If this project will ultimately disturb one or more acres and there is a possibility of discharging stormwater or site dewatering water to Surface Waters of the United States, the operator may need to submit a Notice of Intent (NOI) for coverage under the Idaho Pollutant Discharge Elimination System (IPDES) 2022 Construction General Permit (CGP). NOIs can be submitted via the IPDES E-Permitting System (<https://www2.deq.idaho.gov/water/IPDES/>). The 2022 IPDES CGP requires a Storm Water Pollution Prevention Plan (SWPPP), implementation of Best Management Practices (BMPs) to reduce the sediment and other pollutants discharged and requires regular site inspections by persons trained and knowledgeable about erosion, sediment control, and pollution prevention.

Site contractors should remove equipment and machinery from the vicinity of the waterway to an upland location prior to any refueling, repair, or maintenance. After construction is completed, disturbed riparian areas should be re-vegetated.

Waste Management - Hazardous Material - Petroleum Storage

With the increasing population in southeast Idaho, to ensure sufficient solid waste capacity and service availability. It is recommended that subdivision developers be instructed to contact the appropriate solid waste collection provider and landfill for solid waste disposal coordination.

Accidental surface spills of hazardous material products and petroleum hydrocarbon products (i.e., fuel, oil, and other chemicals) are most associated with the transportation and delivery to work sites or facilities. The following Idaho, storage, release, reporting and corrective action regulations may be applicable:

- Hazardous and Deleterious Material Storage IDAPA 58.01.02.800
- Hazardous Material Spills, IDAPA 58.01.02.850
- Rules and Standards for Hazardous Waste IDAPA 58.01.05
- Petroleum Release Reporting, Investigation and Confirmation IDAPA 58.01.02 .851
- Petroleum Release Response and Corrective Action IDAPA 58.01.02.852

Please note, The Idaho Release, Reporting and Corrective Action Regulations, IDAPA 58.01.02.851; require notification within 24 hours of any spill of petroleum product greater than 25 gallons and notification for the release of lesser amounts if they cannot be cleaned up within twenty-four (24) hours. The cleanup requirements for petroleum are also contained in these regulations.

For reporting requirements of hazardous substances please see Idaho Statute Title 39 Chapter 7, Hazardous Substance Emergency Response Act including section 39-7108 Notification of Release is Required.

EXHIBIT 3
PUBLIC TESTIMONY LETTERS AND
WRITTEN COMMENTS FROM
7.12.2023 SIGN-UP SHEETS



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: Staker-Parson use permit

PLEASE PRINT LEGIBLY

Name: Angela Krause

Address (city and state): 11615 N. Cumberland Rd
Pocatello ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

This proposal goes against the county's own rules and ordinances. It also doesn't follow the current county plan. I strenuously oppose this application.

Angela Krause
Written signature (only if not testifying)

August 2, 2023

To Bannock County Planning and Development Council:

My name is Anna Marie Hauser and I live at 15498 West Lacey Road. My husband and I have lived here for 19 years. The entire west boundary of my property adjoins the proposed Conditional Use Permit (CUP-23-7). This property adjoining ours is today zoned as Residential. This CUP is proposing to allow a gravel pit right next to our residential property and as a significant deviation from Bannock County's current zoning ordinances this certainly should NOT be approved.

The Zoning Ordinances of Bannock County should be consistent with the Bannock County Comprehensive Plan. This Conditional Use Permit application obviously is a significant deviation from the current zoning ordinances of Bannock County as well as the Comprehensive Plan and should NOT be approved.

This proposal would place a mining operation ADJOINING our residential property. This would significantly affect our property value in a negative way. The peaceful enjoyment of our property would be adversely affected. The prevailing winds would bring dust, smell, and noise directly to our yard, garage and home. A berm, if constructed and maintained would do little to stop dust, noise and smells from disrupting us at our home and private property.

An extraordinary increase in volume of traffic of large haul trucks nearby will be a negative factor in our area. We are concerned about emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), potential for ground water contamination, and the impact on our safety and welfare from excessive traffic, noise and dust. This proposed application does not align with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas. This CUP is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect our adjacent residential use to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound and dust as seen on the Castle Cement Plant on Philbin Road.
 - Prevailing winds will blow across the site moving dust into our property on West Lacey, as well as the Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of our personal property. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS' QUALITY OF LIFE".

2. *The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.*
 - Traffic will be dramatically shifted into higher populated residential areas. Siphon Road and one mile of Rio Vista Road do not currently experience high levels of traffic, especially large haul truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these County road segments. Presently, both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - The proposed gravel pit site has a much greater residential presence than the current site.
 - This increased traffic flow in these residential areas would not be in compliance with section 530.6 B, C & D of the county ordinance and therefore is another reason this application should be rejected.

3. *The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.*
 - A gravel pit adjoining our entire west property border would be materially injurious to our property.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. *The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.*
 - This CUP proposal fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" (section 530.6.D).
 - This proposal seeks to create a mining enterprise between two residential areas and adjoining our residential property where we have lived for 19 years.

5. *The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.*
 - The applicant has historically shown that once berms are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin Road where Quinn connects. The applicant is not a "good neighbor."
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter. I plead with you to reject this proposed CUP that would place a gravel pit adjoining my residential property.

Sincerely,

Anna Marie Hauser
208-317-0808

Gravel Pits should not be placed in existing communities

Chuck Russell <cwrussell32@gmail.com>

Tue 7/4/2023 11:42 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

July 4, 2023

Anne Marie Russell

West Lacey Road

Pocatello, ID 83202

I am writing to help circumstances be understood and show my opposition to the proposed gravel pit with a possible hot asphalt plant to be located in the field on Siphon and Laughran Rd.

We know all too well the impact of these gravel pits and the rock truck traffic they produce. We understand the need for their function, but their negative impact should not be drawn closer to our existing community. When the wind picks up, the flying dirt from these gravel pits cannot be contained, unless the company can tarp their whole entire area, and anyone knows that's a ridiculous prospect. Another gravel pit knocking on our back door really has the potential to compound that problem with health concerns.

The wind or a breeze blows the majority of the time and mainly blows from the southwest. This will bring debris, smells, and pollutants directly into our communities of West Lacey, Equestrian Estates, Space Acres, and many other surrounding homes. Gravel pits do not belong in already existing communities.

We currently try to navigate our way around and co-exist with the big gravel trucks when driving past the established gravel pits. If adding another 300 trucks passings per day, they should deem Rio Vista Rd. a private industrial road and exclude our community traffic just for safety purposes. No one wants to see accidents and this is just what it's setting up to be. This gravel pit should not be a part of our community.

People in our community enjoy greatly what our area has to offer. Far West Siphon Rd, which is slated for this rock truck traffic, is used for different recreational activities. Not just our immediate population, but we find many people come from Pocatello and Chubbuck to get out for biking, jogging, and horseback riding. These activities do not mix with big trucks! Why should our safety be at risk?

This area offers so much beauty and Siphon Rd. starting west of Rio Vista is the gateway to it all. We love having a moose wander though, and coyotes howling off in the distance. It's wonderful that Swans feel comfortable and safe nestling in the proposed and nearby fields. This new gravel pit will basically be right across the road from the Portneuf River, affecting even more of this supreme nature and its wildlife.

Yes, we live in the Snake River plane, but we don't get to actually enjoy the Snake River in our cities as others do. The Portneuf River is all we've got. When are we going to stop killing the Portneuf River? It already has other gravel pits and polluting environments next to it. Is it meant to just be an absorbing garbage dump?

Naturally, being so close, there has to be seepage already coming from these businesses affecting the Portneuf, but does that make it right to just compound the problem by adding another gravel pit and asphalt plant so close?

There are always alternatives when sought hard enough. At some point, we have to start looking to really preserve our resources. The Portneuf may be small in comparison to the Snake River, but

because it's all of ours, that makes us love it all the more. There are so many visitors on this far end of the river who come to enjoy kayaking, tubing, fishing, and wildlife watching. We are a community, that includes all of us who have settled out here, those from in town, and all that live around us. We all benefit from this special river and its surrounding area. Let us all continue to enjoy our setting the way that it currently is: free from perpetual unsafe rock trucks, noisy equipment, unhealthy air and debris, and further conditions destroying this delicate, beautiful environment.

Thanks for your consideration.

Anne Marie Russell

CUP-23-7 john wilkes staker parson

Justin Linenbach <jlinenbach@gmail.com>

Sat 7/1/2023 5:34 PM

To: Bannock County Planning and Development <development@bannockcounty.gov>

To whom it may concern

Good afternoon my name is Amanda Linenbach, I live at 11674 N Cumberland Rd. I have lived here for only a few months but prior to this I lived at 10956 N Cumberland rd for 4 years. You may think wow you only moved 2 houses down, this is because I love this community. It's a great place to raise a family and know you can enjoy a peaceful evening outside or family bike ride.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

- The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.
- In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission. Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects. Thank you for your consideration in this matter.

I am saddened that this is even being considered so close to where I have my dream home, a place that I am hoping to raise children and animals. To think of the impact that the chemicals could have on the health of my family is devastating. I read impact reports from hot plants online stating that they shouldn't be within 2 miles of homes or wells. The reason for this is the respiratory and cancerous nature of the hazardous materials used in this process. My kids ride the "loop" down our road on their bikes and I ride my horse. This will no longer be an option if there are "150 one-way loads" done daily. One way? I don't know who came up with that verbiage but ive never seen a truck only go one way from a plant so to me that's 300 large semi trucks not only tearing up our area but also making it unsafe for my kids to ride bikes and horses. I truly hope you consider the long term impacts that having this right next to neighborhoods will cause for all of us.

Sincerely

Amanda Linenbach

Opposition to Gravel Pit and Hot Asphalt Plant

ganttlamb@aol.com <ganttlamb@aol.com>

Mon 7/3/2023 7:22 AM

To: Bannock County Planning and Development <development@bannockcounty.gov>

To whom it may concern,

My name is Amy Gantt-Lamb. I reside at 14685 W. Siphon Rd. Pocatello, Idaho and have lived at this address for 10 years. I, personally and as a neighbor stand in opposition to a Gravel Pit and Hot Asphalt Plant conditional or otherwise being located in our area..

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1- The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, undesirable smells, dust, and the potential for groundwater contamination.
-
- The increased traffic of heavy trucks and the operations of a gravel pit and hot mix plant will have an adverse effects on the desirability and quiet enjoyment of the residents in that area.

2- The proposed use would cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

-

3- The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.

-

- The berm proposal does not adequately address the potential damages to public health

4- The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This plan fails to meet the goals and policies of the current Comprehensive County Plan.

- This proposal seeks to create an industrial enterprise between two residential areas.

5- The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

Amy Gantt-Lamb



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/21/23

Agenda Item Number or Name of Applicant: John Wilkes Gravel/Asphalt 4,5,6

PLEASE PRINT LEGIBLY

Name: Andrea Southwick

Address (city and state): 1501 W. Lacey Rd. Pocatello ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Animal impact / road traffic, neighborhood impact

Written signature (only if not testifying)

July 3, 2023

Dear Bannock County Planning and Development Council,

Our names are Andrew and Melissa Thayne and we have lived for the past 19 years at 15135 W. Venus in the Equestrian Estates neighborhood. We raised our 6 children in this house and 3 still live with us. Please consider our opposition to the proposed rezoning of the farmland immediately to the west of our home.

In response to the filing of a Future Land Use Map Change Application (FLUM-23-1), Rezone Application (REZO-23-2) and Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

Bannock County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that these applications are a significant deviation from the current plan and should not be approved, see comments further along in this letter. As proposed these applications would place industrial use between two residential areas. Moreover, the conditional use application conflicts with the county ordinance at 17.36.040, Uses Conditionally Permitted in Light Industrial & Warehouse (LIW) zoning. If the applicant was successful in rezoning the property to LIW the conditional use permit application should be rejected as the criteria for approval of mining and refining requires that it does not share a boundary with residentially zoned land (17.36.040 Part C.).

To comment on the three applications, FLUM-23-1, REZO-23-1 and CUP-23-7, we have organized our comments around the five standards listed in the CUP-23-7. Each application has different versions of mostly the same questions so the one through five questions in the CUP-23-7 seemed the most straightforward way to organize them.

In general, Staker-Parson's responses are general in nature and are not likely to inform the public or planning commission concerning effects on adjacent residential areas, traffic, health and safety.

Below are the five questions from the CUP-23-7 and reasons the proposal does not align with the County Comprehensive Plan and zoning ordinances.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A gravel quarry and asphalt plant will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, smell, dust, and the potential for groundwater contamination.
 - Prevailing winds blow east right into our neighborhood, moving at a minimum dust into the West Lacy, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods, not to mention the smells that would irritate.

- The increased traffic of heavy trucks and the operations of a gravel pit and hot asphalt mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in this area.
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The one mile of Siphon Road and one mile of Rio Vista do not currently experience high levels of truck traffic. As described by the applicant, 150 round trips would be the proposed new use on these county road segments. Both roads see substantial pedestrian and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
 - The use as described in the applications seems to fit more closely with the Chapter 17.40.010 Industrial Zoning, which is described as providing the necessary lands for manufacturing, processing raw materials, and using processes and equipment which are most significant in their effect on the senses.
 - See previous comments about new truck traffic.
 4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
 5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed.

Thank you for your consideration in this matter. We love living in the county in a quiet peaceful setting. We are not opposed to development, but to put another gravel pit and asphalt plant within 800 meters

of our home and much closer to dozens of other homes is irresponsible. We welcome you to call with any questions or come visit our property anytime.

Sincerely,

Andrew and Melissa Thayne
15135 W. Venus
Pocatello, ID 83202
(208) 317-0035 or (208) 201-4445
andy_thayne@hotmail.com

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is _____Beth Serr_ and I live at ___15366 West Lacey Rd_. I have lived here for ___37___ years and there are ___2_ people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,


 A handwritten signature in black ink, appearing to read "Beth Ann". The signature is written in a cursive style with a large, looped initial "B" and a long, horizontal flourish at the end.

Opposition letter to CUP-23-7

Beth Stenberg <bethstenberg@rocketmail.com>

Wed 8/2/2023 8:41 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Beth Stenberg and I live at 12700 Preakness circle Pocatello 83202. I have lived here for 17 years and there are 3 people in my household. I am opposed to CUP-23-7 For the following reasons.

In response to the amended CUP-23-7 filed by John Wilkes on behalf of Staker-Parsons I'm submitting the following comments:

- 1) The burden of proof concerning the effects of the project are on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.
- 2) The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer is 158.46 acres and is composed of two lots, one is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46 acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved and two parcels are created, each with their own zoning. Moreover, the map attached to the application clearly shows berming around the entire 158 acre parcel including the residential suburban portion of the parcel and the canal.
- 3) The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.
- 4) CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From

the Comprehensive Plan, Bannock County will... “Protect and enhance residents’ quality of life:” this proposal will not protect and enhance the resident’s quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.

- 5) The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land, and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact to their quality of life.
- 6) The change from the P&D Council’s standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.
- 7) Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not.
- 8) Future tax base in Bannock County will be better supported by Residential Suburban than a mined out agricultural parcel.
- 9) Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.
- 10) This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon RD and one mile of Rio Vista RD if they still head for the interchange by Simplot. If they run up to the New Day Parkway the length of Siphon Road impacted will be much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists and equestrians. A traffic study is requested to look at current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load

rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision making.

11) Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of public;" Despite the applicant and staffs general comments to the contrary a downwind quarry and vastly increased truck traffic will impact, not promote, the health, safety and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially effect surrounding homes through increased traffic, dust and noise.

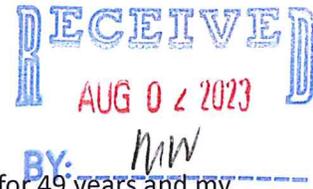
Thank you for your consideration of my comments.

Sincerely,

Beth Stenberg

August 2, 2023

Dear Bannock County Planning and Development Council,



My name is Bernice Jackson and I live at 12143 N. Axel Ln. I have lived here for 49 years and my property is up next to the proposed gravel pit.

In response to the amended CUP-23-7 filed by John Wilkes on behalf of Stake-Parsons I'm submitting the following comments:

- 1) The burden of proof concerning the effects of the project are on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.
- 2) The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer is 158.46 acres and is composed of two lots, one is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46 acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved and two parcels are created, each with their own zoning. Moreover, the map attached to the application clearly shows berming around the entire 158 acre parcel including the residential suburban portion of the parcel and the canal.
- 3) The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.
- 4) CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From the Comprehensive Plan, Bannock County will... "Protect and enhance residents' quality of life:" this proposal will not protect and enhance the resident's quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.
- 5) The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land, and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact to their quality of life.
- 6) The change from the P&D Council's standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.

7) Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not.

8) Future tax base in Bannock County will be better supported by Residential Suburban than a mined out agricultural parcel.

9) Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.

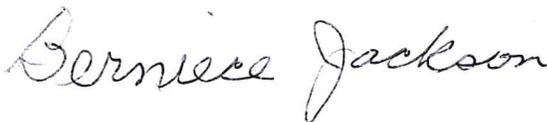
10) This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon RD and one mile of Reo Vista RD if they still head for the interchange by Simplot. If they run up to the New Day Parkway the length of Siphon Road impacted will be much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists and equestrians. A traffic study is requested to look at current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision making.

11) Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of public;" Despite the applicant and staffs general comments to the contrary a downwind quarry and vastly increased truck traffic will impact, not promote, the health, safety and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially effect surrounding homes through increased traffic, dust and noise.

Thank you for your consideration of my comments.

Sincerely,

Sent from my iPhone



Bernice Jackson





PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7-12-23

Agenda Item Number or Name of Applicant: Gravel / Asphalt Plant ^{Hot}

PLEASE PRINT LEGIBLY

Name: Bill Nichols

Address (city and state): 15208 W Venus St Pocatello, ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Concerned with the Traffic it will cause as well
as smell.

Written signature (only if not testifying)

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Bill Paul and I live at 12534 N Laughran Rd. I have lived here for 18 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should **not** be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 - The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS' QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Bill Paul
12534 N Laughran Rd

Staker Parson Proposed Rezone

Bo Nestor <NCDCorp@outlook.com>

Tue 7/4/2023 12:28 PM

To:Bannock County Planning and Development <development@bannockcounty.gov>

July 4, 2023

Dear Bannock County Planning and Development Council,

My name is Bob Nestor and I live at 15190 W Venus St. I have lived here for 10 years and there are 4 people in my household.

In response to the filing of a Future Land Use Map Change Application (FLUM-23-1), Rezone Application (REZO-23-2) and Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

Bannock County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that these applications are a significant deviation from the current plan and should not be approved, see comments further along in this letter. As proposed these applications would place industrial use between two residential areas. Moreover, the conditional use application conflicts with the county ordinance at 17.36.040, Uses Conditionally Permitted in Light Industrial & Warehouse (LIW) zoning. If the applicant was successful in rezoning the property to LIW the conditional use permit application should be rejected as the criteria for approval of mining and refining requires that it does not share a boundary with residentially zoned land (17.36.040 Part C.).

To succinctly, organize comments on the three applications, FLUM-23-1, REZO-23-1 and CUP-23-7, I have organized my comments around the five standards listed in the CUP-23-7. Each application has different versions of mostly the same questions so the one through five questions in the CUP-23-7 seemed the most straightforward way to organize them.

In general, Staker-Parson's responses are general in nature and are not likely to inform the public or planning commission concerning effects on adjacent residential areas, traffic, health and safety.

Below are the five questions from the CUP-23-7 and reasons the proposal does not align with the County Comprehensive Plan and zoning ordinances.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A gravel quarry and asphalt plant will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, smell, dust, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacy, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit and hot asphalt mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in this area.
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The one mile of Siphon RD and one mile of Reo Vista do not currently

experience high levels of truck traffic. As described by the applicant, 150 round trips would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian and cyclist use.

- There is a greater residential presence in the proposed build site than their current site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
 - The use as described in the applications seems to fit more closely with the Chapter 17.40.010 Industrial Zoning, which is described as providing the necessary lands for manufacturing, processing raw materials, and using processes and equipment which are most significant in their effect on the senses.
 - See previous comments about new truck traffic.
 4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
 5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed.

Thank you for your consideration in this matter.

Sincerely,
Bob Nestor



PLANNING AND DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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you must fill out this form.

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Date: 7-12-23

Agenda Item Number or Name of Applicant: Gravel pit

PLEASE PRINT LEGIBLY

Name: Brad Hall

Address (city and state): 15142 W Lacey Pocatello ID 83200

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

wind blows from W to E Right to housing

Bad "idea"


Written signature (only if not testifying)

Opposed to CUP-23-7

Braydon Chipps <braydon@ams-samplers.com>

Wed 8/2/2023 8:15 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

Dear Bannock County Planning and Development Council,

My name is Braydon and I live at 1664 Petersburg Dr. in Chubbuck. I have lived here for just over a year and there are two (2) people in my household.

In response to the amended CUP-23-7 filed by John Wilkes on behalf of Stake-Parsons, I'm submitting the following comments:

1. The burden of proof concerning the effects of the project are on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant, rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.
2. The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer, is 158.46 acres and is composed of two lots. One is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46 acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved, and two parcels are created, each with their own zoning. Moreover, the map attached to the application clearly shows berming around the entire 158 acre parcel including the residential suburban portion of the parcel and the canal.
3. The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.
4. CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From the Comprehensive Plan, Bannock County will... "Protect and enhance residents' quality of life:" this proposal will not protect and enhance the resident's quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.
5. The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land, and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact to their quality of life.
6. The change from the P&D Council's standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the

meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.

7. Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not. Future tax base in Bannock County will be better supported by Residential Suburban than a mined out agricultural parcel.
8. Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.
9. This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon Rd, and one mile of Reo Vista Rd if they still head for the interchange by Simplot. If they run up to the New Day Parkway, the length of Siphon Rd will be impacted much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists, and equestrians. A traffic study is requested to look at current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision making.
10. Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of public;" Despite the applicant and staffs general comments to the contrary, a downwind quarry and vastly increased truck traffic will impact and not promote the health, safety, and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially affect surrounding homes through increased traffic, dust, and noise.

Thank you for your consideration of my comments.

Sincerely,

Braydon Chipps
Marketing Director

Equipping the World to Sample the Earth
[800.635.7330](tel:800.635.7330) | [208.226.2017 ext. 102](tel:208.226.2017)
Cell: [208.406.1065]208.406.1065
105 Harrison, American Falls, ID 83211
www.ams-samplers.com

Dear Bannock County Planning and Development Council,

My name is BRETT HALLINAN and I live at 15480 W. SIPAON RD. I have lived here for 20 years and there are 2 people in my household.

In response to the filing of a Future Land Use Map Change Application (FLUM-23-1), Rezone Application (REZO-23-2) and Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

Bannock County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that these applications are a significant deviation from the current plan and should not be approved, see comments further along in this letter. As proposed these applications would place an industrial use between two residential areas. Moreover, the conditional use application conflicts with the county ordinance at 17.36.040, Uses Conditionally Permitted in Light Industrial & Warehouse (LIW) zoning. If the applicant was successful in rezoning the property to LIW the conditional use permit application should be rejected as the criteria for approval of mining and refining requires that it does not share a boundary with residentially zoned land (17.36.040 Part C.).

To succinctly, organize comments on the three applications, FLUM-23-1, REZO-23-1 and CUP-23-7, I have organized my comments around the five standards listed in the CUP-23-7. Each application has different versions of mostly the same questions so the one through five questions in the CUP-23-7 seemed the most straightforward way to organize them.

In general, Staker-Parson's responses are general in nature and are not likely to inform the public or planning commission concerning effects on adjacent residential areas, traffic, health and safety.

Below are the five questions from the CUP-23-7 and reasons the proposal does not align with the County Comprehensive Plan and zoning ordinances.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A gravel quarry and asphalt plant will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, smell, dust, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacy, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit and hot asphalt mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in this area.
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The one mile of Siphon RD and one mile of Reo Vista do not currently experience high levels of truck traffic. As described by the applicant, 150 round trips would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
 - The use as described in the applications seems to fit more closing with the Chapter 17.40.010 Industrial Zoning, which is described as providing the necessary lands for manufacturing, processing raw materials, and using processes and equipment which are most significant in their effect on the senses.
 - See previous comments about new truck traffic.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
- The application is deficient in its description of buildings and facilities that would be constructed.

Thank you for your consideration in this matter.

Sincerely, 

To Whom It May Concern:

My name is Brian Davis, I live at 15501 W., Tyhee Rd, Pocatello, ID 8320; I have lived here for 67 years. I am the fourth generation to live in the home my great grandparents built.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should not be approved.

In their Amendment Request, Staker-Parson responded to the Five Standards for Approval, as required by the county. The responses given by Staker-Parker, are misleading to the public and/or planning commission.

Below is an outline of the Five Standards for Approval, as well as reasons they do not align with the County Comprehensive Plan:

1. The proposed use stated it would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district zoned agriculture and suburban residential. The applicant suggested a berm would hide an open pit mine.
 - a. A berm can mitigate visual impact, but not sound, smell, emissions, dust, and the potential for lowering the groundwater level and groundwater contamination.
 - b. The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.
2. The proposed use stated that it would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - a. Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area. The proposed stated 150 one-way heavy truck trips a day. Everyone should agree that these would be round trips. 300 trips a day in a 12-hour day is 1 dump truck, belly dumps and semi-trucks with attached trailers every 2 minutes. School children line Siphon, Rio Vista, Tyhee and the surrounding roads every morning starting at 7 am to wait for their school bus, often in the dark of winter on roads that do not have plowed barrow pits, so children are waiting in the roadway.
 - b. There is a greater residential presence in the proposed build site than their current existing site.
3. The proposed wishes us to believe that and open pit mine with a hot mix asphalt plant running 6 days a week from 7 am to 7 pm would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - a. Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - b. The berm proposal does not adequately address the potential damages to public health.
4. The proposed use stated it would be consistent with the goals and policies of the comprehensive plan of the county.
 - a. The proposal fails to meet the goals and policies of the current Comprehensive County Plan.

- b. Bannock County Zoning Ordinance 1998-1 # 374 does not allow for a conditional permit of the area if the use is for Mining and refining when the land in question shares a common boundary with residentially zoned land. This proposal seeks to create an industrial enterprise between two residential areas.
- 5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - a. The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

Brian K. Davis



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: Gravel Pit

PLEASE PRINT LEGIBLY

Name: Brian Kramer

Address (city and state): 11965 N Cumberland

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Concerned about traffic, ground water & Air
quality degradation.

Written signature (only if not testifying)

opposed to CUP-23-7

BRUCE MICHELE olsen <OLSEN0429@msn.com>

Wed 8/2/2023 9:51 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Bruce Olsen and I live at 12694 Triple Crown. I have lived here for 16 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
- A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
- Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
- The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".

- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.

- There is a greater residential presence in the proposed build site than their current site.
- This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).

- The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.

- This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

- The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Bruce Olsen

Sent from [Outlook](#)

August 2, 2023



Dear Bannock County Planning and Development Council,

BY: MW

My name is CARRIE ZITTKOPF and I live at 554 Laughran Rd. I have lived here for 38 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

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 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

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 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
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 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,



A gravel pit does not belong in our community

Chuck Russell <cwrussell32@gmail.com>

Tue 7/4/2023 11:16 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

July 3, 2023

Charles and Anne Marie Russell

West Lacey

Pocatello, ID 83202

Dear Planning, Zoning, and Development Committee for Bannock County:

We have resided on West Lacey Road for over 26 years. We chose this area for the quality of life. We love the rural outdoor atmosphere that we currently enjoy here. As a result, we strongly encourage you to put a halt to the proposed Gravel pit and possible asphalt hot plant at the 158-acre intersection of Siphon and Laughram roads.

The proposed application on the county development website indicates that this proposal would accommodate up to 150 rock trucks one way. Can you even fathom how many trucks that is? That is up to 300 trucks traveling on Siphon Road to Rio Vista or back that were not there previously. That is the equivalent of one truck every two minutes on that portion of Siphon Road. Currently, rock trucks do not use Siphon Road. Would you want that in your community? The answer is obviously no. Siphon Road is frequently used by Bikers, Joggers and people on horseback. Why? because it is a long quiet road. Adding 300 trucks a day would completely ruin this for everyone.

The health concerns for this are enormous. Yes, the application on the county website indicates that the developer is prepared to add berms and lower the floor of the operation. However, if you look at the gravel pits existing on Garrett Highway and the existing ones on the Southern part of Rio Vista Roads it is more than evident that the noise and the dust are not contained. Lacey Vista Acres, Equestrian Estates, and Space Acres are all large established communities and you want to put a gravel pit in our backyard? Additionally, the prevailing winds are from the South West, and everyone knows this part of Idaho they are constantly blowing. Furthermore, if the asphalt hot plant is approved, that would mean that all of the dust from the gravel pit and the smells from the hot asphalt plant would blow directly over Lacey Acres and Equestrian Estates. If you lived in an existing community, would you want to deal with the new dust, noise, and smells that were not there previously? Can you imagine the effects of households that have children with Asma or people with compromised immune systems such as cancer? Remember these are fairly large established subdivisions that never thought that they would ever have to deal with these issues.

Currently, there are 72+ homes using the well that supplies the water to the homes on Lacey Road. The well-used here is not deep. It is not placed down to bedrock. It terminates in the lava rock. This would mean that small disruptions in the current groundwater could potentially contaminate the well for all of the existing households.

The field for the proposed gravel pit neighbors the Portneuf River. Any seepage, including solvents from the hot asphalt plant, would ultimately end in the Portneuf River or the groundwater. Why put additional stress on a river that is right in the community's backyard?

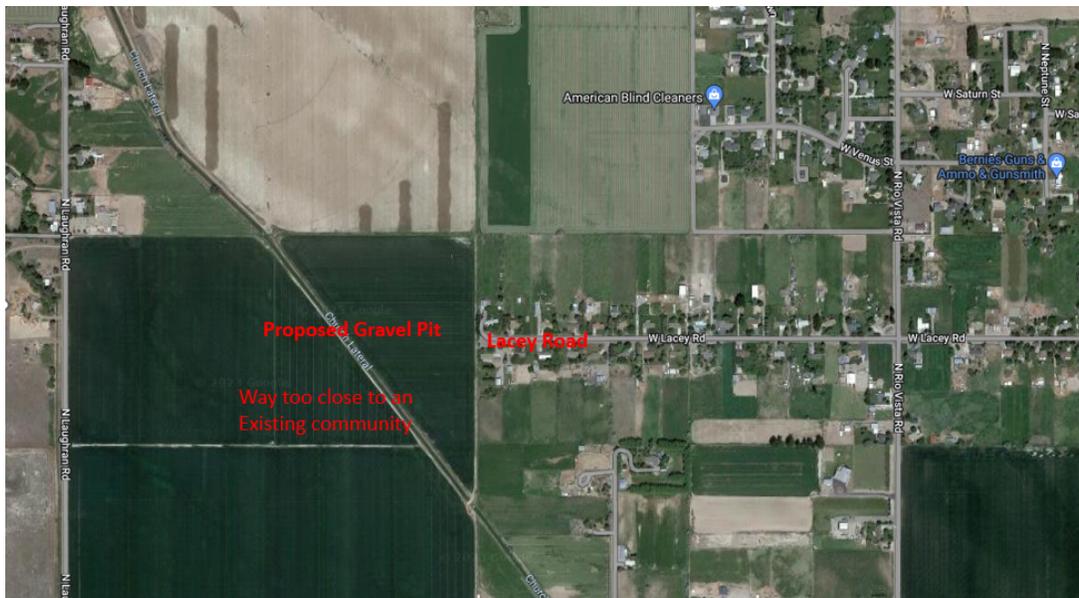
If any of the members of the development committee or the county commissioners drove through this area in the Feb -April time frame, it was obvious that the proposed field was used as a rest home for the migrating Swans.

I would challenge all members of the Development Committee and County Commissioners to actually do their homework. Drive through the area. Look at the closeness of the proposed gravel pit to Lacey Acres, Equestrian Estates, and Space Acres, as well as the closeness to the Portneuf River. Feel the existing winds and realize that they would blow over existing communities and put an end to this proposed gravel pit.

Thank You for Your Time.

Sincerely,

Charles Russell



July 4, 2023

Dear Bannock County Planning and Development Council,

Our names are Dale and Holly Reavis, and we live in Equestrian Estates at 12762 Triple Crown. We have lived here for twenty-one years and there are two people in our household.

This letter is in response to the filing of a Future Land Use Map Change Application (FLUM-23-1), Rezone Application (REZO-23-2) and Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson.

Bannock County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. We believe that these applications are a significant deviation from the current plan and **should not be approved**. As proposed these applications would place industrial use between two residential areas. Moreover, the conditional use application conflicts with the county ordinance 17.36.040, Uses Conditionally Permitted in Light Industrial & Warehouse (LIW) zoning. If the applicant was successful in rezoning the property to LIW the conditional use permit application should be rejected as the criteria for approval of mining and refining requires that it does not share a boundary with residentially zoned land (17.36.040 Part C.).

Staker-Parson's responses are general in nature and do not contain enough detail to inform the public or planning commission concerning effects on adjacent residential areas, traffic, health, and safety. To deliver our thoughts on the three applications, we have organized our comments around the five standards listed in the CUP-23-7. Each application has different versions of the same questions so the one through five questions in the CUP-23-7 seemed the most straightforward way to organize them.

Below are the five questions from the CUP-23-7 and reasons the proposal does not align with the County Comprehensive Plan and zoning ordinances:

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - Bannock County has gravel pit operations located at the corner of Rio Vista and Chubbuck Road, Rio Vista between Chubbuck Road, and the wastewater treatment, and on Philbin Road between Chubbuck Road and Highway 30. On any given day with high winds our area is blanketed with dust from these existing operations. The introduction of an additional sand and gravel/asphalt operation will exacerbate dust and air quality issues that are not currently enforced by the State of Idaho or Bannock County and will affect quality of life and property values.
 - A gravel quarry and asphalt plant will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, smell, dust, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacy, Equestrian Estates, Cumberland, and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit and hot asphalt mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in this area.

- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The one mile of Siphon RD and one mile of Rio Vista do not currently experience high levels of truck traffic. As described by the applicant, 150 round trips would be the proposed new use on these county road segments. Both roads see substantial pedestrian and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
 - The use as described in the applications seems to fit more closely with the Chapter 17.40.010 Industrial Zoning, which is described as providing the necessary lands for manufacturing, processing raw materials, and using processes and equipment which are most significant in their effect on the senses.
 - See previous comments about new truck traffic.
 4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
 5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed.

Staker-Parson purchased this location at a low price. They have continued to pay agricultural tax rates on the property instead of the increased rates of the proposed rezoning. They have cheated Bannock County and its residents from proper tax payments. There are several locations closer to the freeway that are suitable for this operation. We believe strongly that they need to seek a different location, even if it means they need to pay a fair price for staying in business. Thank you for your consideration in this matter.

Sincerely,





PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7-12-23

Agenda Item Number or Name of Applicant: _____

PLEASE PRINT LEGIBLY

Name: Daniel Allen

Address (city and state): 12215 N. Rio Vista Road
Pocatello, Idaho 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I Moved to my location 5 yrs Ago. I Love the Neighborhood and
all the Friendly People in my area. I lived in town for 43 yrs. and I
thought I was living in heaven with all the nice nature and CLEAN air in
our new location on Rio Vista. Now My Dreams have been threatened By Putting in
a dirty, stinky ashale plant that is up wind from my home by
about 1/4 mile. I have asthma and I do not think this is Fair to me
or My Neighbors
Daniel E. Allen
Written signature (only if not testifying)

proposed gravel pit/hot asphalt plant

daniza whitham <whithada@gmail.com>

Mon 7/3/2023 1:40 PM

To:Bannock County Planning and Development <development@bannockcounty.gov>;KENNETH WHITHAM <whithakr@msn.com>

Cc:Gmail <whithada@gmail.com>

Attention: Bannock County Planning and Development council

From Daniza and Ken Whitham 14548 W Lacey Road Pocatello Idaho.

This letter is in regards to the proposed asphalt and gravel pit being considered for tax parcel RPR3803048300, this property is next to the West Lacey development.

We have not received official notice of the intent to rezone this parcel to industrial use, which would allow the construction of a gravel pit and asphalt plant in our neighborhood. We have multiple concerns regarding this proposal. Our concerns range from previously existing industrial facilities, recreational activities in the area, and environmental (Air, water and noise) concerns.

With respect to the concern of added industry, the area currently has several existing gravel pits in the are., We routinely see heavy dump trucks traveling on Rio Vista Road. Most, if not all of these trucks are have loads that are not covered, subjecting traffic to rock hazards, as well as dust and noise generation, The addition of up to 150 trucks per day being added to the Rio Vista, and Siphon Roads represents a significant increase in hazard from the trucks (Rocks, dust, and noise). Additionally, along these roads, we have significant numbers of bicyclists, runners and most importantly children along these roads. This increases the hazard to the groups by a significant margin.

We have concerns with respect to the impact on the infrastructure in the area. The roads are not suited for a significant increase in heavy equipment traffic, additional heavy trucks per day will increase congestion caused by transiting farm equipment, the existing traffic from the existing gravel pits in the area as well as the increase in traffic from the new housing developments in the Rio Vista/Siphon region.

We have concerns with the potential environmental impact to the area, ranging from impacts to ground water, impacts to air quality, and impacts to migratory and long term bird, fish and game population. On ground water impacts, the proposed site is in a perched water zone created by the Portneuf river. The ground water and subsurface water flows towards the American falls reservoir. The proposed asphalt plant adds significant risk to ground water contamination from spills of petroleum used in the manufacture of asphalt. This has potential significant impact to the Fort Hall Tribal lands, users of the Fort Hall Irrigation System (Farming in both Bannock and Power Counties) as well as fishing and recreation on the American Falls reservoir and snake river.

In addition to the potential impacts to ground water, gravel pits generate significant amounts of dust (PM-10 particle emissions). These emissions are regulated by the US EPA, as well as the Idaho Department of Environmental Quality. The increase in PM-10 emissions should be the subject of a NEPA analysis. This analysis is required for government actions, and rezoning this area from agricultural to industrial is a government action. The increases in dust emission will significantly impact the hundreds of people living in the area as well as future development in the area. The asphalt plant will generate petroleum based emissions, up to and potentially including benzene and other petroleum based aromatics. Many of these are linked to cancer in the human population.

With respect to property values, there is currently a significant increase in home values in the Tyhee area. Home values are in excess of \$500,000 for most single family dwellings, as well as a significant increase in residential home building in the area. The addition of another gravel pit as well as the addition of an asphalt plant will significantly decrease home and property values. Bannockcounty gains a significant amount of property taxes

Bannock County Planning and Development Council

August 10, 2023

Page 65 of 241

from our area. It is hard to understand how the property taxes derived from the proposed facility will make up for the decrease in property values caused by building this facility adjacent to great residential properties.

Additionally, the sales tax generated from the addition of the facility will go to the state, and not be retained by the county.

Regarding the impact to emergency services, an asphalt plant very near to wild land areas poses additional fire risk to the surrounding area. The addition of a asphalt plant increase the risk of fire to the facility as well as to the surrounding rangeland. The nearest fire station to the proposed area is the volunteer fire department, which the tax payers are already funding. That fire station resides in the middle of Chubbuck, which is a significant response time.

Lastly, it is not clear if the opinion of the Fort Hall Tribal government has been considered. They have a great stake in the placement of this facility and they should have the opportunity to comment.

In conclusion, we believe this proposal should be rejected for a multitude of reasons. The amount of analysis needed to assess impact from recreational, environmental and property values far is insufficient. In our opinion, any potential benefit of this project is overshadowed by the many negative impacts. This proposed facility should and must be rejected.

Sincerely Daniza and Ken Whitham.

Sent from [Mail](#) for Windows

Re Siphon road gravel pit.

Danniell Ruesch <ddrgiggles@yahoo.com>

Wed 8/2/2023 5:00 PM

To:Bannock County Planning and Development <development@bannockcounty.gov>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Danniell Dustin and I live at 559 Laughran Rd. I have lived here for 10 years and there are 5 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

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Thank you for your consideration in this matter.

Sincerely,
Danniell Dustin
559 Laughran Rd
Pocatello, ID 83202
208-251-0108

[Sent from Yahoo Mail on Android](#)



August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Danny Dustin and I live at 559 Laughran Rd. I have lived here for 10 years and there are 5 people in my household.

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 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

 8-2-2023

RECEIVED
 AUG 02 2023
 BY: mw

To whom it may concern,

My name is Dave DeCato, I live at 11968 N. Nelson Ln 83202. I have lived here for 4 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1- The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2- The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3- The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.

- The berm proposal does not adequately address the potential damages to public health

4- The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

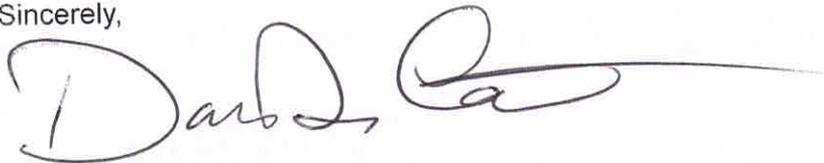
- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5- The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "David La", with a long horizontal flourish extending to the right.

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Deaune Hunt and I live at 15195 W Venus, Pocatello, Idaho. I was born and raised on a farm outside Idaho Falls and have lived in the Pocatello area for over 30 years. We have now lived in this area for now 3 yrs. and love the quiet country living and the freedom to ride bikes in the surrounding area which is the reason we moved here.

Today I am writing to express my strong disapproval of the proposed filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson and any consideration of this moving forward. This proposed gravel pit is in a location where the area is flourishing with many new residential-suburban areas existing and popping up, which leads me to ask why would our county leaders allow this to happen especially as it falls out of alignment of the Zoning Ordinances of Bannock County found in sections 100, 400 and 500 and need to reject this application.

When reviewing the Zoning Ordinance of Bannock County, it outlines the vision of the county and implies numerous times that it is the intent of our county leaders to protect both the people and be good stewards of the land of Bannock County which they oversee. This CUP-23-7 application for mining of gravel on Russel Johnson parcel, RPR3803048300 is not aligned with the Zoning Ordinances of Bannock County. Just a few specific examples stated in the Zoning Ordinances of Bannock County states that supports rejection of this application:

- 115 PURPOSE: The purpose of this Ordinance shall be as follows:
 - A. To promote and protect the health, safety, comfort, and general welfare of the public.
 - B. To support and implement the stated goals of the County as expressed in the Comprehensive Plan.
 - D. To mitigate the effects of incompatible land uses upon adjacent uses.
 - E. To provide protection against fire, explosions, hazardous materials, obnoxious fumes, loud noise, and other hazards and nuisances which constitute environmental pollution.
 - F. To preserve and enhance the value of land and buildings throughout the County.
 - G. To **protect and improve the County's quality of life so that the County will be increasingly valued by residents and Nonresidents as a desirable place for recreation, living and working**
- Section 135 – Conflicting Provisions: “The Zoning Ordinance shall be held to be the minimum requirement for the promotion of the public health, safety, comfort, convenience and general welfare.”

As stated in the CUP-23-7, it is planned for 150 trucks traveling one way (or 300 trips) per 12-hour period to travel Syphon and Rio Vista roads which should be an alarm to all that know the area. This is an area used by pedestrians, runners, bikers, and horse use. And more troubling is the school children you will see out along these roads early in the morning waiting for school buses while heavy trucks pass on the average of every 2.4 minutes. This type of industrial use in this type of area of the county is also not allowed in section 530.6 A & C - Standards for Approving a Conditional Use Permit:

- The Planning and Development Council may grant a conditional use permit if it makes affirmative findings of fact on each of the following standards:

- A. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
- B. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
- C. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
- D. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

Which the *Comprehensive Plan* states in their 'Vision Statement' – 2nd bullet point:

“Protect and enhance residents’ quality of life”

We would also hope that the Bannock County PD consider the cost to the county residents for lost revenue by allowing a gravel pit that has a short life vs. agriculture or residential use being an option that would improve our tax base, allowing us funding to improve roads and services.

How does this ordinance allow for a gravel pit to be located up wind and next to a residential area, where some residents have been here decades while others have saved all their lives to be able to enjoy country living only to have county leaders that we hope would protect us consider mixing industry into such an area. Decisions like this can reshape communities with negative effects lasting for generations to come.

It is well stated in the Bannock County Zoning Ordinances, section 115, the purpose of these ordinances is to protect those residents and make this a place of safety, a place for those to ride bikes, walk roads, raise families without the worry of heavy traffic, dust or noise pollution. We do want to make this a place residents and nonresidents think as a good place to live.

Section 115 PURPOSE:

G. To protect and improve the County's quality of life so that the County will be increasingly valued by residents and Nonresidents as a desirable place for recreation, living and working

For these reasons stated, we would hope that the Bannock County PD denies this application and realize that this is not good for our county.

Thank you for your consideration in this matter.

Sincerely,

Deaune Hunt

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Dedra Sanna and I live at 12050 N. Hanson Loop Rd, Pocatello.
I have lived here for 7 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,



(No subject)

Dennis <idahohunter88@gmail.com>

Wed 8/2/2023 11:35 AM

To: Bannock County Planning and Development <development@bannockcounty.gov>

August 1, 2023, 5:20 AM

To: Bannock County Commissioners

From: Dennis Hauser

RE: CONDITIONAL USE PERMIT: GRAVEL PIT - The applicant, John Wilkes, on behalf of Staker Parson Companies dba Idaho Materials and Construction. North and west 158 acres of the Corners of Laughlin and Siphon Roads. An out-of-state business

I am an adjacent landowner on the northeast boundary of this parcel zoned rural residential. The adjacent 25 acres of field is zoned Rural Residential with the remainder zoned currently as Agriculture.

I was pleased to see a reasonable Twenty-year Comprehensive plan completed in September 2020.

My plea is that the Planning Commission follow the new Comprehensive Master Plan and **do not** allow any permit.

This conditional use will affect our health.

This conditional use would affect the value of our home.

This conditional use does not follow Bannock County Masterplan.

This conditional use creates a heavy industrial, mining operation use which is completely inappropriate for this area

We live in a unique area that is growing into residential family housing.

208 201 4118

Dennis Hauser

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is ___Doyle Serr___ and I live at ___15366 West Lacey Rd___. I have lived here for ___37___ years and there are ___2___ people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
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 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
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 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

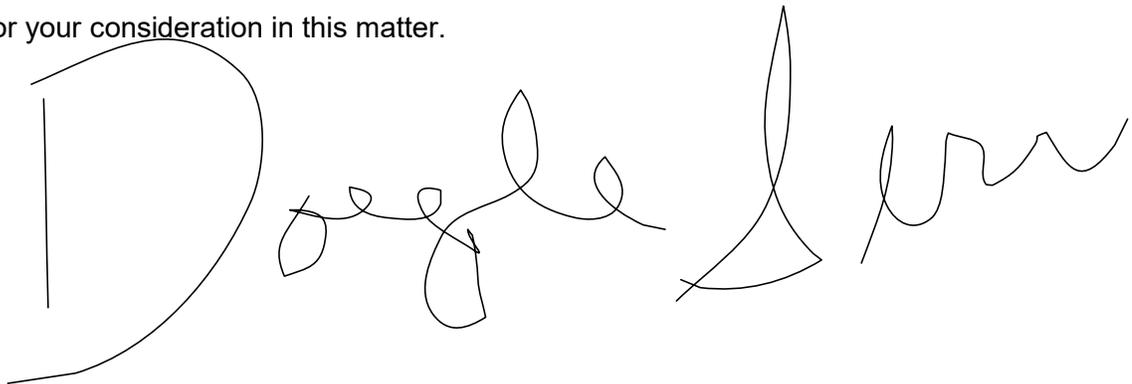
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
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 - This proposal seeks to create a mining enterprise between two residential areas.

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 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,


 A handwritten signature in black ink, appearing to read "Douglas D. Quinn". The signature is written in a cursive style with large, sweeping letters.

John Wilkes / Staker-Parson - Request for Denial of Rezoning

Valerie Schmidt <vjb626@gmail.com>

Tue 7/4/2023 11:47 AM

To: Bannock County Planning and Development <Development@bannockcounty.gov>

To whom it may concern,

We are Eric & Valerie Schmidt. We live at 11751 Cumberland Road, Pocatello, ID 83202. We have lived here for 2 1/2 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
 - The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
 - There is a greater residential presence in the proposed build site than their current existing site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

Eric & Valerie Schmidt

opposed to CUP-23-7

Michele Olsen <molsen221@gmail.com>

Wed 8/2/2023 9:59 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

Dear Bannock County Planning and Development Council,

My name is Erin Olsen and I live at 12694 Triple Crown. I have lived here for 16 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
- A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
- Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
- The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.

- There is a greater residential presence in the proposed build site than their current site.

- This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).

- The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.

- This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

- The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Erin Olsen

August 2, 2023



Dear Bannock County Planning and Development Council,

My name is Floretta Howell and I live at 12566 Neptune. I have lived here for 50+ years.

In response to the amended CUP-23-7 filed by John Wilkes on behalf of Stake-Parsons I'm submitting the following comments:

- 1) The burden of proof concerning the effects of the project are on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.
- 2) The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer is 158.46 acres and is composed of two lots, one is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46 acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved and two parcels are created, each with their own zoning. Moreover, the map attached to the application clearly shows berming around the entire 158 acre parcel including the residential suburban portion of the parcel and the canal.
- 3) The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.
- 4) CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From the Comprehensive Plan, Bannock County will... "Protect and enhance residents' quality of life:" this proposal will not protect and enhance the resident's quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.
- 5) The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land, and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact to their quality of life.
- 6) The change from the P&D Council's standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.

7) Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not.

8) Future tax base in Bannock County will be better supported by Residential Suburban than a mined out agricultural parcel.

9) Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.

10) This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon RD and one mile of Rio Vista RD if they still head for the interchange by Simplot. If they run up to the New Day Parkway the length of Siphon Road impacted will be much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists and equestrians. A traffic study is requested to look at current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision making.

11) Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of public;" Despite the applicant and staffs general comments to the contrary a downwind quarry and vastly increased truck traffic will impact, not promote, the health, safety and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially effect surrounding homes through increased traffic, dust and noise.

Thank you for your consideration of my comments.

Sincerely,


Floretta Howell



August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Gabriel Winters and I live at 12789 Triple Crown. I have lived here for 2 years and there are 4 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Gabriel Winters

To whom it may concern,

My name is Gamewell Gantt. I live at 14685 W. Siphon RD, Pocatello, Idaho. I have lived here for 10 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1- The proposed use will adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm may mitigate visual impact, but not sound, undesirable smells, dust, and the potential for groundwater contamination – all of which are adverse consequences.
- The increased traffic of heavy trucks and the operations of a gravel pit and hot mix plant will have an adverse effects on the safety, desirability, and quiet enjoyment of the residents in that area.

2- The proposed use will cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift dangerous traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3- The proposed use will damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health or to the environment.

4- The proposed use is not consistent with the goals and policies of the comprehensive plan of the county.

- This plan fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5- The proposed use will not be compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

The present use of adjacent properties is agricultural and residential. It is not industrial. There is nothing about a hot tar plant and gravel pit operation that is compatible with the present agricultural and residential uses of other properties in the area.

Thank you for your consideration in this matter. I ask and encourage you to reject the proposal to rezone the property in question from Ag-Residential use to Industrial use. I also ask that the Bannock County Comprehensive Plan not be amended as requested in Conditional Use Permit (CUP-23-7).

Sincerely,

Gamewell Gantt
14685 W Siphon R
Pocatello, Idaho 83202

To Whom It may Concern,

Our names are Garry and Rosemary Thomas and we live on West Lacey Road. We are writing with concerns about the proposed gravel pit in our neighborhood.

We already have three gravel pits and 2 asphalt plants in our neighborhood and they are, at best, a distraction and a safety hazard.

I have been under radiation treatment at the hospital at 9AM every weekday morning. On last Thursday, between my home on Lacey and the freeway entrance by Simplot I encountered 7 gravel trucks. Two of them were smaller regular dump trucks and the other 5 were the large semi dumps being used in road construction. One of those trucks pulled out directly in front of me coming off of the lot by FMC park narrowly missing me. Adding another 150 trucks a day would be a disaster for traffic and death to our roads.

According to Bannock County Ordinances 530.6 No B, the granting of conditional permits must “would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.”

The proposed pit will directly touch the land, farms, and homes of more than 300 families. Unfortunately, the sound, noise, and dust will affect many more families, including ours. There is no question that it will adversely affect our daily lives and our property values. The Bannock County Ordinances cited above. Article C. says “The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity. Furthermore, in the purposes of the ordinances is “to provide protection against fire, explosions, hazardous

materials, obnoxious fumes, loud noise, and other hazards and nuisances which constitute environmental pollution/”

There are many people including children. in this neighborhood who bike, walk, run, play and ride horses on our streets. These same children are picked up and dropped off from school busses about 7 times a day, considering elementary, Kindergarten, Jr High and high school. Some of these children have to walk along these roads to reach their bus stops. Our community consists of people have moved here and established homes just so their families can have that kind of life. Bannock County Ordinances 405D says conditional use permits cannot disrupt the tranquility or character of a residential neighborhood.”

This property is an archaeological site from which a mastodon was extracted in the 1960s. It is on display at the museum at the university. This seems that the ordinance that protects agricultural lands and sensitive natural resource areas should make this proposal mute by itself.

It is stated that the site will have protection to separate it from the adjacent properties. We have all seen the beautiful berms utilized on Rio Vista Road. When we moved here in the 70s there was a used up gravel pit on Siphon Road. After several years, it was filled with junk which was buried in fill dirt. It is still, 40+ years later, a wasteland, covered in rocks and weeds, totally unusable land.

Please consider all the wonderful people of our neighborhood, and the rural way of life they love. We have more than enough gravel pits.

Sincerely,

Garry and Rosemary Thomas

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Gina Judd and I live at 15149 W Lacey Rd. I have lived here for 19 years and there are 5 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Gina H. Judd



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7-12-23

Agenda Item Number or Name of Applicant: 4, 5, 6

PLEASE PRINT LEGIBLY

Name: Ginina Dugdale

Address (city and state): 13465 W. Reservation Rd., Pocatello, ID

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

My husband and I vigorously oppose the development of a gravel pit and asphalt operation. We are extremely concerned with the water purity in our area and believe this will be ^{not} ~~extremely~~ conducive to a healthy water system.

Ginina S. Dugdale
Written signature (only if not testifying)

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Gracie Quinn and I live at 12050 N. Hanson Loop Rd, Pocatello. I have lived here for 7 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,





PLANNING AND DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: 7/12/23

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Heather Barlow

Address (city and state): 13584 N. Laughran
Poc. ID

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I oppose this because of the
negative impacts to our area.
Also will affect my drive to work
+ school. the smells, noises + dust in the
air will negatively effect our area.

Heather Barlow
Written signature (only if not testifying)

Siphon Road gravel pit project

Heather Disselkoen <diss.heat@aol.com>

Wed 8/2/2023 12:25 PM

To: Bannock County Planning and Development <development@bannockcounty.gov>

Dear Bannock County Planning and Development Council,

I am a resident of Bannock County and with my husband, we have raised our children and been a member of this community for the past twenty years.

I am opposed to the Siphon Road gravel pit project. In response to the amended CUP-23-7 filed by John Wilkes on behalf of Staker-Parsons, I'm submitting the following comments:

1) The burden of proof concerning the effects of the project is on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.

2) The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer is 158.46 acres and is composed of two lots, one is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46-acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved and two parcels are created, each with its own zoning. Moreover, the map attached to the application clearly shows berms around the entire 158-acre parcel including the residential suburban portion of the parcel and the canal.

3) The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.

4) CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From the Comprehensive Plan, Bannock County will... "Protect and enhance residents' quality of life:" This proposal will not protect and enhance the resident's quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.

5) The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact on their quality of life.

6) The change from the P&D Council's standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.

7) Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not. The future tax base in Bannock County will be better supported by Residential Suburban than a mined-out agricultural parcel.

9) Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.

10) This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon RD and one mile of Rio Vista RD if they still head for the interchange by Simplot. If they run up to the New Day Parkway the length of Siphon Road impacted will be much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists, and equestrians. A traffic study is requested to look at the current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision-making.

11) Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of the public;" Despite the applicant and staffs general comments to the contrary a downwind quarry and vastly increased truck traffic will impact, not promote, the health, safety and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision-making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially affect surrounding homes through increased traffic, dust, and noise.

Thank you for your consideration of these comments reflecting the concerns of those most impacted by this proposal.

Sincerely,
Heather Disselkoe
635 Gary St.
Pocatello, ID 83201

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: Hot Asphalt plant

EASE PRINT LEGIBLY

Name: Heidi Anderson

Address (city and state): 15149 W. Lacey Rd Pocatello, ID 83202

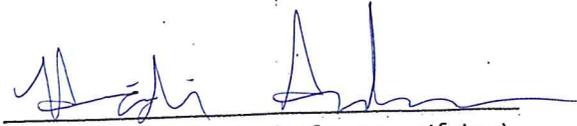
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

We specifically moved out of town to get into wide open, clean, clear spaces. I'm concerned about property value, environmental and health impacts, and the general well-being of the area. Also lack of farmland.



Written signature (only if not testifying)

July 11, 2023

To whom it may concern,

My name is Ian Cooper, I live Venus Rd. I have lived here for 1 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just causally enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

Ian Cooper

RECEIVED
AUG 02 2023

August 2, 2023

Dear Bannock County Planning and Development Council,

BY: MW

My name is J Douglas Zitterberg and I live at 545 Laughran Rd. I have lived here for 38 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*

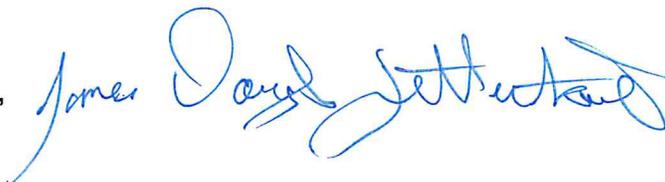
- A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
- A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
- Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
- The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

RECEIVED
AUG 02 2023
MW

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
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cheering. Please show respect for all opinions or comments given. Anyone deemed unruly
will be escorted out of the building.

Name: _____

Agenda Item Number or Name of Applicant: John Wilkes

EASE PRINT LEGIBLY

Name: Jacque Terry

Address (city and state): 12573 N Neptune
Pocatello ID

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, please leave your comments below. They will be read into the record – as
long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

A gravel/asphalt plant this close (within 3/4 mile
of all the new housing is not in the best
interests of the community. The particulates
in the air, traffic, noise, etc would be very
detrimental to property values, to say nothing of
health issues. Jacque A Terry
Written signature (only if not testifying)

July 11, 2023

To whom it may concern,

My name is Jake Nelson, I live at 12930 Rio Vista Rd. I have lived here for 1 year.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

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- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just casually enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Wilson". The signature is written in a cursive style with a long horizontal stroke at the end.

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is James & Annette Monroy and I live at 12065 N. Hansen Loop. I have lived here for 13 years and there are 2 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

James & Loretta Murray



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 07/12/2023

Agenda Item Number or Name of Applicant: 4, 5, 6 (JOHN WILKES)

PLEASE PRINT LEGIBLY

Name: JAMES PATE

Address (city and state): 15235 W LACEY RD
POCATELLO, ID 83440

Choose one:

Support the application

Neutral

Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

MOVING FORWARD WITH THIS APPLICATION WOULD NEGATIVELY
IMPACT QUALITY OF LIFE, NEIGHBORHOOD SAFETY, AND
THE HEALTH AND WELL-BEING OF THE ENVIRONMENT AND
THOSE WHO LIVE IN THE AREA. IT WOULD BE A DISASTER
IN EVERY SENSE OF THE WORD.

James D. Pate
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

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Date: 7/12/2023

Agenda Item Number or Name of Applicant: 4, 5, and 6

PLEASE PRINT LEGIBLY

Name: James Sant

Address (city and state): 15107 W. Lacey
Pocatello ID 83262

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

With the cost of taxes we don't deserve
to live in a construction zone. We oppose
building it there. Establishing something that
is was not there when we bought is not what we want
The noise and traffic and smell or odor will
affect the health that is already in jeopardy.

[Signature]
Written signature (only if not testifying)

rezoning and gravel pit on syphon road

Janet Tripple <ttjt33@live.com>

Wed 8/2/2023 9:15 AM

To:Planning and Zoning <zoning@bannockcounty.us>

First, WHY are people wanting to put yet ANOTHER gravel pit next to and adjacent to residential properties ??? We already have 5 or more within a 5 square miles of this area and many, many people have moved out here to live a more country quite lifestyle. Now you want to put more trucks, more dust in the air, contaminate our already contaminated water table , noise level and most of all take our property values down!!!! Our roads are stressed to the max already with farm and harvest. And building that's going on out here, Our community is being destroyed by first, a farmer that just wants to dump the land so he doesn't have to farm it or pay labors to work it. Second people who do not live here not caring about what effect it would have on the area which already has too many gravel pits in this area. HOW BIG is Bannock county????? Why not put the gravel pit where NO ONE LIVES WITHIN 5 MILES OR MORE! **Instead of their back yards.**

I have lived here for 48 years and put a lot of time lot of money and lot of care in my property. Now in retirement, instead of enjoying what we worked so hard for, you want to destroy it!

Why can you, the person selling the property, find an alternative use that would serve the people and enhance the area. If they don't want to farm it, offer it to the people in the area to build a community park similar to Cotant park with ball fields, playground, walking path, sports facility. I'm proposing this as the community grows out here, why not make it something to be proud of. The sunsets from the area are beautiful, There are so many young families out here that I'm sure it would be used by young and old.

Please, don't degrade our area, damage the water table already very fragile, destroy the quiet with all the traffic it would produce not to mention the roads. **Take the property values and devalue everything around it!!!** And for us that have lived here a long time,,why do you want to allow someone who only sees money signs come in and destroy what we have worked and saved and put our hearts and soles into only to have it me degraded to a **trash area!!!!!!**

Janet and Tim Tripple
15464 West Lacey Road
Pocatello, Idaho

Yes, it would be almost in my front yard, consider if you would want that next to you!

Sent from [Mail](#) for Windows



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: ~~7/12/23~~ 7/12/23

Agenda Item Number or Name of Applicant: 4, 5, and 6

PLEASE PRINT LEGIBLY

Name: Janet Sant

Address (city and state): 1510th W. Lacey
Pocatello ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Don't want the noise and Smell and Traffic.
Also concerned about health and
safety.

Written signature (only if not testifying)

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Jay Christensen and I live at 15170 W Lacey Road, Pocatello, Idaho. I have lived here for over 33 years.

I would like to speak against a Conditional Use Permit (CUP-23-7) request filed by John on behalf of Staker-Parson. This Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and will have an adverse effect on surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity. It will generally impact the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Section 530 in the Bannock County Zoning Ordinance states that the applicant for a conditional use permit shall carry the burden of proof in showing that the proposed use does not conflict with the spirit or purpose of the comprehensive plan of the county.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

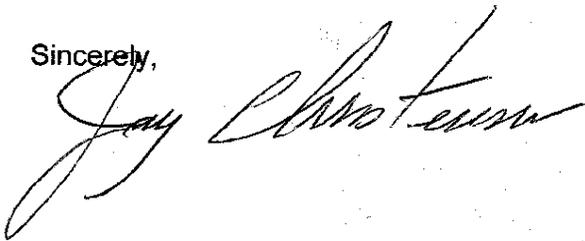
Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
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 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
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 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
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 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,



August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Jeffrey Hall and I live at 15306 W Lacey Rd. I have lived here for 7 years and there are 7 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential areas would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely, Jeffrey Hall



PLANNING AND DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: 4.5.6

PLEASE PRINT LEGIBLY

Name: Jennifer Snow

Address (city and state): 11706 N Nelson Lane
Poc ID 83201

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I worry about more smell in the air beyond Simplot.
My daughter has difficulty breathing already. My
children are out about on bikes & know an increase
in traffic will increase chances for accident.

Jennifer Snow
Written signature (only if not testifying)

To whom it may concern,

My name is Jim Burrup I live at 11539 N. Nelson Ln. I have lived here for 20 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1- The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2- The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3- The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.

Created With Tiny Scanner

- The berm proposal does not adequately address the potential damages to public health

4- The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5- The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to be "J. B. [unclear]". The signature is fluid and cursive, with a large loop at the end.

Created With Tiny Scanner



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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: 7/12/23

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Jim Mowrey

Address (city and state): 12065 N Hansen Loop
Pocatello, ID.

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

AGAINST your own zoning & DOWLING of our
properties. Very nice homes in the area. Find somewhere
else.

[Signature]
Written signature (only if not testifying)

To whom it may concern,

My name is John Krause and I live at 11615 N Cumberland Rd and lived here for 10 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

The proposed use of this section of ground is not consistent with the surrounding properties.

This area is predominantly residential and agricultural. The area is slowly transitioning to more of a residential area. Staker-Parsons is proposing the use of a berm to mitigate the visual impact. The use of a berm will mitigate sound, smell, dust, of a gravel pit.

I am able to say this as I share a property line with a gravel pit owned by this company. The dust from this gravel pit can be seen many days when the wind blows as the gravel pile extend above the top of the pit. The top of their berm is weed covered and I have to take care of the weeds on their side of the fence to keep them out of my pasture. Based on their current practices as I neighbor I would expect this new pit to be operated in a similar manner.

the desirability and quiet enjoyment of the residents in that area.

The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on traffic patterns by shifting it from their existing location into a higher populated residential area.

The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity. The addition of an asphalt plant will change the type of pollutants in the air and it significantly increases the probability of ground contamination with oil. This property has a canal running through it, this also increases the possibility of spreading contamination. The proposed permit does not address these issues.

The proposed use would be consistent with the goals and policies of the comprehensive plan of the county. While there are several gravel pits in this area; the proposed pit is not in consistent with the properties in this area. Several new neighborhoods have been installed within a mile of this property, mixing these types of properties is inconsistent and will adversely affect tax base.

The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical. The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects and just to the south of my property.

In addition to the 5 areas that the county reviews I believe that the applicant needs to address remediation of this property as well as the old pit. These pits are eye sores as they permanently scar the land, how will these pits be cleaned up after the pit has reached the end of its useful life? Also how will the applicant protect the canal that runs through this property. Canals are critical for the continued use of the land in this area. The canal has the ability to affect properties for several miles around this piece of ground.

Thank you for your consideration in this matter.

Sincerely,

John and Angela Krause



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Date: 7/12/2023

Agenda Item Number or Name of Applicant: WILKES ADJUDON 4, 5, 6

PLEASE PRINT LEGIBLY

Name: JOHN PAUL CULLIGAN

Address (city and state): 11826 NO CUMBERLAND RD POCATELLO IDAHO

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

WE ARE AGAINST THIS THE SMELLS ARE TERRIBLE
AND MY WIFE WILL GO INTO SHOCK
WE WILL FIGHT THIS WITH ATTORNEYS IF
NEEDED

Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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hearing. Please show respect for all opinions or comments given. Anyone deemed unruly
will be escorted out of the building.

Date: 23 July 23

Agenda Item Number or Name of Applicant: Asphalt Plant

PLEASE PRINT LEGIBLY

Name: Jon Woodch

Address (city and state): Pocatello Id

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as
long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

x concern for Portneuf water way

x Property value

x Stench in the air and health risks

Jon Woodch
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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you must fill out this form.**

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Date: 7-12-23

Agenda Item Number or Name of Applicant: Hot Asphalt Plant & Gravel Pit

PLEASE PRINT LEGIBLY

Name: Josh Gmeiting

Address (city and state): 14763 W Lacey Rd Pocatello ID

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Traffic, smell, pollution, decrease property value, dirty roads and
spill of rocks & dirt, view & scenery

Josh Gmeiting
Written signature (only if not testifying)

To whom it may concern,

We are Joshua and Kelly Robinson at 15212 W Lacey Rd. We have lived here for 7 years. In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
 - The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
 - There is a greater residential presence in the proposed build site than their current existing site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is JP Sample and I live at 12050 N. Hanson Loop Rd, Pocatello. I have lived here for 7 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,



August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Julia Palmer and I live at 14806 Saturn St. I have lived here for 35 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

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 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
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 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
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 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
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 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,



The image shows three handwritten signatures in cursive script. The top signature is the most legible and appears to read 'John E. Quinn'. Below it are two other signatures, one of which appears to read 'H. Keith Palmer' and the other 'Joan Palmer'.

To whom it may concern,

My name is _justin stewart I live at 14910 w. Lacey rd. I have lived here for 7 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

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 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
 - There is a greater residential presence in the proposed build site than their current existing site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
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 - This fails to meet the goals and policies of the current Comprehensive County Plan.
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5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

- Justin stewart

Hot asphalt plant and gravel pit

Justin Stewart <jkstewart53@msn.com>

Mon 7/3/2023 6:40 PM

To: Bannock County Planning and Development <development@bannockcounty.gov>

My name is Justin Stewart and I live at 14910 W Lacey Rd. In regards to the gravel pit proposal for Siphon Rd and Laughran Rd, I believe the proposal has unintended consequences for the surrounding residential area. While we support new and growing businesses in the county, our backyards are not the appropriate location.

In addition to the increased traffic, dust, and fumes, there are potential hazards to the local families, young and old, that no one wants to see occur. Kids riding bikes, families out walking and the biggest reason to live in a quiet rural area will be taken away from everyone. The potential health affects from the fumes, run off into the surrounding ecosystem and the eye sore that it will be is another concern. There are other more suitable locations for this business but in the middle of residential and farming neighborhoods are not it.

Get [Outlook for Android](#)

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is __Kasey Paul_ and I live at __address to be determined on Siphon Rd. I have lived here for __5__ years and there are __4_ people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should **not** be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS' QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Kasey Paul
Land owner on Siphon Rd



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: July 12th, 2023
Agenda Item Number or Name of Applicant: John Wilkes 4, 5 & 6

PLEASE PRINT LEGIBLY

Name: Kassandra Wadsworth
Address (city and state): 569 Laughran Rd
Pocatello, ID 83202

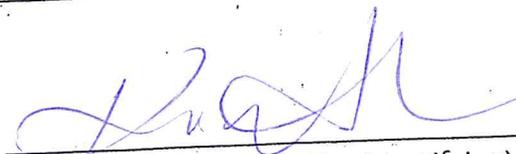
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

We live across the street from the property
and we have two Asthma family members. Our
son is 7 with severe Asthma and he is already
on steroids.


Written signature (only if not testifying)

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is __Kathy Paul_ and I live at _12534 N Laughran Rd. I have lived here for 18 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should **not** be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Kathy Paul
12534 N Laughran Rd



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Kay T. & JoAnn Anderson

Address (city and state): 14974 W. Lacey Road

Choose one:

Support the application

Neutral

Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

This is completely against your own Bannock County zoning regulations

J.T. Anderson
Written signature (only if not testifying)



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Date: 7/12/23

Agenda Item Number or Name of Applicant: 4, 5 & 6

PLEASE PRINT LEGIBLY

Name: Ke. yon Hart

Address (city and state): 13817 W Moonglow Ln

Choose one:

Support the application

Neutral

Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

please follow the planning & zoning guidelines
give deference to the home owners

20
m
⓪

Ke. yon A Hart
Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL
PUBLIC HEARING SIGN-UP SHEET

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cheering. Please show respect for all opinions or comments given. Anyone deemed unruly
will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: 4, 5, 6

PLEASE PRINT LEGIBLY

Name: Kelly Robinson

Address (city and state): 15212 W Lacey Rd

Choose one:

Support the application Neutral X Oppose the application

Do you wish to testify? Yes X No

If you do not wish to testify orally, please leave your comments below. They will be read into the record - as
long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I Oppose the Asphalt / Gravel Pit
on Langman Road.

Kelly Robinson (handwritten signature)

Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: July 12, 2023

Agenda Item Number or Name of Applicant: John Wilkes gravel/asphalt

PLEASE PRINT LEGIBLY

Name: Ken Southwick

Address (city and state): 15431 W Lacey Rd

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Utilitarian reasoning might approve this proposal
Utilitarianism's fatal flaw is that to maximize
the utility for the majority, often the interests of the
minority are trampled upon. Please don't do that.

Ken Southwick
Written signature (only if not testifying)

July 11, 2023

To whom it may concern,

My name is Kenadi Cooper, I live Venus Rd. I have lived here for 20 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just causally enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.
Sincerely,



Gravel pit

Kimberlee Hall <kimberleedawn90@gmail.com>

Tue 8/1/2023 7:38 PM

To: Planning and Zoning <zoning@bannockcounty.us>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Kim Hall and I live at 15306 W Lacey Rd. I have lived here for 7 years and there are 7 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

- 1. Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*

- A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
- A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
- Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
- The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the “proposed use would be consistent with the ‘goals’ of the comprehensive plan of the county” that states in 2nd section, “PROTECT AND ENHANCE RESIDENTS’ QUALITY OF LIFE”.
- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
- There is a greater residential presence in the proposed build site than their current site.
- This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
- The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the ‘Vision Statement’ of “PROTECT

AND ENHANCE RESIDENTS QUALITY OF LIFE” for the residents of the areas called out in section 530.6.D.

- This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
- The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Kim Hall



August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Larry Labbee and I live at 12191 N. Axel Ln. I have lived here for 49 years and my property is up next to the proposed gravel pit.

In response to the amended CUP-23-7 filed by John Wilkes on behalf of Stake-Parsons I'm submitting the following comments:

- 1) The burden of proof concerning the effects of the project are on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.
- 2) The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer is 158.46 acres and is composed of two lots, one is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46 acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved and two parcels are created, each with their own zoning. Moreover, the map attached to the application clearly shows berming around the entire 158 acre parcel including the residential suburban portion of the parcel and the canal.
- 3) The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.
- 4) CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From the Comprehensive Plan, Bannock County will... "Protect and enhance residents' quality of life:" this proposal will not protect and enhance the resident's quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.
- 5) The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land, and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact to their quality of life.
- 6) The change from the P&D Council's standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.

7) Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not.

8) Future tax base in Bannock County will be better supported by Residential Suburban than a mined out agricultural parcel.

9) Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.

10) This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon RD and one mile of Reo Vista RD if they still head for the interchange by Simplot. If they run up to the New Day Parkway the length of Siphon Road impacted will be much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists and equestrians. A traffic study is requested to look at current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision making.

11) Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of public;" Despite the applicant and staffs general comments to the contrary a downwind quarry and vastly increased truck traffic will impact, not promote, the health, safety and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially effect surrounding homes through increased traffic, dust and noise.

Thank you for your consideration of my comments.

Sincerely,

Sent from my iPhone



Larry Labbee





PLANNING & DEVELOPMENT COUNCIL
PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 07/12/2023

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Lawrence Wadsworth

Address (city and state): 509 Langman Rd. Pocatello 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

We live across the street of the proposed plant
and our son has asthma (severe)

Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23
Agenda Item Number or Name of Applicant: AGENDA 4, 5 & 6

PLEASE PRINT LEGIBLY

Name: LEEIA ABRAMSON
Address (city and state): 668 POKIBRO LANE FORT HALL ID 83203
RESIDENT OF BINGHAM & BANNOCK COUNTY

Choose one:
 Support the application Neutral Oppose the application
Do you wish to testify? Yes No

If you do not wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I AM COMPLETELY OPPOSED TO THE
CONDITIONAL USE PERMIT OF THE GRAVEL
PERMIT AND HOT ASPHALT PRIMARILY FOR
THE FACT THAT IT HAS HARMFUL IMPACTS TO
HUMAN HEALTH AND NUMEROUS OTHERS EMITTED
FROM FACILITY
Julia
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: 7/12/23

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Lori Dennis

Address (city and state): 13714 N. Laughran Rd
Pocatello ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

This will disrupt our lives on
Laughran Rd. The groundwater is near
the surface and will be polluted ruining
our well water. The large trucks are
dangerous and ^{also} do not follow traffic laws.

L. Dennis
Written signature (only if not testifying)

Comments on FLUM-23-1, REZO-24-2 and CUP-23-7

Mark Stenberg <markstenberg@rocketmail.com>

Mon 7/3/2023 8:48 PM

To: Bannock County Planning and Development <development@bannockcounty.gov>

July 4, 2023

Dear Bannock County Planning and Development Council,

My name is Mark Stenberg and I live at 12700 Preakness Circle, Pocatello, Idaho. I have lived here since 2005 and there are three people in my household.

In response to the filing of a Future Land Use Map Change Application (FLUM-23-1), Rezone Application (REZO-23-2) and Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

Bannock County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that these applications are a significant deviation from the current plan and should not be approved, see comments further along in this letter. As proposed these applications would place an industrial use between two residential areas. Moreover, the conditional use application conflicts with the county ordinance at 17.36.040, Uses Conditionally Permitted in Light Industrial & Warehouse (LIW) zoning. If the applicant was successful in rezoning the property to LIW the conditional use permit application should be rejected as the criteria for approval of mining and refining requires that it does not share a boundary with residentially zoned land (17.36.040 Part C.).

To succinctly, organize comments on the three applications, FLUM-23-1, REZO-23-1 and CUP-23-7, I have organized my comments around the five standards listed in the CUP-23-7. Each application has different versions of mostly the same questions so the one through five questions in the CUP-23-7 seemed the most straightforward way to organize them.

In general, Staker-Parson's responses are general in nature and are not likely to inform the public or planning commission concerning effects on adjacent residential areas, traffic, health and safety.

Below are the five questions from the CUP-23-7 and reasons the proposal does not align with the County Comprehensive Plan and zoning ordinances.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A gravel quarry and asphalt plant will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.

- A berm can mitigate visual impacts, but not sound, smell, dust, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacy, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit and hot asphalt mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in this area.
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
- Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The one mile of Siphon RD and one mile of Reo Vista do not currently experience high levels of truck traffic. As described by the applicant, 150 round trips would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
 - The use as described in the applications seems to fit more closely with the Chapter 17.40.010 Industrial Zoning, which is described as providing the necessary lands for manufacturing, processing raw materials, and using processes and equipment which are most significant in their effect on the senses.
 - See previous comments about new truck traffic.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
- This fails to meet the goals and policies of the current Comprehensive County Plan.

- This proposal seeks to create an industrial enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed.

Thank you for your consideration in this matter.

Sincerely, Mark, Beth and Owen Stenberg

July 11, 2023

To whom it may concern,

My name is Marsha Nelson, I live at 14949 Tyhee Rd. I have lived here for 27 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just causally enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Marsha Nelson". The signature is written in black ink and is positioned to the left of the printed name "Marsha Nelson".

July 11, 2023

To whom it may concern,

My name is Matthew McEwen, I live in Equestrian Estates – 12655 Preakness Circle, Pocatello. I have lived here for 3.5 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson. The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

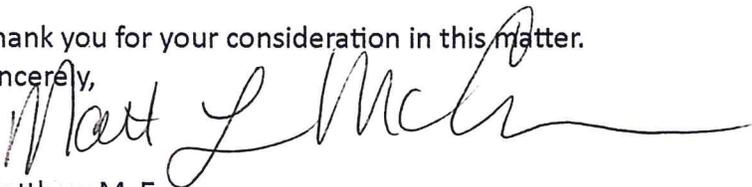
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I am also an avid cyclist and spend many hours and miles riding in this area. One of the reasons I do so is because of the lower traffic volume. I have ridden thousands of miles and had many close calls with heavy trucks. On an average morning you will see dozens of cyclists, runners, walkers and even horseback riders on these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt J McEwen", with a long, sweeping horizontal line extending to the right.

Matthew McEwen

matthewlmcewen@gmail.com

208.281.7030

To the Bannock County Development Personnel,

It has come to my attention that a proposal has been made to develop a gravel pit and hot asphalt plant in the field west of West Lacey and Siphon Road. This proposal is a major concern to me as well as many of my neighbors in the area for numerous reasons. I have included my opinion regarding the Standards for Approval below.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

The proposed development plan includes a “vegetive berm buffer and lowering of the operational elevation of the subject property” to make the plant “compatible with eastern residential use.” However, lowering the property elevation so that the buildings do not stand as tall does not change the function of the plant. The proposed development is a hot asphalt plant and so obviously the effect on the surrounding property will be much different than any residential use. The berm would perhaps slightly increase the visual appearance, but the sound, smell, and dust would still cause a disturbance to area residents.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

The claim that the “existing pits to the west are depleted and that traffic no longer exists” seems outlandish to me. I drive those roads everyday to get to work and I see the work vehicles on the road. Furthermore, as things are now, the proposed development site is a field; any development to it would be an “extraordinary increase in the volume of traffic in the vicinity!” There is little traffic in the area now. An additional 150 work vehicles would be extremely different and drastic!

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

This standard for approval contains one of the biggest, if not the biggest, concern for the area. The proposed development plan includes building a new asphalt plant to reduce emissions in the area, yet there does not really seem to be any noticeable emissions in the area currently. Building a new asphalt plant is a sure way to increase emissions even with new equipment. This would be detrimental to the health of the local residents, their livestock, and any wildlife in the surrounding area. Furthermore, developing the asphalt plant close to the gravel field would increase the emissions in the area as the trucks are more concentrated and confined instead of spread out.

In addition to the emissions, there is the smell to consider. Hot asphalt reeks. It makes me sick to my stomach whenever I drive past a road being paved. I can’t even imagine having to live with it every day.

The smell and emissions are the obvious health and safety concerns, but the proposed development involves more than just those. Numerous residents use the county roads to run and bike along. The increased number of trucks is a huge safety concern in this respect.

Furthermore, many of us out in the county own horses and enjoy riding along our peaceful roadways. The increased number of trucks and work vehicles would largely disrupt these rides and it poses a huge

safety concern. Horse accidents are dangerous and can be fatal for both rider and horse. It would be absolutely catastrophic for a utility vehicle to cause a horse accident and end innocent lives.

The proposed development also poses a threat to our water quality. The Portneuf River runs close by and having an asphalt plant so close is a risk. There is also a threat to the ground water, which we rely on heavily for both residential and agricultural use.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

The proposal for the development would not be consistent with the goals and comprehensive plan of the county. The current plan involves being responsible with natural resources and getting involved with outdoor recreational activities. Developing a hot asphalt plant would go against both of these. Currently, the Portneuf River is available for enjoyable recreational activities. I know people who enjoy floating and kayaking the river. However, increasing noise pollution, and reducing air quality through dust, smell, emissions, etc. would undoubtedly hinder the desire of people to get out. Also, as mentioned earlier, Bannock County residents frequently come out to the county roads to bike and run. The addition of an industrial plant would certainly dampen the desire to get out.

Relatedly, while perhaps not a natural resource, wildlife utilizes the current agricultural field. Many types of raptors, including bald eagles use the open land to hunt. Raptors are a protected species and so I would hope that the county would work to preserve and protect these beautiful birds. In addition, during the spring and fall, hundreds of trumpeter swans use the field as a resting place during their migration. Changing the function of the field from agricultural use to industrial use would pose a threat to the swans as well.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

While a vegetive berm could be implemented, these berms are often unmaintained. Furthermore, once gravel pits have been emptied, the land becomes less versatile and cannot be used in the same ways it previously could have been.

Thank you for your consideration in this matter.

Sincerely,

McKayla Russell (West Lacey resident for 22 years)

July 11, 2023

To whom it may concern,

My name is Meg Nelson, I live at 12930 Rio Vista Rd. I have lived here for 21 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just causally enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Meg Nelson". The signature is written in a cursive, flowing style.



PLANNING AND DEVELOPMENT SERVICES

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Date: 7-12-24

Agenda Item Number or Name of Applicant: 4, 5, 6

PLEASE PRINT LEGIBLY

Name: Melanie Nielsen

Address (city and state): 11744 N Cumberland Rd, Pocatello, ID, 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I am against allowing an asphalt plant and gravel pit bordering a residential area. There will be air pollution as well as potential for ground water pollution.

Melanie Nielsen

Written signature (only if not testifying)



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Date: JULY 12, 2023

Agenda Item Number or Name of Applicant: JOHN WILKES

PLEASE PRINT LEGIBLY

Name: MELISSA LISH

Address (city and state): 15242 W LACET RD
POCATELLO, ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I DO NOT SUPPORT THE APPLICANT!

M. Lish
Written signature (only if not testifying)

July 11, 2023

To whom it may concern,

My name is Melissa Zhoner, I live in Equestrian Estates – 15165W Venus St., Pocatello. I have lived here for 3 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
 - The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
 - There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just casually enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,



Melissa Zhoner
208.339.4080

Comments opposed to CUP-23-7

Michele Olsen <molsen429@msn.com>

Wed 8/2/2023 9:38 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Michele Olsen and I live at 12694 Triple Crown. I have lived here for 16 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
- A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
- Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
- The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".

- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.

- There is a greater residential presence in the proposed build site than their current site.

- This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).

- The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.

- This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

- The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Michele Olsen

August 2, 2023

Dear Bannock County Planning and Development Council,

Our names are Mike and Heather Barlow and we live at 13586 N Laughran. We have lived here for 18 years and there are 5 people in our household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

We are also concerned about the impact this will have on our daily commute to school and work for us and our teenage drivers. Thank you for your consideration in this matter.

Sincerely,
 Mike and Heather Barlow
 208-406-4659

July 11, 2023

To whom it may concern,

My name is Mike Jeppesen, I live at 12930 Rio Vista Rd. I have lived here for 23 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just causally enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in red ink, appearing to read "Michael J. Smith", with a long horizontal flourish extending to the right.



PLANNING AND DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: JOHN WILKS

PLEASE PRINT LEGIBLY

Name: MIKE POWELL

Address (city and state): 14861 BARKSHIRE AV.
POCATELLO, ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

BAD URBAN PLANNING, TOXIC FUMES

Mike Powell
Written signature (only if not testifying)

July 11, 2023

To whom it may concern,

My name is Mindi Jeppesen, I live at 12930 Rio Vista Rd. I have lived here for 23 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just causally enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Jensen". The signature is written in a cursive style with a large, sweeping initial "M".



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/2023

Agenda Item Number or Name of Applicant: Hot Asphalt plant

PLEASE PRINT LEGIBLY

Name: Monica Woodin

Address (city and state): 15527 W Tyhee Rd
Pocatello, ID 83202

Choose one:
 Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I am concerned for our air quality,
our water, animal habitat and the
smell.

Monica Woodin
Written signature (only if not testifying)

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: 7-12-2023

Agenda Item Number or Name of Applicant: Agenda 4, 5 & 6

EASE PRINT LEGIBLY

Name: Monte Gray, Attorney Shoshone - Bannock Tribes

Address (city and state): 306 Pima Dr, Fort Hall, ID 83204

Choose one:

Support the application

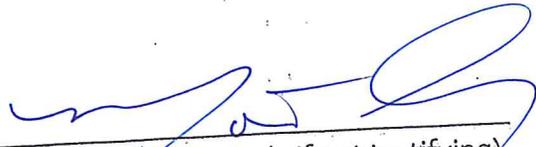
Neutral

Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, please leave your comments below. They will be read into the record - as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Shoshone Bannock Tribes not consulted.
Collaboration with neighboring governments
is specific objective of comprehensive
plan.


Written signature (only if not testifying)



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Date: 7/12/23

Agenda Item Number or Name of Applicant: 4, 5, 6

PLEASE PRINT LEGIBLY

Name: PAT Packer

Address (city and state): 14511 Lacey Rd
Pocatello 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Please protect this Land.

P. Packer
Written signature (only if not testifying)

July 11, 2023

To Whom It May Concern:

My name is Patricia Rasmussen and I have resided at 12901 Triple Crown for the past 11 years. This is in response to the filing of a Conditional Use Permit (CUP-23-7) and the associated request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson. The county has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standard for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission. Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan:

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A berm can mitigate visual impact but not dust, smell, sound, or the potential for groundwater contamination.
 - The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area. We have already seen a significant increase in heavy equipment and truck traffic due to the I-15 expansions. The safety of our roads has already been at risk as these heavy vehicles leave excess gravel on the roads and intersections making it dangerous for bikes, motorcycles, and vehicles alike. This proposal would compound the problem exponentially.
 - There is a greater residential presence in the proposed build site than at their current existing site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to a more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.

- This proposal seeks to create an industrial enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale setbacks, open spaces and landscaping with adjacent uses as is practical.
- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. Take a ride to Quinn and Philbin and take a look to the west for a visual example.

I also spend many hours walking, riding, and enjoying our rural roads with my family and friends. We moved to this area due in part to less traffic and safer roads along with the quiet, peaceful surroundings. The air is clean and the views are beautiful. Quite frankly, this change in the county plan concerns me for the safety of all in our area. You can venture out any morning, afternoon, or evening and see families and children on bikes, running, or walking taking in the clean air and quiet neighborhoods. All spend time utilizing these roads as they are safer with less traffic. If this plant is allowed to build on the proposed site, it will only make the roadways less safe due to the increased traffic and particularly the increased flow of trucks and heavy equipment. I am concerned where I will be able to safely walk, run, or bike without constant worry of being harmed by the increased traffic should this proposal be approved.

I would appreciate your consideration of this matter in behalf of myself, my family, and my community.

Sincerely,



Patricia A. Rasmussen
12901 Triple Crown
Pocatello, ID. 83202



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Date: July 12 2023

Agenda Item Number or Name of Applicant: _____

PLEASE PRINT LEGIBLY

Name: Patty Wyatt

Address (city and state): 13888 N Laughron Rd
Pocatello Id 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I believe that the proposed gravel pit & asphalt plant would be detrimental to the community that lives there. The people that live out there do so for the rural lifestyle and quiet. The increased traffic and smell will ruin that.

Patty Wyatt
Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: 7/12/23

Agenda Item Number or Name of Applicant: John Wilks DBA Parson

PLEASE PRINT LEGIBLY

Name: Rachel Hanson

Address (city and state): 198 W. Preservation Rd Unit #11
Pocatello, ID 83202

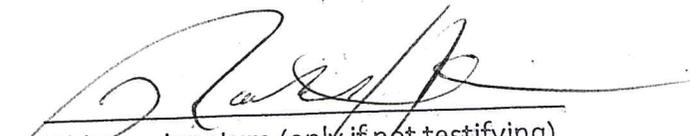
Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

We have lost enough agricultural ground in Idaho already &
this will directly affect local land & animal agriculture
as well as the settled residents of the area


Written signature (only if not testifying)

Concerning proposal for Bannock County P&D to implementing a gravel pit and asphalt plant

rebecca layton <triplecrowntew@yahoo.com>

Mon 7/3/2023 7:29 PM

To: Bannock County Planning and Development <development@bannockcounty.gov>

To whom it may concern,

My name is Rebecca Layton and I live at 12879 Triple Crown, Pocatello, ID. I have lived here for 18 years. In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson. The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I have individuals who are living with us who have significant sensitivities to smells such as asphalt and many other chemicals. Implementing an asphalt plant would be very detrimental to their already existing sensitivities and cause

further health complications.

Thank you for your consideration in this matter.

Sincerely,

Rebecca Layton

To whom it may concern,

My name is Reid Hanson, I live at 12594 Laughran Rd. I have lived here for 20 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

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 - A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.
 - The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
 - There is a greater residential presence in the proposed build site than their current existing site.
- The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health

- The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
- The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.



Reid Hanson
(208) 251-8880



PLANNING & DEVELOPMENT COUNCIL
PUBLIC HEARING SIGN-UP SHEET

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cheering. Please show respect for all opinions or comments given. Anyone deemed unruly
will be escorted out of the building.

Date: 7/12/2023

Agenda Item Number or Name of Applicant: 4,560

PLEASE PRINT LEGIBLY

Name: Renee Bunderson

Address (city and state): 12305 Jaxon Way
Pocatello, ID

Choose one:

Support the application Neutral X Oppose the application

Do you wish to testify? Yes X No

If you do not wish to testify orally, please leave your comments below. They will be read into the record - as
long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Against the agenda item #4560 for safety reasons. Too
many oversized vehicles coming through neighborhoods
with children. It will also devalue my property value.

Renee Bunderson
Written signature (only if not testifying)

July 11, 2023

To whom it may concern,

My name is Richard Nelson, I live at 14949 Tyhee Rd. I have lived here for 27 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

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- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
- The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just causally enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Richard D. Nelson". The signature is written in a cursive style with a large initial 'R' and 'N'.

Bannock County Planning and Development Council
To whom it may concern,

My name is Rick Pence. I live at 11717 N Nelson Ln. Pocatello. I have lived here since 2009.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associated request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1- The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

- A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
- The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2- The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

- Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
- There is a greater residential presence in the proposed build site than their current existing site.

3- The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.

- The berm proposal does not adequately address the potential damages to public health

4- The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan.
- This proposal seeks to create an industrial enterprise between two residential areas.

5- The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

Rick L. Pence

Gravel pit

Riley Butler <teamroper_kid@msn.com>

Tue 8/1/2023 3:49 PM

To:Planning and Zoning <zoning@bannockcounty.us>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Riley D. Butler and I live at 12810 North Laughran rd. I have lived here for 10years and there are 5 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*

- A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the “proposed use would be consistent with the ‘goals’ of the comprehensive plan of the county” that states in 2nd section, “PROTECT AND ENHANCE RESIDENTS’ QUALITY OF LIFE”.
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
- Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
- This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the ‘Vision Statement’ of “PROTECT

AND ENHANCE RESIDENTS QUALITY OF LIFE” for the residents of the areas called out in section 530.6.D.

- This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Riley Butler

Sent from my iPhone

July 11, 2023

To Whom It May Concern:

My name is Ross Scott Rasmussen and I have resided at 12901 Triple Crown for the past 11 years. This is in response to the filing of a Conditional Use Permit (CUP-23-7) and the associated request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson. The county has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standard for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission. Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan:

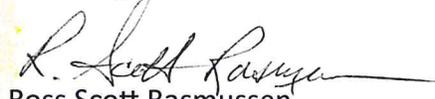
1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A berm can mitigate visual impact but not dust, smell, sound, or the potential for groundwater contamination.
 - The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area. We have already seen a significant increase in heavy equipment and truck traffic due to the I-15 expansions. The safety of our roads has already been at risk as these heavy vehicles leave excess gravel on the roads and intersections making it dangerous for bikes, motorcycles, and vehicles alike. This proposal would compound the problem exponentially.
 - There is a greater residential presence in the proposed build site than at their current existing site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to a more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.

- This proposal seeks to create an industrial enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale setbacks, open spaces and landscaping with adjacent uses as is practical.
- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. Take a ride to Quinn and Philbin and take a look to the west for a visual example.

I also spend many hours walking, riding, and enjoying our rural roads with my family and friends. We moved to this area due in part to less traffic and safer roads along with the quiet, peaceful surroundings. The air is clean and the views are beautiful. Quite frankly, this change in the county plan concerns me for the safety of all in our area. You can venture out any morning, afternoon, or evening and see families and children on bikes, running, or walking taking in the clean air and quiet neighborhoods. All spend time utilizing these roads as they are safer with less traffic. If this plant is allowed to build on the proposed site, it will only make the roadways less safe due to the increased traffic and particularly the increased flow of trucks and heavy equipment. I am concerned where I will be able to safely walk, run, or bike without constant worry of being harmed by the increased traffic should this proposal be approved.

I would appreciate your consideration of this matter in behalf of myself, my family, and my community.

Sincerely,



Ross Scott Rasmussen
12901 Triple Crown
Pocatello, ID. 83202



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

RECEIVED
JUL 20 2023
BY: mw

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: 4, 5, 6

PLEASE PRINT LEGIBLY

Name: RYAN and Kebari Bills

Address (city and state): 630 S. 7th Ave
Pocatello, ID 83201

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

We believe that the proposed use will
adversely affect surrounding properties in
this residential/agricultural area. Also, the permit
application makes no mention of how the property will be
restored once gravel from the site is depleted.

Albert Keenyon

Written signature (only if not testifying)

"Opposed to CUP-23-7"

Ryan Anderson <ryana@ams-samplers.com>

Wed 8/2/2023 7:36 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Ryan Anderson and I live at 12745 Triple Crown. I have lived here for 13 years and there are 4 people in my household.

In response to the amended CUP-23-7 filed by John Wilkes on behalf of Stake-Parsons I'm submitting the following comments:

1) The burden of proof concerning the effects of the project are on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.

2) The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer is 158.46 acres and is composed of two lots, one is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46 acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved and two parcels are created, each with their own zoning. Moreover, the map attached to the application clearly shows berming around the entire 158 acre parcel including the residential suburban portion of the parcel and the canal.

3) The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.

4) CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From the Comprehensive Plan, Bannock County will... "Protect and enhance residents' quality of life:" this proposal will not protect and enhance the resident's quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.

5) The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land, and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact to their quality of life.

6) The change from the P&D Council's standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.

7) Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not.

🤔 Future tax base in Bannock County will be better supported by Residential Suburban than a mined out agricultural parcel.

9) Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.

Bannock County Planning and Development Council

August 10, 2023

Page 200 of 241

10) This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon RD and one mile of Reo Vista RD if they still head for the interchange by Simplot. If they run up to the New Day Parkway the length of Siphon Road impacted will be much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists and equestrians. A traffic study is requested to look at current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision making.

11) Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of public;" Despite the applicant and staffs general comments to the contrary a downwind quarry and vastly increased truck traffic will impact, not promote, the health, safety and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially effect surrounding homes through increased traffic, dust and noise.

Thank you for your consideration of my comments.

Sincerely,
Ryan Anderson

The pit

SHANNON SHAWNA <SDHELM@msn.com>

Wed 8/2/2023 8:09 PM

To: Bannock County Planning and Development <development@bannockcounty.gov>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is ShannonHelm and I live at 14944 W Venus St, Pocatello. I have lived here for 16 years and there are 3 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

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- The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS' QUALITY OF LIFE".
- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

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- Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
- There is a greater residential presence in the proposed build site than their current site.
- This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.

1. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

- Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
- The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.

1. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

- This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
- This proposal seeks to create a mining enterprise between two residential areas.

1. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
- The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,
Shannon Helm

County Comprehensive Plan

Steve Millar <srmillar@gmail.com>

Tue 7/4/2023 11:14 AM

To: Bannock County Planning and Development <development@bannockcounty.gov>

To whom it may concern,

My name is Steven Millar and I live at 12784 Triple Crown, Pocatello ID 83202. I have lived here for 20 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a **significant deviation** from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and **reasons they do not align** with the County Comprehensive Plan.

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 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
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5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

Steve and Rhonna Millar

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Susan Wallentine and I live at 12886 Triple Crown, Pocatello, Idaho. I have lived here for 20 years and there are 6 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

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Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

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 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
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 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Susan Wallentine



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/2023

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Tadraschell Murray

Address (city and state): 571 Langhuan Rd Pocatello, ID 83201

PO Box 204 Ft. Hall, ID 83203

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I oppose, I will live right across the road, it will
affect the health of me and my family.

Tadraschell Murray
Written signature (only if not testifying)

(No subject)

tarajo2001 <tarajo2001@yahoo.com>

Wed 8/2/2023 7:32 AM

To:Bannock County Planning and Development <development@bannockcounty.gov>

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Tara Krehbiel and I live at 12767 Triple Crown. I have lived here for 4 years and there are 5 people in my household.

In response to the amended CUP-23-7 filed by John Wilkes on behalf of Stake-Parsons I'm submitting the following comments:

- 1) The burden of proof concerning the effects of the project are on the applicant not the residents. CUP-23-7 is little more than the opinions of the Applicant rather than a rigorous operations plan and analysis of the proposal's effects on nearby residents and road users.
- 2) The Russel Johnson parcel, RPR3803048300, according to the county parcel viewer is 158.46 acres and is composed of two lots, one is 157.20 acres and the other is 1.50 acres. The Applicant seeks a conditional use permit (CUP-23-7) for mining on the 158.46 acre parcel. This cannot be granted as the parcel has two zoning classifications on it. Approximately 25 acres of the parcel is zoned residential suburban upon which the conditional use for mining cannot be granted. This application should be dismissed until such a time that a subdivision application is approved and two parcels are created, each with their own zoning. Moreover, the map attached to the application clearly shows berming around the entire 158 acre parcel including the residential suburban portion of the parcel and the canal.
- 3) The Bannock County Comprehensive Plan shows the parcel as zoned agricultural and residential suburban. The Future Zoning Map included in the Comprehensive Plan indicates that the anticipated future zoning trajectory of the parcel is Residential Suburban. Land development patterns in the area continue to be consistent with the Comprehensive Plan in this regard. This fundamental inconsistency with the Comprehensive Plan's Future Zoning Map and the development pattern in the area should be cause enough for dismissal.
- 4) CUP-23-7 should be dismissed as Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit: Part D, states the Proposed use would be consistent with the goals and policies of the Comprehensive Plan of the County. From the Comprehensive Plan, Bannock County will... "Protect and enhance residents' quality of life." this proposal will not protect and enhance the resident's quality of life, it will have a contrary effect on the quality of life of the residents as I explain in my following comments.
- 5) The definition of Mining in the Bannock County zoning ordinances is: The extraction of sand, gravel, rocks, soil, or other material from the land, and the removal thereof from the site. What a conditional use permit for Mining does not allow is processing, sorting, crushing, etc. of mined material. Is Bannock County prepared to enforce this definition of mining? This would be simply the extraction and removal of material from the site. It appears that Bannock County currently cannot enforce berm landscape requirements and cannot keep the roads reasonably clean around quarries. This application should be dismissed as Bannock County is apparently unwilling or lacks the resources to enforce use

requirements on quarries. The burden of pursuing compliance at the quarry will fall to the neighbors, creating another impact to their quality of life.

6) The change from the P&D Council's standard meeting time of 5:15 pm to 4:00 pm for this contested issue appears on the surface to be a gamesmanship attempt on their part to discourage public discourse and additionally appears to be an attempt to perhaps decide on the item before people can even make it to the meeting. This meeting needs to be scheduled in a meeting room that will accommodate at least the 150 people that showed up to the original meeting and it must be at their standard meeting time of 5:15.

7) Applicant cites a shortage of quarry sites in the area as justification for the CUP-23-7, there is also a shortage of housing in the area. The future potential use of the parcel for housing is consistent with the Comprehensive Plan, Mining is not.

🤔 Future tax base in Bannock County will be better supported by Residential Suburban than a mined out agricultural parcel.

9) Did Bannock County have the required written statement that the applicant is the authorized agent of the property owner when the application was accepted as complete? Please provide proof with a date stamp.

10) This application is inconsistent with Bannock County Ordinance 530.6 Standards for Approving a Conditional Use Permit, specifically part B, which states the proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant proposes to add at least 150 one-way trips to at least one mile of Siphon RD and one mile of Reo Vista RD if they still head for the interchange by Simplot. If they run up to the New Day Parkway the length of Siphon Road impacted will be much greater. Anyone that lives out here knows that the roads receive substantial use by pedestrians, cyclists and equestrians. A traffic study is requested to look at current use of these roads and the effects of this increased truck traffic on the safety of road users both motorized and non-motorized. As an aside, trucks cannot go west on Siphon as the bridge over the Portneuf has a load rating of 10 tons. The application must be put on hold until the resident's concerns about traffic impacts are addressed in a traffic study and not simply waived aside by staff or the applicant's opinion. Applicant and staff opinions on this issue are not sufficient analysis for decision making.

11) Bannock County Ordinance 580.8 Powers and Duties of the Planning and Development Council, list their duties, specific to this instance, Section 5 should be noted as it states the responsibility, "To promote the health, safety, and general welfare of public;" Despite the applicant and staffs general comments to the contrary a downwind quarry and vastly increased truck traffic will impact, not promote, the health, safety and general welfare of the nearby residential areas. A study is requested concerning the downwind effects of fugitive dust and noise on the nearby residents. Applicant and staff opinions are not sufficient analysis for decision making. The applications should be dismissed per Bannock County Ordinance at 530.6 Standards for Approving a Conditional Use Permit, Part A, The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. The permitted use of the parcel for agricultural use has no effect on the surrounding residential uses, use of the property for a quarry will materially effect surrounding homes through increased traffic, dust and noise.

Thank you for your consideration of my comments.

Sincerely,

Sent from my Verizon, Samsung Galaxy smartphone

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is Tera Hanson and I live at 12594 Laughran Rd. I have lived here for 20 years and there are 5 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Tera Hanson



PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/2023

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Teri Porter

Address (city and state): 11968 N. Honesty Pocatello ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do not wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Traffic on Siphon.
Where else will the trucks drive.
Bannock county will not make the Company
reclaim the land after it is mined

Teri Porter
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7-12-23

Agenda Item Number or Name of Applicant: 4, 5, 6 Gravel pit & asphalt plant

PLEASE PRINT LEGIBLY

Name: Theodor Bunderson

Address (city and state): 12365 Jaxon Way
Pocatello ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

approval will harm neighborhoods + property value

Theodor B
Written signature (only if not testifying)



PLANNING AND DEVELOPMENT SERVICES

5500 S 5th Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.us

PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7-18-23

Agenda Item Number or Name of Applicant: John Wilkes

PLEASE PRINT LEGIBLY

Name: Tom Wilkes

Address (city and state): 15098 Lacey Rd Pocatello Idaho 83201

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Traffic & Dust

Written signature (only if not testifying)

Gravel pit

TONI OBRIEN <tonio29@zoho.com>

Wed 8/2/2023 8:21 AM

To: Planning and Zoning <zoning@bannockcounty.us>; Bannock County Planning and Development <development@bannockcounty.gov>

 1 attachments (27 KB)

BC Ordinances - Supporting Arguments_31July2023.docx;

In addition to the letter I would like to add there is 3 houses with small children waiting for a bus every morning directly across from this proposed site. Please consider their safety.

Sent using [Zoho Mail](#)

Review of “The Zoning Ordinances of Bannock County”:

The following are sections of the Zoning Ordinances of Bannock County which are believed to support our arguments against the latest CUP-23-7 dated 7/18/23, ‘conditional use permit’.

It is very important that we tie all arguments to “the Bannock County Zoning Ordinances” which are considered the ‘law’. (As a note, the Comprehensive Plan is the ‘goals of the county and not law of the county unless section of the zoning ordinance which point directly to the Comprehensive Plan.)

One ordinance which stands out and includes the primary points of our argument – section 530.6:

530.6 STANDARDS FOR APPROVING A CONDITIONAL USE PERMIT:

The Planning and Development Council may grant a conditional use permit if it makes affirmative findings of fact on each of the following standards:

- A. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
- B. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
- C. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
- D. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.

Comprehensive Plan – “Vision Statement” or Goals *(as extracted from the Comprehensive Plan)*

Bannock County will...

“Protect and enhance residents’ quality of life.”

The Following are Key Links:

The Zoning Ordinances of Bannock County:

[100 \(bannockcounty.us\)](http://100.bannockcounty.us)

COMPREHENSIVE PLAN Adopted March 16, 2021:

[FINAL Bannock-County-Plan-3.16.21-RS-2021-30.pdf \(bannockcounty.us\)](http://FINAL_Bannock-County-Plan-3.16.21-RS-2021-30.pdf)

Bannock County P&D Meeting Agenda (agenda & CUP-23-7 application):

<https://www.bannockcounty.us/planning/pdcouncil/>

For the purpose of clarification, the following are abbreviation to the zoning ordinances:

DISTRICT NAME SYMBOL

- Agricultural..... A
- Residential Rural RR
- Residential Suburban RS
- Recreational..... REC
- Multiple Use..... MU
- Commercial General..... CG
- Light Industrial & Wholesale LIW
- Industrial I
- Special Lands SL
- Master Planned Community..... MPC (Amendment #31, Ordinance 2016-3)

The following are the list of ordinances found to argue our points – others ordinances may also apply that can be found in the Zoning Ordinances of Bannock County:

100 BASIC PROVISIONS:

101 TITLE: This Ordinance shall be known and cited as "The Zoning Ordinance of Bannock County, Idaho." This Ordinance hereby replaces and repeals Bannock County Ordinance 1990-1 and Appendices A, B and C of Ordinance No. 1984-3.

115 PURPOSE: The purpose of this Ordinance shall be as follows:

- A. To promote and protect the health, safety, comfort, and general welfare of the public.
- B. To support and implement the stated goals of the County as expressed in the Comprehensive Plan.
- C. To provide for and protect agricultural lands and sensitive natural resource areas.
- D. To mitigate the effects of incompatible land uses upon adjacent uses.
- E. To provide protection against fire, explosions, hazardous materials, obnoxious fumes, loud noise, and other hazards and nuisances which constitute environmental pollution.
- F. To preserve and enhance the value of land and buildings throughout the County.
- G. To protect and improve the County's quality of life so that the County will be increasingly valued by residents and Nonresidents as a desirable place for recreation, living and working**

120 CONSISTENCY WITH COMPREHENSIVE PLAN:

A. It is the intent of Bannock County that the Zoning Ordinance shall be consistent with the Bannock County Comprehensive Plan, and with any supplemental land use and community development policies which may be adopted by the Board of County Commissioners.

135 CONFLICTING PROVISIONS:

The Zoning Ordinance shall be held to be the minimum requirement for the promotion of the public health, safety, comfort, convenience and general welfare.

200 DEFINITIONS:

MINING: The extraction of sand, gravel, rocks, soil, or other material from the land and the removal thereof from the site. For the purposes of this Ordinance, mining shall not include the removal of excess materials in accordance with approved plats, or utility and highway construction, normal farming practices, and sod removal.

CONDITIONAL USE: A land use that would not be appropriate generally, but may be allowed if restrictions can be provided to render the land use compatible with surrounding uses. See Section 530.

400 GENERAL REGULATIONS

405 TEMPORARY USES

D. OTHER TEMPORARY USES: Proposed temporary uses not specified in Section 405.C shall only be permitted if they meet the following requirements:

3. They cannot disrupt the tranquility or character of a residential neighborhood.

500 ADMINISTRATION AND PUBLIC HEARING PROCEDURES:

530 CONDITIONAL USES:

A conditional use may be granted to an applicant if the proposed use is otherwise prohibited by the terms of the ordinance, but may be allowed with conditions under specific provisions of the ordinance and when it is not in conflict with the comprehensive plan. The allowance of a conditional use is discretionary with the Planning and Development Council and may be granted only in the best interests of the general public. The applicant for a conditional use permit shall carry the burden of proof in showing that the proposed use does not conflict with the spirit or purpose of the comprehensive plan of the county and the standards for conditional use permits set forth in this Ordinance

530.1 JURISDICTION:

The Planning Director shall be responsible for administration of the Conditional Use Procedure, and the Planning & Zoning Commission shall be responsible for review, evaluation, and action on all applications for a Conditional Use Permit.

530.3 APPLICATION AND FEE:

Application for a Conditional Use Permit shall be filed with the Planning Director at least thirty days prior to the public hearing. The application shall include the following:

4. A statement describing the nature and operating characteristics of the proposed use, including any data pertinent to the findings required for approval of the application. For uses involving public assembly or industrial processing, or uses potentially generating high volumes of vehicular traffic, the Director may require specific information relative to the anticipated peak loads and peak use periods, relative to industrial processes and the ability of the use to meet performance standards, or substantiating the adequacy of proposed parking, loading, and circulation facilities.

5. Site plan, preliminary building elevations, preliminary improvement plans, and such additional maps and drawings, all sufficiently dimensioned, as required to illustrate the following:

- a. The date, scale, north point, title, name of owner, and name of person preparing the site plan.
- b. The location and dimensions of boundary lines, with distances and bearings, easements, and required yards and setbacks, water courses, drainage features and location and size of existing and proposed roads and 100–year flood plains.
- c. The location, height, bulk, general appearance, the intended use of existing and proposed buildings on the site, and the approximate location of existing buildings on abutting sites
- d. The location of existing and proposed site improvements including parking and loading areas, pedestrian and vehicular access, landscaped areas, utility or service areas, fencing and screening, signs, and lighting.
- e. The number of existing and proposed off–street parking and loading spaces, and a calculation of applicable minimum requirements.
- f. For sites with an average slope greater than 10 percent, a plan showing existing and proposed topography and grading and proposed erosion control measures.
- g. The relationship of the site and the proposed use to surrounding uses, including pedestrian and vehicular circulation, current use of nearby parcels, and any proposed off–site improvements to be made.

530.6 STANDARDS FOR APPROVING A CONDITIONAL USE PERMIT:

The Planning and Development Council may grant a conditional use permit if it makes affirmative findings of fact on each of the following standards:

- A. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
- B. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
- C. The proposed use would not damage the public **health, safety, or general welfare within its vicinity**, or be materially **injurious to properties** or improvements in the vicinity.
- D. The proposed use would be consistent with the **goals** and **policies** of the **comprehensive plan** of the county.

Comprehensive Plan – “Vision Statement” or Goals *(as extracted from the Comprehensive Plan)*

Bannock County will...

- A. *Be an economically diverse and economically vibrant county providing services to encourage sustainable, sensible development while enhancing the rural, recreational and agricultural character of the county;*
- B. ***Protect and enhance residents' quality of life;***
- C. *Responsibly promote development while encouraging conservation and enhancement of natural resources; and*
- D. *Operate a responsive, proactive and transparent government that works in partnership with cities, tribes and other jurisdictions within the County for mutual benefit and shared goals.*

580.8 POWERS AND DUTIES OF THE PLANNING AND DEVELOPMENT COUNCIL: (Amendment 61, Ordinance 2022-04)

The Planning and Development Council shall conduct all public hearings required by this Ordinance and the Idaho code relating to the responsibilities of a Planning and Development Council. It shall be the duty of the Planning and Development Council to:

- 5. To promote the **health, safety, and general welfare** of residents of the county;

Misc. Notes:

Are gravel pits bad for the environment? (Not part of the BC Ordinance)

Creating the pits or quarries requires the removal of virtually all-natural vegetation, top soil and subsoil to reach the aggregate underneath. Not only does this lead to a loss of existing animal wildlife, it also leads to a huge loss of biodiversity as plants and aquatic habitats are destroyed.

Remember, no one thinks the asphalt plant has gone away – now is the time to fight this! We need as many people as we can get to show up for the August 10th meeting at 4 pm. Those that cannot be there by 4 pm will still be allowed in and to participate.

July 3, 2023

Dear Bannock County Planning and Development Council,

My name is Travis & Arla Wilhelm and I live at 15105 W. Venus St. Pocatello, Idaho. I have lived here for 22 years and there are 2 people in my household.

In response to the filing of a Future Land Use Map Change Application (FLUM-23-1), Rezone Application (REZO-23-2) and Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

Bannock County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that these applications are a significant deviation from the current plan and should not be approved, see comments further along in this letter. As proposed these applications would place industrial use between two residential areas. Moreover, the conditional use application conflicts with the county ordinance at 17.36.040, Uses Conditionally Permitted in Light Industrial & Warehouse (LIW) zoning. If the applicant was successful in rezoning the property to LIW the conditional use permit application should be rejected as the criteria for approval of mining and refining requires that it does not share a boundary with residentially zoned land (17.36.040 Part C.).

To succinctly, organize comments on the three applications, FLUM-23-1, REZO-23-1 and CUP-23-7, I have organized my comments around the five standards listed in the CUP-23-7. Each application has different versions of mostly the same questions so the one through five questions in the CUP-23-7 seemed the most straightforward way to organize them.

In general, Staker-Parson's responses are general in nature and are not likely to inform the public or planning commission concerning effects on adjacent residential areas, traffic, health and safety.

Below are the five questions from the CUP-23-7 and reasons the proposal does not align with the County Comprehensive Plan and zoning ordinances.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A gravel quarry and asphalt plant will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, smell, dust, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit and hot asphalt mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in this area.

- Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The one mile of Siphon RD and one mile of Rio Vista do not currently experience high levels of truck traffic. As described by the applicant, 150 round trips would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health.
 - The use as described in the applications seems to fit more closely with the Chapter 17.40.010 Industrial Zoning, which is described as providing the necessary lands for manufacturing, processing raw materials, and using processes and equipment which are most significant in their effect on the senses.
 - See previous comments about new truck traffic.
 4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
 5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed.

Thank you for your consideration in this matter.

Sincerely,

Travis & Arla Wilhelm

July 11, 2023

To whom it may concern,

My name is Travis Zhoner, I live in Equestrian Estates – 15165W Venus St., Pocatello. I have lived here for 3 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan and should **not** be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
 - The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
 - There is a greater residential presence in the proposed build site than their current existing site.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health

4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.

5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.

- The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

I also spend many hours walking, riding, and enjoying our rural roads with my young family. One of the reasons we moved to this area was because of the safer roads and less traffic. I have spent many hours on the roads in this area with my family, and quite frankly – this move concerns me for the safety of everyone in the area. On an average morning you will see dozens of families on bikes, running, walking, or just casually enjoying the area and these roads. All of them use these roads because the traffic is lighter. Adding this plant will effectively ruin any safe areas to ride in our community with the increased flow of these heavy trucks and equipment.

Thank you for your consideration in this matter.

Sincerely,


Travis Zhoner
208.339.4080



PLANNING AND DEVELOPMENT SERVICES

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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 7/12/23

Agenda Item Number or Name of Applicant: CWP-23-7, John Wilkes

PLEASE PRINT LEGIBLY

Name: Trey Rogers

Address (city and state): 13453 Luna Ln Chubbuck ID 83202

Choose one:

Support the application

Neutral

Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I oppose the gravel pit and hot asphalt plant. This area is
appropriately zoned for residential and agriculture. It is not fair to
people living in the area. I am concerned about air pollution,
ground water pollution, noise, and traffic as well as affects on
property value.

Written signature (only if not testifying)



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Date: 7/12/23

Agenda Item Number or Name of Applicant: 4, 5, 6

PLEASE PRINT LEGIBLY

Name: Vernon Esplin

Address (city and state): 12640 Breaknoss circle
chrubuck, ID

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

medical doctor & medical concave

[Signature]
Written signature (only if not testifying)

VIRGIL BURGET

14703 W. LACEY RD.

To whom it may concern,

My name is _____ live at _____. I have lived here for 43 years.

In response to the filing of a Conditional Use Permit (CUP-23-7) and the associate request to amend the County Comprehensive Plan filed by John Wilkes on behalf of Staker-Parson.

The County has spent significant time, effort, and expense in preparing the current County Comprehensive Plan. I believe that this proposal is a significant deviation from the current plan, and should not be approved.

In their Amendment Request, Staker-Parson responded to the five Standards for Approval as required by the county. There are several reasons that their responses are limited and not informative to the public or planning commission.

Below is an outline of the five Standards for Approval and reasons they do not align with the County Comprehensive Plan.

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
 - A berm can mitigate visual impact, but not sound, smell, dust, and the potential for groundwater contamination.
 - The increased traffic of heavy trucks and the operations of gravel pit and hot mix plant will have an adverse effect on the desirability and quiet enjoyment of the residents in that area.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into a new higher populated residential area.
 - There is a greater residential presence in the proposed build site than their current existing site.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues.
 - The berm proposal does not adequately address the potential damages to public health
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan.
 - This proposal seeks to create an industrial enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed, there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.

Thank you for your consideration in this matter.

Sincerely,

Virgil Burget



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Date: July 12, 2023

Agenda Item Number or Name of Applicant: Gravel Pit

PLEASE PRINT LEGIBLY

Name: Virginia H Hall

Address (city and state): 15142 W Laury
Pocatello ID 83200

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Small traffic - not conducive to our family
living & comfort

Virginia H Hall
Written signature (only if not testifying)



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Date: 7/12/23

Agenda Item Number or Name of Applicant: _____

PLEASE PRINT LEGIBLY

Name: Wacey Kiose

Address (city and state): P.O. BOX 204
TORTHALL, ID 83203

Choose one:

Support the application

Neutral

Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

I have concerns that
Involves mining safety

Wacey Kiose
Written signature (only if not testifying)



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PLANNING & DEVELOPMENT COUNCIL PUBLIC HEARING SIGN-UP SHEET

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Date: 7/12/2023

Agenda Item Number or Name of Applicant: John Wilkes 45+6

PLEASE PRINT LEGIBLY

Name: Wendy Briscoe

Address (city and state): 12380 Jaxon Way
POC ID 83202

Choose one:

Support the application Neutral Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

There isn't any way I would want a gravel pit and asphalt plant right out my backdoor. This isn't even sanctioned. For a Light Industrial zoning

Wendy Briscoe
Written signature (only if not testifying)



PLANNING & DEVELOPMENT COUNCIL
PUBLIC HEARING SIGN-UP SHEET

If you plan to testify, or submit written comments,
you must fill out this form.

Please note: Everyone shall exhibit respectful behavior. There shall be no booing, hissing, or cheering. Please show respect for all opinions or comments given. Anyone deemed unruly will be escorted out of the building.

Date: 07/12/2023

Agenda Item Number or Name of Applicant: John Wilkes 456

PLEASE PRINT LEGIBLY

Name: Wylie J. Sorrell

Address (city and state): 551 Laughran Rd Pocatello 83202

Choose one:

Support the application

Neutral

Oppose the application

Do you wish to testify? Yes No

If you do **not** wish to testify orally, please leave your comments below. They will be read into the record – as long as they are written legibly and respectfully, signed below and do not exceed the space allotted.

Increased traffic and noise. Air quality at risk.

Wylie J. Sorrell
Written signature (only if not testifying)

August 2, 2023

Dear Bannock County Planning and Development Council,

My name is __Yvette McEwen_____ and I live at_12655 Preakness Cir, Pocatello, ID 83202. I have lived here for 4 years and there are 5 people in my household.

In response to the filing of a Conditional Use Permit (CUP-23-7) filed by John Wilkes on behalf of Staker-Parson, I'm submitting the following comments.

It is the intent of Bannock County that the Zoning Ordinance of Bannock County shall be consistent with the Bannock County Comprehensive Plan, I believe that this Conditional Use Permit application is a significant deviation from the current zoning ordinances of Bannock County in conjunction with the comprehensive plan as called out in the ordinances and should not be approved by the P&D Council.

As proposed this application would place a mining operation between a number of nearby residential areas and does adversely affect surrounding properties by undue disruption of travel by large haul trucks and an extraordinary increase in volume of traffic of haul trucks in the vicinity, as well as damaging public health related to emissions of PM-10 (a regulated pollutant of which sand and gravel operations are considered major source), the potential for ground water contamination, and generally impacting the safety and welfare of nearby residents from excessive traffic, noise and dust. This proposed application does not fall in alignment with the ordinances of Bannock County sections 115 A, B, F & G and 580.8.5 basically stating health, safety, and general welfare of the public or residents of this area.

Staker-Parson's CUP application is much too general in nature and does not adequately inform the public or the P&D Council concerning effects on adjacent residential areas and is deficient in meeting section 530.3 (Application & Fees) requirements.

Below are the standards for approval for CUP-23-7 as stated by section 530.6 and reasons the proposal does not align with The Zoning Ordinances of Bannock County and the county Comprehensive Plan.

1. *Ordinance 530.6 -The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.*
 - A gravel quarry will affect the adjacent residential uses to a materially greater extent than the current agricultural uses.
 - A berm can mitigate visual impacts, but not sound, dust as seen on the Castle Cement Plant on Philbin, and the potential for groundwater contamination.
 - Prevailing wind will blow across the site moving at a minimum dust into the West Lacey, Equestrian Estates, Cumberland and Portneuf Plateau neighborhoods.
 - The increased traffic of heavy trucks and the operations of a gravel pit will have an adverse effect on the desirability and quiet enjoyment of the residents in this area. This also goes against county ordinance section 530.6 B, that the "proposed use would be consistent with the 'goals' of the comprehensive plan of the county" that states in 2nd section, "PROTECT AND ENHANCE RESIDENTS'QUALITY OF LIFE".
 - Information about water use including the source and water rights would be of concern and interest to residents that rely on ground water sources.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
 - Lessening traffic from their existing location will dramatically shift traffic into higher populated residential areas. The of Siphon Road and one mile of Rio Vista Road, do not currently experience high levels of truck traffic. As described by the applicant, 300 trips per 12-hour period (or one truck every 2.4 minutes) would be the proposed new use on these county road segments. Both of these roads see substantial pedestrian, school children waiting for buses, horse and cyclist use.
 - There is a greater residential presence in the proposed build site than their current site.
 - This increased traffic flow in these residential would be out of compliance with section 530.6 B, C & D of the county ordinance therefore is another reason this application should be rejected.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
 - Moving the plant from a less populated to more populated area will create a greater statistical chance of public safety issues as mentioned above (see #2).
 - The berm proposal does not adequately address the potential damages to public health and does not meet the intent of section 530.6.C of the zoning ordinance.
4. The proposed use would be consistent with the goals and policies of the comprehensive plan of the county.
 - This fails to meet the goals and policies of the current Comprehensive County Plan and specifically does not align with the 'Vision Statement' of "PROTECT AND ENHANCE RESIDENTS QUALITY OF LIFE" for the residents of the area as called out in section 530.6.D.
 - This proposal seeks to create a mining enterprise between two residential areas.
5. The proposed use would be designated to be as compatible in terms of building height, bulk, scale, setbacks, open spaces and landscaping with adjacent uses as is practical.
 - The applicant has historically shown that once these items are constructed (berms), there is minimal maintenance of the property. An example of this can be seen at the property on the west side of Philbin where Quinn connects.
 - The application is deficient in its description of buildings and facilities that would be constructed and as mentioned above does not meet the requirements of section 530.3.

Thank you for your consideration in this matter.

Sincerely,

Gwette McEwen

FINDINGS

**BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL
FINDINGS AND ORDER**

**CONDITIONAL USE PERMIT- John Wilkes
PUBLIC HEARING: August 10, 2023**

FILE #: CUP-23-7
LOCATION: RPR3803048300 and is currently unaddressed

APPLICANT: John Wilks 10200 Batista Rd. Pocatello, ID 83202	OWNER: Russell Johnson P.O. Box 2051 Pocatello, ID 83206
---	--

REQUEST & BACKGROUND: The applicant, John Wilkes, on behalf of Staker Parson Companies, dba Idaho Materials & Construction petitions for a conditional use permit to establish a gravel pit.

FINDINGS:

JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

SITE CHARACTERISTICS AND ZONING:

ZONING: Agricultural

PROPERTY SIZE: ~ 158.46 acres

VIEWS: The property is visible from West Siphon Road and N. Laughran Road.

EXISTING STRUCTURES: None

NOTICE AND TESTIMONY REQUIREMENTS:

Notice of the public hearing was completed according to statutory requirements. Public comment was taken according to statutory requirements.

REQUIRED FINDINGS FOR CONDITIONAL USE PERMIT, §530

A. The proposed use **[would]** **[would not]** adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.

B. The proposed use **[would]** **[would not]** cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

C. The proposed use **[would]** **[would not]** damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

D. The proposed use **[would]** **[would not]** be consistent with the goals and policies of the Comprehensive Plan of the county.

E. The proposed use **[would]** **[would not]** be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical.

(If adding approval conditions) with the following conditions of approval,

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request for John Wilkes, for a Conditional Use Permit, as described in the application, shall be [approved] [denied] [tabled].

Motion by _____, seconded by _____ to adopt the foregoing Findings and Order.

ROLL CALL:

Councilperson Heisler	Voted [Yes] [No] [Absent/Recused]
Councilperson Hill	Voted [Yes] [No] [Absent/Recused]
Councilperson Maynard	Voted [Yes] [No] [Absent/Recused]
Councilperson Ulrich	Voted [Yes] [No] [Absent/Recused]
Councilperson Ward	Voted [Yes] [No] [Absent/Recused]

Motion carried by a _____ to _____ vote.

Dated this _____ day of _____, 2023.

Signed by (Chairperson) (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)
S.S.
County of Bannock)

On this _____ day of _____, in the year of 2023, before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that (she) (he) executed the same.

S
E
A
L

Notary Public
My Commission Expires on _____ 20____

EXAMPLE MOTION

EXAMPLE MOTION

Based on the record and the discussion this evening, I move to [**approve**] [**deny**] [**table**] the request by John Wilkes, on behalf of Staker Parson Companies dba Idaho Materials & Construction, for a Conditional Use Permit described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

(IF ADDING APPROVAL CONDITIONS) with the following conditions of approval,

1.
2.