

**Meeting Minutes of the
Hailey Planning & Zoning Commission
October 19, 2009**

The meeting was opened at 6:30 p.m. by Commission Chair Owen Scanlon. Commissioners present were Mike Pogue, David Lloyd, Mark Johnstone, and Geoff Moore. Staff present was Planning Director Beth Robrahn, Planner Mariel Platt, City Attorney Ned Williamson, and Planning Assistant Becky Mead.

Consent Agenda

Tab 1 Approval of Minutes – September 21, and October 5, 2009

Tab 2 Findings of Fact – Approval of Design Review Modification to the Hailey Readiness Center

Commissioner Lloyd pulled Tab 2.

Commissioner Pogue moved to approve Tab 1 of the consent agenda. Commissioner Johnstone seconded, the motion passed unanimously.

Commissioner Lloyd referenced the south elevation sheet A-201 of the plans, and said it might be an oversight by the architect, but the roof line of the gable and the entry do not seem to line up. Director Robrahn said there was an explanation in the findings. She said if there was something they wanted to see changed to state that as a condition. She said if there is something that they do not want approved unless it can be fixed then that would be another issue.

Commissioner Moore would like to add to condition (a) snow clips, on the dormer on the south elevation, the upper entry roof, the returns, and the east elevation where there is a man door.

Commissioner Moore moved to approve Tab 2, with amended condition (a) adding snow clips. Commissioner Johnstone seconded, the motion passed unanimously.

New Business

Idaho Power Design Review and Conditional Use Permit

A public hearing upon applications by Idaho Power for a Conditional Use Permit for the Hailey Substation and Design Review of five (5) new power poles to serve the Hailey Substation, located on Lots 1 - 11, N 8 ½' of Lot 12, and Lots 13-23, NE 20' and N 8 ½' of Lot 24, Block 90, Hailey Townsite, SW 20' of 6th Ave and the alley within Block 90 (251 N 6th Ave) within the Limited Residential (LR) district. Design Review is required for any new structures, such as the proposed new poles. In addition, the Hailey Substation is currently considered an existing non-conforming use. A Public Utility Facility is a permitted conditional use within the LR zone with approval of a Conditional Use Permit.

Director Robrahn stated there are two applications that can be heard as one. She presented public comments to the Commission and applicant that were received after the packets were made. She said some of the suggestions from some of the comments raise some good points about the condition of the chain link fence, the west façade, questions about the weeds on the IDT right-of-way, and snow storage issues. She said she spoke to the applicant about these issues and there can be a discussion on these when the Commission is ready.

Ron Jackson, Idaho Power Project Manager for the project at Hailey Substation stated the purpose of the project is to mitigate some outage problems they have experienced for the last ten years where there have been numerous extended outages from Hailey and the substation in Shoshone. He said these outages typically would occur during a winter where a tree might get into a line, or ice, or a car hitting a pole. Jackson said the extended outages that they have experienced in Hailey rate the 4th highest in the company, especially for commercial customers and that is why this project was a priority for Idaho Power Company. He explained the project is to install an auto sectionalizing scheme which isolates the faulted transmission lines and restores power to the substation in Hailey within less than a minute as compared to several hours. Jackson explained when there are any problems on this line it takes out all the substations on that line. He said most of the problems are between the Hailey substation to Shoshone substation so the scheme is to isolate the faulted section and restore power to Hailey from the Wood River substation.

Jackson said they have one source of power in the Hailey Substation. The poles will allow them to bring in a second source, which is on the same line, to isolate the line and sectionalize it which allows power to be brought into Hailey from the Wood River side while they open up the line from the midpoint. He said right now they do not have the ability to do that except for some manual air break switches. Jackson said the poles are all under the 48' height limit and are all to be located on the setback of the property line on Idaho Power property.

Jackson said he read some comments about the buzzing they were hearing and he explained that was what is referred to as corona. Jackson explained that corona is the breakdown of the natural insulating properties of air. Jackson said anyone who is listening for it and is close to the station will hear it.

Commissioner Scanlon asked if the power they have at this substation would increase. Jackson said the voltage back in the day was 46,000 and in the 70s and early 80s the voltage was increased to 138,000 volts which will not change and which creates the corona. He said if the corona noise level has increased with this project they could research that and identify what might be occurring; it is inherent with the substation. Jackson said the houses have grown up around the station over the years and anyone living next to the substation knew the substation was there when they purchased their property. Jackson said Idaho Power purchased the property in 1948 and at that time there were no houses around there.

Commissioner Scanlon asked how much it would cost to relocate the substation. Jackson said to build a station like that from scratch would cost millions of dollars. He said to move the station increases the cost significantly. He said where the station is set up they are connected to all of the power lines that feed Hailey. Jackson said for instance to move the substation three miles away, the lines that connect to the City of Hailey would require a three mile extension of the distribution line. He said the station was built adjacent to the transmission lines, in addition to the cost which would be approximately 4 to 8 million dollars they would be challenged with getting approval for not only the location for the new substation but where they would be putting the poles. He said they would have to deal with private property, easements, and said this is a real challenging situation for Idaho Power.

Commissioner Scanlon asked about the connections. Jackson said moving the substation would not be practical. Director Robrahn placed the sight plan on the overhead screen and Jackson pointed out where the new poles would be located. He explained there are circuit breakers that are connected and they have to shut the power off to the line that is down. He said the circuit breakers go out to the city. Jackson said with the new project they are proposing to add another connection with a total of 4 poles that will take

the transmission line into the station. He said they will be able to feed the station from two places and the goal is to restore the power in Hailey in less than a minute.

Commissioner Lloyd asked if the location of most of the lines would be on the southwest side of the property. Jackson said yes. Commissioner Lloyd asked if that would increase the EMF. Jackson said any time there is a conductor with electricity flowing through it that would generate EMF; yes there would be EMF around those lines. Jackson explained that EMF stood for Electro Magnetic Field; any time current passes through a wire there is electro magnetic field. He compared EMF in homes compared to the project and how it works. He said that a person is exposed to more EMF in the home from appliances and TV than they would be to any power line. He understands the concern about EMF and potential health hazards and suggested to find out more about EMF by going to the Idaho Power website at idahopower.com.

Commissioner Lloyd asked about the safety protocol of the area with gates and fences. Jackson said they put concrete aprons under the gates so no one could crawl underneath; he said they have inspectors that inspect the substations monthly, making sure they are all secure.

Commissioner Pogue asked about the height of the 5 proposed poles in relation to the existing poles. Jackson said they are wooden poles, 48' tall or less, the same order of height as the ones on the east side of the station. Pogue asked what other options there are to keep the power going aside from the current configuration. Jackson said he is not aware of any other configurations that would solve the problem. Commissioner Pogue asked if Idaho Power had looked into this. Jackson stated all of the projects are looked at for years and are reviewed and analyzed and prioritized by their planning engineers.

Dan Olmstead of Idaho Power said the question whether they have considered underground has come up. He said he primarily works underground with distribution centers with lower voltage. He said in the regulatory environment Idaho Power operates within, undergrounding of any power line is considered a luxury by the Public Utilities Commission. He said the standard for them to design is overhead and the difference between the overhead cost which is less expensive and the underground cost which is more expensive is paid for by the developer or the customer who is requesting it. He said that way it does not impact all of the other 480,000 customers of Idaho Power. Olmstead said transmission lines for the 5 proposed poles brings a new set of design criteria and more cost. He said typically transmission cost underground is 10 times of what the overhead cost is. If the residence in the area want underground then they would have to help pay. He explained there could be a fund issue and said it would not be practicable to run underground.

Commissioner Pogue asked why five poles were needed; he asked if they could do it with one or two. Commissioner Pogue asked what was meant by electrical clearance above existing infrastructure and a certain distance to prevent sag in the line. Jackson said there are clearances to other structures and other electrifying equipment that they have to maintain; it is an electrical standard. Commissioner Pogue said he is having trouble visualizing what this is going to look like. Commissioner Pogue asked if they had done any mock up in a 3D illustration.

Director Robrahn showed a previous photo that was submitted earlier with taller pole heights. Jackson said when their design engineer drew this up he was looking at it from their perspective; Idaho Pwer preferred to gradually bringing the height of the poles down from the 75' transmission poles. He said they altered their design to 48' to comply with the ordinance. Commissioner Pogue asked if they used fewer poles if they were taller. Jackson stated no it would be the same number of poles.

Commissioner Johnstone asked if they anticipate a need to run the cooling fans with the mobile transformer within the next 6 years. Jackson said the only time they would put mobile transformers in would be for maintenance or for emergencies. He said it is very rare when a transformer fails and said because the mobile transformer design is small and compact it does not have the big cooling radiators. Commissioner Johnstone said regarding the population expansion over the years will the present voltage level accommodate or go up. Jackson said the voltage level will stay the same but the power requirement will increase and larger capacity transformers would have to be put in. He said they gave Director Robrahn a study on the Wood River Valley for the next 10 years for all the options their planners would consider. The options to bring more power into Hailey are to increase the capacity from the feeder or replace the existing transformer. He said the other option would to put in a second transformer at the Hailey substation and a bay for that already exists.

Commissioner Johnstone asked what incidents of faults occur south of the Bellevue triangle as opposed to the other 45 miles of lines going into Hailey. Jackson said faults do not happen in Hailey they happen along that line between Hailey and Shoshone and stated he did not know where. Commissioner Johnstone asked how the proposal is going to fix Hailey's problem of power shutting down. Jackson said the source for Hailey is from Shoshone or the Wood River substation. He explained how they electrically disconnect making devices at Hailey a terminal, thereby splitting the line into two pieces. He said this is all done automatically.

Commissioner Moore asked if there was a pole located at the transmission line at the south end of the property. Jackson said yes. Commissioner Moore asked whether it was on their transmission line itself. Jackson pointed out in the photos. Commissioner Moore asked about the metal structure and existing poles. Jackson said the metal structure was just installed and said it was a standard type of structure that you would see at most substations.

Commissioner Scanlon asked where the power came from for the Wood River station. Jackson said their transmission network is like a spider web and does not come from just one single source. Olmstead said the Hailey substation is served from the south with power coming from the Snake River down by Twin Falls or Hagerman.. Jackson said the Wood River station is connected to several other substations and comes from different directions [the transmission line from the south and the transmission line from Fairfield which enters the valley from the west].

Attorney Williamson asked if there were any engineering standards governing the distance between poles for this type of transmission line, what the maximum distance is. Jackson said there are standards but he did not know what the distance was because he was not a transmission engineer. Attorney Williamson asked if there were standards for the vertical clearance between the bottom of the transmission line itself in the ground. Jackson stated yes, but did not know what the minimum was. Cary Darling with Idaho Power stated 32 feet. Jackson said typically they build above the minimum. Olmstead said those were government regulations. Attorney Williamson asked what the height was on the north side of the property between the ground and the lowest point of the line where it has sag. Jackson said the sag would be 4 to 5 feet, so 40 feet give or take. Attorney Williamson asked if the center pole was removed would it lower the sag of the line, he said he was assuming it would and what would that distance is between the lowest sag of the line where it sags in the ground. Jackson said he is not a transmission engineer so he could not answer that question. He said his area of expertise was with substations and said there is more to consider than just how far it spans. The structure in the middle helps to keep the lines separated and also supports them. Attorney Williamson asked if they had an

alternative design that would remove the middle pole on the north side, has there been an alternative design at all that has been looked at and was it feasible. Darling said a pole taller than 48 feet would be needed. Darling stated that the first pole in line needs to take the 75' height and get it down to the 48' height, and said it was providing additional support for the line as it drops the height. Attorney Williamson asked Olmstead if they have ever looked at another design. Olmstead said yes. Attorney Williamson asked if this was the only design that could possibly work. Darling stated the way they were transforming down, yes. Edward Kosydar with Idaho Power stated on the other side there are guide wires on both sides and points out that there is a longer sag in the line. He said the design proposed is a design with no guide wires. Jackson said Darling has experience building these lines.

Attorney Williamson asked whether there were any other designs possible to reduce the noise. Jackson said he did not know to what extent they could reduce the noise to where it could not be heard. He said there are things that could be done to reduce the noise. He said they could determine where unusual amounts of corona are coming from. He said they would have transmission engineers determine that. He said noise is part of the electrical systems and it would be interesting to see if there could be anything done. Attorney Williamson asked what the decibel level was. Jackson said it would be interesting to know and it would be interesting to see if it could be measured. Olmstead said noise, as with electromagnetic fields, is all a function of distance. He said maybe one of the solutions is to ask for a variance and go for the taller poles. He said he was with the company back when the initial work was done and they did deal with noise and there are some decibel readings in the files from the beginning. He said certainly there are trade offs and there is a balance. He said if the 48' poles would not work because of noise they would have to look at a design for higher poles.

Commissioner Scanlon asked about the "goal post" structure, commenting that it replaced something that was low to the ground and was below the landscape line and the new height is above the landscape line. Jackson stated it is 34' 9" tall and was needed in order to locate the power circuit breaker underneath. He said they needed to utilize the space there to locate a structure to tie a line to and also to accommodate the power circuit breaker that they installed.

Public Hearing Opened

Robb Thomas, 621 Carbonate St East said that he built his house in 1981 and has been in the valley since and said Idaho Power has never voluntarily done anything without a hearing from the public. Thomas said once they complained about the noise they brought in their decibel tests and told them how little they could hear it from their house. He said his son's best friend was killed there. He said initially Idaho Power said they were going to downsize the station and move to the Wood River station. He said maybe it was economics but it was not downsized, it was upsized; they changed the transformers and did not insulate the transformers until they all complained to the city and then they did put a block wall around the transformer that was so loud. He said there were a lot of meetings about the grade in the fence and the landscaping and the landscaping was finally growing up enough to screen the station and then the goal post structure was put up. Thomas said when Idaho Power can put up something higher than the houses around it without any notice to the neighbors then there is something wrong with the system. He said they are turning the main line closer to Curtis Subdivision, making a loop of the higher voltage, raised the current which raises the noise and a lot more EMFs in the area. Thomas thought they should have been more forthcoming about how they do it and he is still upset from the past. Thomas said there was a CUP for a storage structure there and it was only to be used as a warehouse. He said when he moved into his house the substation was a quarter of the size it is now. He said they need to keep an eye on public utilities commissions.

Jennifer Schultz 131 Sixth Avenue which is directly across the driveway where they put up the goal post structure. She said she was surprised to see the structure going up before the meeting had been held. Idaho Power's application did not address this structure it just addressed the five poles as well as the Conditional Use Permit, which she understands that Idaho Power has never had. She feels like the structure has been grandfathered in and is an extension of the non conforming use. She stated the expansion of a non conforming use must go through the Conditional Use process. She said the structure has affected the neighborhood's visual view. She said she has done research on EMFs and whether Idaho Power considered those dangerous or not; she said it would not matter, perception is reality. She said if there will be an increase in EMFs from these five poles, which would definitely affect their property values. She does not understand how this structure was built without having this hearing first and said she is offended as a citizen. Schultz said there must be some strategic planning for the future say in 20 years. She presented some pictures of this structure from different angles and as viewed from their subdivision's park. She asked at a minimum to mitigate the height of the structure and for it to be screened with more landscaping. She said the substation is an eyesore from the west side; there are weeds there to be cleaned up and the fence is falling apart. She would like to be able to trust Idaho Power with the information they are giving. She suggested maybe hiring an outside consultant to see if there could be any other design options.

Andy Harding, 330 Golconda was surprised also about the structure that was put up. He asked about the pole heights if they were going to be the same as the existing. Harding said there was a question about the EMFs on the north loop from the earlier description would there always be voltage. He appreciates the power they do supply; it is a good lesson for the city not to have population near a substation.

John Seiller owns the property at 115 5th Avenue and said that house has been there since the 50s. He said he has spent a lot of time at the house and working the grounds there which is across from the bike path. Seiller said he can hear the noise from the yard, a definite buzzing, not low level, from about 100 yards away. He wanted the Commission to consider why the goal post structure was not included in their application. He referenced Article 8 of non conforming structures and said the structures are an expansion of use. Seiller stated there has not been any CUP and the structure was built in violation of the ordinance. He wonders how Idaho Power can be trusted when they have already done this. He said it is time to look for some other space, maybe in the industrial area. He is frustrated because they have put structures up without permission. He pointed out that Galena Lodge did not have power until two or three years ago. He would like to see some investigation done showing that there is power coming from the Wood River Station. He said the building height limit in Limited Residential LR zone is 38'; the 48' is a height limit from an Industrial zone. He said the commission should be looking at the comp plan which asks for an appropriate appearance and not to be hazardous. He felt this is less compatible to the neighborhood.

Bernie Johnson 341 Motherlode Loop said that he submitted a letter which is in the packet. He feels it is time to fix the fence on the west side and the basic right of way itself. He said it is a no-man's land which is not maintained and should be maintained by Idaho Power. He wanted to know why these things are not being done.

Michael Breen 517 East Bullion said he has lived in the area since 1989 and mentioned that he can see the goal post structure now from his house. He commented on the noise level and said during the summer they were noticeable. He feels Idaho Power is betraying the trust with the neighbors by just

putting up the structure without having a meeting with the neighbors. He said in 1989 the EMFs were checked and the power lines did have harmful EMFs. He asked if this will be a continuous flow of power. He said there should be more conservation around the valley. He feels that the structure should be taken down. He feels they should have to go through the same process as everyone else.

Nathan Bingham 211 North Sixth Avenue referred to the plan on electrical hazards where the circuit breaker was put in and his impression was there was not enough space in the location selected by Idaho Power. He wanted to know if the substation reanalyzed the ground grid to determine if there is harmful voltage along the fencing and also if it was analyzed for arc flash exposure; if that breaker were to fail would there is impact outside of that fence line next to the park area. He mentioned the landscape screening on the south side of the station was provided by the developer of that neighborhood; the mitigation was not done by Idaho Power.

Larry Oram 129 6th Avenue pointed out other structures that were put up that were new; light poles; one is 38' and one is 48' tall. He wanted to know if the light was going to be on all night every night. He mentioned the height of the wires is 48', not the poles, they are lower. He said the corona noise is bad. He mentioned that what Breen heard were the cooling fans that were running 24/7 for two months. He said they are gone now but there will be other noise.

Joe Mallea 209 North Sixth Avenue lives directly behind the goal post structure and said he and his neighbors are all opposed to this structure. He wanted to know who will bear the cost for more landscaping and just the visual impact will make it more difficult to sell their houses. He recommended a 3rd party to review and give an EMF study with the new structure.

Peter Lobb 403 East Carbonate said that he can see the structure from his place, across the bike path and was unhappy about that. He said an independent study should be done to see if there are alternatives for a better way to do this.

Tony Evans Idaho Mountain Express thinks Idaho Power is in the process of planning a transmission line along side or replacing the transmission line that is running through the Wood River Valley and wanted to know how that relates to this project, if at all.

Janell Goddard 330 Motherlode Loop asked how this project will affect their property values.

Harding said one alternative might be accepting power outages; he said since 1980 there have been very few outages and he said he would be willing to live with that.

Thomas said there are cultural differences between Idaho Power and the community; they have always been at odds. He said Idaho Power usually do stuff and then beg for forgiveness. He said he liked what Seiler said. He said they need someone to step forward and take ownership of that interface between the citizenry and the company. Thomas said they have done a lot of mitigation and the substation has lowered the decibels from 20 years ago. He said that substation could be causing a lot of ill effects to the citizens and mentioned that his son came down with a very rare form of cancer on the top of his head from sleeping too close to the breaker panel in his home. He said perception is reality and he did not like the idea of that line actually moving closer to his house to make a loop. He felt it needed to stay out on the Idaho Power property and on the right-of-way.

Schultz said she heard the configuration proposed, in Idaho Power's review is the most cost effective plan; she said as citizens they need to look at it as a cost benefit analysis for their own citizenry; is it cost effective for them as citizens to have the power turned back on in a minute, is it worth the development of this substation to get another degree. She asked if there was a figuration that might cost more money for Idaho Power but would less intrusive to the neighborhood.

Public Hearing Closed

The applicant addressed public comments: Jackson stated the concerns are valid and they want to be good neighbors. He said they approached the city over a year ago about this project and got permission to do everything they are doing right now. He said they have emails and voicemails backing all this up.

- The decibel level of the corona can be measured and compared to other substations.
- There are no high incidents of cancer or any other illnesses related to EMF with in the electrical utility industry than in the general population. He encouraged the public to become more knowledgeable about EMF and said it would alleviate some of the concerns they have.
- They did do a study on the ground grid that is an evaluation that is done every time there is an extension to the station or new equipment added. He said this is not only to protect their workers but to anyone who might come in contact with the fence.
- Lights are not on 24/7 they are for emergency use only at night.
- The disbelief for the need of the transmission line project; he said Idaho Power is doing this project for the benefit of the citizens of Hailey. He said doing the project at another substation does not do anything for Hailey. As far as citizens accepting outages, Idaho Power would gladly not spend the money. He said Idaho Power spends the limited construction budget that they have in places they feel are going to do the most good and if there was truly a sense that the public did not want this they would have not of done it. He said just because those who live next to the substation do not like it the 7,000 plus commercial customers that experience the extended outages might have something different to say.
- It was not the corona making noise it was the transforming humming; the noise that was initially there years ago. He said they have put up sound walls at other stations that were in a residential area and they were quite effective. He said the transformers that are made today have a lot less sound level.
- They will do something about the maintenance and lack there of on the west. He said the type of fencing they are using right now is a 30 year vinyl product that looks great with 100% blocking with little maintenance needed. He said they could paint the building probably next summer. He said they could take care of the fence within the next couple of months.
- As far as the weeds, Olmstead said that particular right-of-way along the west side was designated a public utility roadway, which transferred the maintenance of that roadway to Idaho Power and they took on that responsibility. It was also public access, and grating and snow removal caused some problems.
- The proximity of the circuit breaker to the fence and if the circuit breaker fails what typical hazard could happen if someone crossed the fence; typical breaker failures are internal and are pretty rare. He said there is an inert gas in them which is not flammable or explosive.
- Olmstead said he would like to answer Mountain Express's question. He said about two years ago the citizens' advisory committee in the Wood River valley had an electrical build out plan for the growth over the next 75 to 100 years. He said there are two transmission lines, one coming up from the south and one coming from the Hagerman area and they will plan to add another transmission line which will impact the Hailey substation as well as all of the other substations in the valley. He said the impact would be to drop off more power to the Hailey substation as the customers require. He said it is not anticipated to build another new substation in the Hailey area; this is a maintenance and reliability project not a larger infrastructure project. Olmstead said the size of the substation is anticipated based on customers' growth. He said there are about 125 mega watts now in the valley and eventually they will

need 325 mega watts in the valley. He said by its very nature, as people continue to use electricity, substations from Ketchum to Shoshone will all have increased capacity which is required by law that they do. The next project will be for a second transmission line from Wood River substation (2 miles north of Hailey) up to Ketchum, a reliability project.

- To answer the question of why we have to pay for something down the line, Olmstead said they have experienced outages on that transmission line that comes up from Shoshone and they are due to primarily to fires and snow storms. He said this project is to reduce the length of time of outages. He said there are some operational problems when it is 10 degrees below zero. If the transmission or distribution line is out for over two hours it is difficult to bring it back on in a safe way. He said there are some operational changes here that will help Idaho Power. He said they are required by their PUC to provide safe reliable energy.
- Regarding the question of who installed the landscaping along Sixth Avenue; was it Idaho Power or the homeowner's association. Olmstead said they installed landscaping along the east side and did some on the north side. He believed that it was the homeowner's association that installed the landscaping along Sixth Avenue.

Regarding the safety implication of bringing 138,000 voltage loop closer to the homes and back out to the transmission line again, Commissioner Scanlon asked if there was any way if they could open or close, or whatever it has to do in case of a power outage, to allow the power to run through that substation at that time, but that it stays in the transmission line the rest of the time. Jackson said they could not create the scheme to handle that complexity.

Jackson addressed the additional EMF that is created by adding additional lines. He explained where the power would flow.

Commissioner Johnstone asked where the fence was compared to the property line and asked if it is on the edge. Jackson said it is about 20 feet in from the property line. Director Robrahn said on the north side and on the east side the fence is set back approximately twenty feet and it looks like the fence is on the property line on the west side and on the south side she guessed it was on the property line.

Commissioner Pogue said he keeps hearing about power coming from the south but he was not clear where it was coming from the north. Jackson said it comes from the Wood River substation to Hailey [from the transmission line coming into the valley from the Fairfield area to the west].

Bingham said once it goes through the substation there is no right-of-way on the property line to the south and so that line is literally 15 feet closer to his house and there would be more EMF coming from that line. Jackson said it would be the same current.

Commissioner Scanlon asked if they knew what the standard clearance was for a line to an object of any type. Jackson stated it is on the order of 5 feet and for the construction station they use 8 feet spacing.

Commissioner Moore would like more information and would expect the power company to go underground. He said he would just like to see what the numbers are. He said he knows it can be done.

Kosydar spoke about the City of Eagle who had the same concern about five or six years ago and Idaho Power came up with an estimate of going underground compared to overhead and the cost was twelve times as much. He said the City of Eagle did not believe their estimate so they hired Power Engineers to do an estimate and they said 18 times as much higher than theirs. He said the City of Eagle could be

contacted about this. Jackson said the additional cost to underground the line would be born by the citizens of Hailey.

Commissioner Pogue said we keep hearing more money but would like to see more information on some other issues also.

Commissioner Moore was most concerned about the view corridor and the consolidation which is staggering on the old Hailey side compared to the Curtis side.

Commissioner Pogue wants to reconcile Section 11.4 of the Zoning Ordinance which requires looking at the objectives of the Comprehensive Plan. He said one of those objectives is to provide for the provisions of utilities and services and to balance the services provided by other utilities with the impacts that may result, another standard is that expansion of this use needs to be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing and intended character of the neighborhood. He said that it is clear that they all agree that this is a substation and the improvements are going to make it uglier. He is not comfortable making a decision on this. Commissioner Pogue said one of the goals in the Comprehensive Plan is for underground utilities. He would like to see some cost figures for that. He thinks the applicant should educate the public about EMFs. Commissioner Pogue would like to see proposed numbers of what the EMF transmission is at the site now and with the new configuration. Olmstead said they have someone in Twin Falls who can provide as much EMF information as needed. Commissioner Pogue would like a decibel reading on the sound of what it is right now and the anticipated increase with the new configuration. Jackson said they could anticipate what that would be; they would have to measure it after it was put up. Commissioner Pogue said he did not think that was good enough because after it is built Idaho Power would resist any requirement to take it down. He said some estimate can be made and asked what the city would do if it is too loud after it is put up.

Jackson asked Darling if he has noticed any corona sound at all from a wood pole installation like that which is proposed. Darling said he has heard it only with steel structures within a station. Commissioner Pogue suggested they measure what the decibel is at the property line and say it is anticipated to be with this new wooden pole structure and determine whether it is going to be no net increase and have someone from Idaho Power sign that so there would be something in writing to use if in fact it is higher or increased then the city could require mitigation.

Jackson said he is intrigued about all this talk about the corona noise because that has never been an issue that he is aware of at any other substation. He is interested to find out why it is nosier here than any other substation and if there is something there that they could fix.

Commissioner Pogue would like to see a color rendering or mock up of what the future poles will look like, how tall, and the perspective from the different points.

Commissioner Moore asked for a simulated view from the neighborhood.

Commissioner Pogue asked if they could get another viewpoint.

Director Robrahn said when the city hires a 3rd party analysis it would be paid for by the applicant.

Commissioner Pogue asked Director Robrahn if she had an idea of what that cost would be. She said she had no idea. Commissioner Pogue recommended making an inquiry to an appropriate consultant depending on what the cost is and have that cost be born by the applicant. Commissioner Pogue said if this 5 pole designed could be redesigned to be less intrusive.

Jackson asked if the goal was to reduce the number of poles. Commissioner Pogue said to reduce the visual impact.

Director Robrahn wanted to clarify what the goals are.

- 1) achieve the purpose of this project which is to create the loop through the substation;
- 2) minimize the visual impact;
- 3) have the site available for use by ID Power specifically for storage, maintenance, and activity.

Commissioner Pogue said to take in account if the proposed design is safe for the neighborhood.

Commissioner Johnstone would like to see both visual and noise mitigations around this proposal. He said he lived in LA for a number of years and this is the ugliest station he has ever seen.

Schultz asked if the Commission could ask as a condition to address the goal post. Commissioner Scanlon said they would address that in the visual mitigation.

Commissioner Scanlon asked for a picture of the proposed fence.

Commissioner Scanlon asked the applicant how long it would take to provide this information. Jackson said they will have to work internally on this to figure what their approach will be. Commissioner Scanlon asked if they wanted to come back on a date certain.

Jackson said while they are resolving this Hailey is vulnerable to extended outages like they always have. Jackson said he would get back with them. Jackson asked what aspects should be addressed by Idaho Power and what should be addressed by the 3rd party. Attorney Williamson said alternatives to the design should be addressed by a 3rd party. Jackson said exactly what did you want Idaho Power to do. Director Robrahn said to gather information on the EMF transmission now and with the new configuration and the decibel level now and with the new configuration, along with comparison with the decibels at other sites.

Commissioner Pogue suggested the applicant get the raw data on the EMF and the decibels and do the preliminary analysis and then share that information with a third party and they could weigh in on whether or not they agree with you. Director Robrahn agreed and said that would probably keep the cost down on the 3rd party review.

Director Robrahn suggested continuing this to November 16th; if they tabled it they would have to renote it. Commissioner Pogue asked if there was a problem renoting it. Director Robrahn said no. Commissioner Pogue suggested to table and renote this.

Commissioner Moore made a motion to table the application. Commissioner Johnstone seconded, application is tabled.

Appeal of a Decision by the Administrator

Appeal of a decision by the Administrator regarding replacement of a mobile home on Lots 4-10, Block 55 (403 River St. North), Hailey Townsite, within the Business (B) zoning district.

Director Robrahn said this is an awkward appeal because it entailed conversations over the phone regarding the use of the property. She said the issue came down to Article 13, which prohibits nonconforming structures to be replaced to a nonconforming structure. She said the appeal is pretty straight forward and suggested having a discussion of what options the owner might have after a decision on the appeal. She said the Commission should isolate the appeal in terms of whether she interpreted the ordinance correctly and then move to an open discussion with the owner.

Director Robrahn said procedurally the owner was told that he could not replace the trailer that was removed because of 13.7.2. She suggested the Commission look at the information that was presented and to determine whether or not that was correct.

Commissioner Moore was confused with the word notwithstanding; he referenced the definition from the dictionary which states the synonym is "in spite of". He said he agreed with the Administrator's decision.

Commissioner Johnstone said he would have to agree with Commissioner Moore. He said some of the problems that they have had to deal with were when there were exceptions made; not by this Commission but by the Commission in the past. He said he will go along with the letter of the law.

Commissioner Pogue will uphold the decision from the building point of view and also from an aesthetic point of view.

Commissioner Lloyd agreed to uphold the Administrator's decision.

Commissioner Johnstone moved to uphold the decision by the Administrator regarding replacement of a mobile home on Lots 4-10, Block 55 (403 River St. North). Commissioner Pogue seconded, the motion passed unanimously.

Kevin Wallace, property owner of 403 N. River, the subject property. Wallace said he bought property five years ago, with a house, storage shed, and 7 trailers. He said at the time when Jon Pace moved his trailer, he located someone to move their trailer there. He agreed it is pretty funky there. He said right now it is not his intent to keep it a trailer park, the property is for sale. He would like to move the trailer back on, remove the house, and add landscaping. It will enhance the visual of the street and will not create a financial hardship for him.

Commissioner Pogue said the verbal request by the applicant was to allow a non conforming use.

Director Robrahn said yes; the Commission should discuss what would have to occur to allow something like that and whether there is any interest on the Commission's part to allow what the owner is asking for.

Wallace said the house has been vacant for more than a year and he is proposing to demo the house and add landscaping in lieu of allowing him to bring back the trailer.

Director Robrahn said they are not being asked to make a decision. She asked the Commission if they would be interested in amending something in the ordinance to allow for something like this.

Commissioner Pogue said the property is not attractive and eventually the trailers will be razed and the property redeveloped. He is afraid if another nonconforming trailer is allowed, it will lengthen the time of the process. He said there has been some discussion of the nuisance ordinance being tightened up. He said he did not want to change the city ordinance.

Commissioner Lloyd said it is unfair to the neighbors, especially to the west. He said he could not go for this.

Commissioner Moore said he did not see how a variance could help him on this. He was concerned about amending the ordinance for a temporary trailer. He suggested the applicant ask the Building Official about a foundation. Wallace said a mobile home may not be moved there but a manufactured home could be.

Commissioner Scanlon said he agreed with Commissioner Moore, and said it is a dangerous precedence to change the rules. He also suggested talking to the Building Official.

Director Robrahn asked the Commission to make a motion to continue agenda item 5 and 6, the Public Hearings upon a city initiated text amendment to Article 8.2 and Sections 6A.7.2.1, 6A.7.2.2 and 6A.7.2.3.

Commissioner Pogue moved to continue Items 5 and 6 until November 16th. Commissioner Lloyd seconded, the motion passed unanimously.

Commission Reports and Discussion

Johnstone said on November 16th the Art Commission is bringing up the Public Art Manager from the City of Boise for a workshop with city staff in the morning and the arts commission in the afternoon and all are welcome.

Staff Reports and Discussion

Director Robrahn gave an update from 2010 Comprehensive Plan neighborhood workshops stating so far the common theme has been traffic and sidewalks.

Adjourn

Commissioner Pogue moved to adjourn the meeting at 9:45 p.m. Commissioner Johnstone seconded, the motion passed unanimously.