

Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, January 6, 2020
Hailey City Hall
5:30 p.m.

Present

Board: Dan Smith, Richard Pogue, Janet Fugate, Owen Scanlon

Staff: Lisa Horowitz, Robyn Davis, Chris Simms, Jessica Parker

5:30:05 PM Chair Fugate called to order.

5:30:15 PM Public Comment for items not on the agenda. No Comment.

Consent Agenda

CA 1 Adoption of the Meeting Minutes of December 16, 2019. **ACTION ITEM**

CA 2 Adoption of the Findings of Fact, Conclusions of Law and Decision of an amendment to the Comprehensive Plan. The amendment includes the additions and deletions to Section 5, Land Use and amending the Comprehensive Plan Land Use Map to include Airport Critical Zones and additional lands in the Area of City Impact.

5:30:47 PM Smith motioned to approve CA 1 and CA 2. Pogue seconded. All in Favor.

Public Hearing

PH 1 **5:31:07 PM** Consideration of an amendment to a Conditional Use Permit for Blaine County School District (BCSD) Bus Barn Facility, approved on July 10, 2003. The amendment is to review the Condition of Approval, Condition (o):

Condition (o): The School District shall implement its pre-trip inspection list for the bus drivers to reduce noise as follows:

ONLY IN BUS PARKING AREA: Use Interrupt Switch (Push and Hold) while backing up from parking area.

The project is located at 1250 Fox Acres Rd (Lot 1A, Block 3, Wood River High School Campus PUD Subdivision), in the General Residential (GR) Zoning District. This project is being heard again due to a noticing error from the Planning and

*Zoning Hearing held on September 16, 2019. This project is being heard again due to error in a previous notice. **ACTION ITEM***

[5:31:54 PM](#) Davis provided summary from previous hearings in 2019 via a PowerPoint presentation and explained reasons for the hearing tonight. Davis summarized goal tonight is to re-review the item and review any new information provided. Davis turned floor over to applicant. [5:37:09 PM](#) Lance Doby, Transportation Supervisor from Blaine County School District, reviewed power point presentation from September 16th hearing discussing the waiver, noise study, reason why they are unable to back in the buses and noise mitigation options. [5:42:18 PM](#) Scanlon confirmed the fence has been built and asked what it looked like from neighbor's side. Doby confirmed fence has been built and Howie Royal confirmed it is painted on both sides. [5:43:34 PM](#) Doby summarized reasons for the amendment. [5:44:45 PM](#) Scanlon asked how long the fence has been there. Applicant confirmed the fence was built approximately three months ago.

[5:45:23 PM](#) **Chair Fugate opened public comment.**

[5:45:51 PM](#) Steve Keefer, 1221 Green Valley Drive, asked to be allowed to exceed the three minutes as his presentation takes approximately 8 minutes. Keefer stated information for the waiver was requested at the July hearing by the commission and what the applicant provided at the September hearing for the waiver. Keefer discussed correspondences between himself and the School District Superintendent, Gwen Carol Holmes and District Business Manager Bryan Fletcher. Keefer went on to discuss the possibility of a waiver and the lack of information provided by the School District. Keefer stated that the School District has been in violation for 15 years and referred to the meeting minutes from 2003 show the District Planner discussing backup bells and OSHA requirements. Keefer discussed the possibility of if the School District were to receive a waiver, if they could silence the alarms without violating state code. Keefer stated he asked this question to the City Attorney and would defer to him for his answer. Keefer stated he is in agreement with the safety concerns Doby has expressed, but wants to remind everyone that the bus facility is secured with gates and fences. That at the core, the facility is a light industrial jobsite. Keefer discussed other measures the bus facility could use in place of backup alarms. Keefer summarized his statement points 1) It is possible to apply for a waiver, 2) safety can be achieved without the use of 112 decibels and 3) if the waiver is not granted there should be a very high bar placed for mitigation.

Steve Keefer provided written copy of his statement for the file.

[5:55:43 PM](#) Kristin Turco, 1220 Green Valley Dr, not much she could add to what Steve said that he pretty much covered everything they have been discussing. Would like to

invite the Planning and Zoning Commissioners to come and hear the backup bells themselves, that the bells are loud and intrusive. Turco discussed the times the buses leave and return the facility throughout the day. Turco stated main impact is when the buses are leaving. Turco also found the plywood fence insulting, that it has made no difference. Turco summarized the only reason facility was allowed was due to the Conditional Use Permit. Turco feels it is the commissioner's and the city's job to protect the residents from the violation of lights and noise. Turco explained how she thinks the next best option in place of relocating it is to enclose the facility.

[5:59:03 PM](#) Gwen Carol Holmes, Super Intendent of BCSD, referred to her previous comment apologizing on behalf of the district. Holmes explained that they have taken a lot of measures to ensure safety, that they have gone for safety over convivence and that not everyone is happy with the change. Holmes stated that she does take one exception respectfully, on whether or not they can get the IDAPA waived for them. Holmes read Idaho Code 331508 aloud. Holmes summarized the process that would need to through to get a waiver.

[6:00:33 PM](#) Lynn Rikken, 1230 Green Valley Drive, explained the recording of the bus's backup alarms is not what it sounds likes at all. That she had a realtor come by who stated the noise would lower the value of her home. Rikken's expressed concern as to what else the School District may want to get out of. [6:02:01 PM](#) Rikken's invited commissioners to come to her home to listen to the backup alarms. Confirmed the noise is constant. Request that the P&Z and BCSD reconsiders the request.

[6:03:34 PM](#) **Chair Fugate closed public comment.**

[6:03:45 PM](#) Lance Doby, confirmed the time of when the video was taken. Doby explained what the noise study shows. [6:05:07 PM](#) Scanlon asked who determines what is an acceptable level of noise, who determined the fence requirements, Horowitz explained the fence was a condition of approval for the Findings of Fact. [6:06:30 PM](#) Chair Fugate asked staff to go page 20 of the packet, that there were sound comparisons that did not make sense to her. [6:06:55 PM](#) Smith stated he thinks their consultant had some good recommendations. Smith stated he was not at the September hearing, but as he mentioned in the July hearing that it was surprising to him that someone would take on the decision to not comply with the Conditional Use Permit. [6:08:40 PM](#) Smith referenced his experience with working with OSHA and the noise level requirements. Smith discussed possibility of a waiver to lower noise level. [6:09:18 PM](#) Smith suggested possible operation changes where buses could back in during the summer and that there are temporary wheel stops that could be installed and removed very easily. [6:10:09 PM](#) Pogue asked about the pressure switch to turn off the noise. Doby explained it is a

spring-loaded button that the bus driver has to hold while reversing. Pogue referenced a comment by the school district that they did not want the drivers to turn off the alarm while outside of the facility. Chair Fugate clarified it was a concern that the drivers would turn off while outside of the facility. [6:12:18 PM](#) Pogue said that if the alarm is anything like the graders for snow removal, it is really annoying. Pogue referenced other noise mitigation options that he thought were going to be looked into. Pogue asked what the reason behind the change was. [6:13:56 PM](#) Chair Fugate expressed concern for sound comparisons. Horowitz confirmed study is stamped by an engineer. [6:15:00 PM](#) Horowitz referenced the comment regarding the white noise, explaining it was previously discouraged at the last meeting. Chair Fugate asked why the buses cannot be all the same noise level and if there is a possibility of a waiver, that there is conflicting information. [6:16:52 PM](#) Scanlon referenced previous meeting and asked if could use backup cameras in place of the beepers. Board continued to discuss noise level and mitigation options; such has a roof. [6:18:54 PM](#) Chair Fugate asked staff about how much the noise level would be mitigated by the fence. Horowitz and Chair Fugate discussed decision for the fence as noise mitigation. Chair Fugate stated she does not feel comfortable eliminating this as does not think comparably mitigation has been reached but also understands the safety side. Scanlon stated has new information than in commissioners in 2003. [6:27:13 PM](#) Board and Staff reviewed letter from Greddert to Grotto dated April 22, 2003. Board continued to discuss options to eliminate and or mitigate the noise. [6:31:59 PM](#) Simms stated he reads this very similarly to Smith, but that he does believe that a waiver may still be required. Smith agreed. Simms explained his response to Keefer's hypothetical question on if a waiver was granted. Simms suggested perhaps they are back to where they were last fall where the school district needs to submit the waiver application to reduce decibel level. Smith clarified suggesting a two-prong approach, 1) have a sound study done to determine the ambient noise level and then have an alarm above ambient by 10 decibels to provide a safe environment or 2) an in-lieu system which would be the cameras that would eliminate the backup alarms. Horowitz added that it is possible that the waiver would not be granted. Smith agreed but that there are other sound mitigation options that could be taken. Board and Staff discussed timeline of when applicant would return and what the applicant would return with. [6:37:17 PM](#) Holmes stated sure all are aware a few years ago school bus was rolled, that caused them to do a deep dive into their transportation department that revealed multiple items that did not follow the safety protocols and if they continue to do those their insurance will not cover them. Holmes explained this is one of those items. Board agreed to suspend the condition O until the next hearing on March 2, 2020.

[6:41:51 PM](#) Smith motioned to continue the public hearing to March 2,2020 until then suspending the beeper portion of Condition O. Scanlon seconded. All in Favor.

PH 2 *Consideration of a Conditional Use Permit Application by Roger Mansecidor for a 600 square foot temporary structure to be located at 512 South Main Street (Lots S. 5' of 13 and all of Lots 14-16, Block 64, Hailey Townsite), within the Business (B) and Townsite Overlay (TO) Zoning Districts. The proposed temporary structure will be used as an automotive repair and maintenance facility. **THIS ITEM WILL NOT BE HEARD TONIGHT. APPLICANT PULLED PROJECT.***

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

(no documents)

SR 2 Discussion of the next Planning and Zoning meeting: January 21, 2020

- PUD: Sunbeam
- PP: Sunbeam

[6:44:13 PM](#) Horowitz summarized upcoming projects for next hearing. Horowitz reminded commission next meeting is on a Tuesday.

[6:46:39 PM](#) Pogue motioned to adjourn. Smith seconded. All in Favor.