

**JEROME COUNTY PLANNING AND ZONING COMMISSION MINUTES
MARCH 29, 2021
THE JACK NELSEN CONFERENCE ROOM, JEROME COUNTY COURT HOUSE**

CALL TO ORDER

Present: Oscar Carranza, Becky Dean, Trish Heath, Arlen Morgan, and Brett Thompson
Absent: Larrey Anderson
Staff Attendees: Nancy Marshall, Administrator, Kacie Buhler, Assistant Administrator and Julie Lehmann Administrative Assistant

BUSINESS MEETING

Administrator Nancy Marshall opened for the regular meeting at 7:03 p.m.

Ms. Marshall explained that the Commission needed to appoint a new Co-Chairman.

M/S/C Arlen Morgan nominated and motioned to accept Brett Thompson as Co-Chairman. Becky Dean seconded the motion. Motion carried unanimously.

The Commission reviewed the minutes of the November 23, 2020 meeting.

M/S/C Oscar Carranza made a motion to accept the November 23rd minutes as written. Trish Heath seconded the motion. Motion carried unanimously.

Arlen Morgan discussed the Mid Snake River Water Resource Commission meeting for the last few months.

Nancy Marshall gave an update on the Legislative Action Page. She discussed withdrawing the East Side Rezone. There was no new information to give on the Comprehensive Plan Update.

7:15 HEARING – SAFELINK INTERNET’S REQUEST FOR A SPECIAL USE PERMIT FOR COMMUNICATION TOWERS

David Lazenby from Safelink Internet was sworn in and presented the application.

Nancy Marshall introduced the Staff Report.

Co-Chairman Brett Thompson asked if there was anyone in support of the application in the audience. There was no one. He asked if there was anyone in opposition. Cassandra Lemons speaking in opposition for herself, Mr. Traugher, Mr. Gott, Mr. Lowry and Mr. Pendleton, whom are all lot owners in Skeleton Butte Estates. Joe Shelton (White Cloud Communications, previous tower property owner) and Jerry Gonterman spoke in opposition.

Public comment in opposition read into the record by Staff for Paul Dally:

Thank you for the opportunity to comment on this permit request, I am a trustee of the Dally Living Trust, owner of lot 20 bordering the property requesting the permit.

1. Safelink Internet is requesting to use the property on Skeleton Butte in a manner not consistent with the existing Skeleton Butte Estate restrictive covenants and zoning restrictions applied by the County of Jerome. Safelink Internet had knowledge of these restrictions prior to purchase

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of Lot 19, Skeleton Butte Estates. Safelink Internet is requesting use of the property from Jerome County that will cost the surrounding community in a disrupted skyline and changes in property use with as yet unknown consequences and potentially cause lost property value to the other property owners in Skeleton Butte Estates. These losses do have value. Safelink Internet will gain ownership of a communications tower enhancing their service area, with associated increase in revenue income for services provided, and potential lease income from other internet providers.

2. Before a decision is made on this permit request, I ask the commissioners for a determination of **a.** Alternate communication tower options for Safelink Internet that would negate a need for a tower on Skeleton Butte, **b.** The value loss to the surrounding communities and property owners in Skeleton Butte Estates, and mitigation for the loss in current or future value, **c.** A set of measurable and reportable outcome measures regarding safety and noise, visual, and chemical waste pollution in the ground and air around the site with mandatory periodic reporting by Safelink Internet that can be reported and used by Jerome County in the event of unforeseen consequences to building the tower. This should be funded by Safelink Internet and performed by an independent third party or Jerome County department, and **d.** Improved internet service in the area around Skeleton Butte would be a benefit to the surrounding community if it is reliable and affordable. The project being proposed by Safelink Internet could be beneficial to all parties if consideration is given to all the people and communities that will be affected by this before proceeding.

David Lazenby returned for rebuttal and addressed Mr. Dally's, Cassandra Lemon's and Joe Shelton's concerns. Jerry Gonterman was sworn in and spoke in opposition. Davis Lazenby returned for rebuttal and addressed Mr. Gonterman's concerns.

Recess: 8:18 p.m.

Reconvene: 8:22 p.m.

Brett Thompson asked if there were any further questions from the Commissioners. Hearing none, Co-Chairman Thompson closed the hearing for further testimony.

7:30 HEARING – EHM ENGINEERING ON BEHALF OF GREGG OLSEN'S REQUEST FOR A SPECIAL USE PERMIT FOR A RETAIL FURNITURE STORE.

Dave Thibault from EHM Engineers was sworn in and introduced himself as an agent on behalf of Gregg Olsen and presented the application.

Nancy Marshall presented the Staff Report. She discussed the purpose of the Addendum to the Staff Report.

Co-Chairman Brett Thompson asked if there was anyone in support or opposition to the application in the audience.

Public comment in support read into the record by staff for Billy Salts:

We are in support of new business development in Jerome.

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With increased traffic on Hwy 93 from customers coming to the new furniture store, surrounding business will be seen more frequently and ideally this will lead to economic growth for existing businesses in the area.

People enjoy supporting local stores with locally produced products that will be available at the new furniture store.

Public comment in support read into the record by staff for Martin R. Lee

This hearing is absurd! Commercial retail is allowed in a commercial zone and should not require additional expense and time for the business owner.

Dave Thibault returned for rebuttal. Brett Thompson asked if there were any further questions. Hearing none, Co-Chairman Thompson closed this hearing for further testimony.

Recess: 8:44 p.m.

Reconvene: 8:52 p.m.

DISCUSSION & DECISION

Co-Chairman Thompson reopened for the 7:30 hearing for EHM Engineering on behalf of Gregg Olsen's request for a Special Use Permit Hearing Discussion and Decision. They reviewed the General Standards.

M/S/C Trish Heath made a motion to approve the Special Use Permit for a Retail Furniture Store on the property duly advertised for this hearing in the Commercial Corridor with the conditions as outlined by Staff. Commercial Corridor design standards (6-7 E.) will be waived. The Commission found that the application met the General Standards of 7-3.01 and used Exhibits A1-15 through PC1-2. Oscar Carranza seconded the motion. Motion carried unanimously.

Co-Chairman Thompson reopened for Discussion and Decision for the 7:15 hearing for Safelink Internet's request for a Special Use Permit hearing. The Commission reviewed the General Standards.

M/S/C Trish Heath made a motion to approve Safelink Internet's request for a Special Use Permit for Utility Structures used for the transmission and reception of internet communication signals and for the construction, installation, operation, maintenance, repair, removal and replacement of related facilities, tower and base, antennas, microwave dishes, equipment shelters and or cabinets and other related activities for one tower on the property duly advertised for this hearing with the Special Use Conditions provided by Staff and in addition, adding that Safelink must resolve the power line issue and remove the utility poles times 2. General Standards were addressed and the Exhibits used to make the decision were A1-17 and PC1-11. Arlen Morgan seconded the motion. Motion carried unanimously.

WRITTEN DECISION

M/S/C Trish Heath motioned to allow Brett Thompson to sign the Written Decisions on Wednesday. Becky Dean seconded the motion. Motion carried unanimously.

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ADJOURN

M/S/C Becky Dean made a motion to adjourn. Arlen Morgan seconded the motion. Motion carried unanimously.

The meeting was adjourned at 9:09p.m.

Respectfully Submitted,

Julie Lehmann, Administrative Assistant

ATTESTED BY:

Chairman

DRAFT