



**REGULAR COUNCIL MEETING and PUBLIC HEARINGS**  
**MONDAY, March 29<sup>th</sup>, 2020 @ 6:00 p.m.**

**MINUTES**

Present: Mayor Davis, Councilors Brockway, Hoffman, Parkin and Shaha. Staff: Engineers – Hassell and Converse, Water/Sewer Operator – Bob Hansen, Planners - Marley and Adair, Clerk-Hutchings  
Public Attending: Jim Janish, John Hanson, Joe Gibbs, Bill & Gloria Stuble, Scott Brixen, Mark Sauter, George Eskridge, Tony Vilelli, Al Czap, Marie Forbes.

- I. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Meeting called to order at 6:02 p.m.  
II. **PUBLIC COMMENT** – Clerk reported no public comments had been received. None offered by attendees.

Mayor recessed the regular council meeting and opened public hearing at 6:04 p.m.

III. **PUBLIC HEARINGS**

- 1) ZC02-21 Czap Zone Change  
2) SUPM03-21 Czap Special Use Permit Modification

Mayor read his disclosure into record. Hoffman made disclosure for record as well.

Marley reviewed processes for public hearing. Adair gave presentation following PowerPoint document. Included fact that new certificate of occupancy will be needed with reviews by fire and state building authorities.

Applicant's representative, Vilelli, provided comments and answered few questions posed by Councilors.

Testimony "for" began at 6:56 p.m. with Gibbs – supports P&Z recommendation, requests 50' buffer zone be used for walking paths and lunch areas, not sport courts or similar, in order to protect neighbors' private property rights and privacy.

Testimony for "neutral" began at 7:01 p.m. with Eskridge – agrees with buffer zone with request for more trees to filter light and noise. Would like to ensure that existing drainages remain operable with no development over those areas. Hanson agrees with maintaining buffer zone. Expressed concerns for noise and dust from nuts for those who have nut allergies.

Testimony "against" began at 7:17 p.m. with Janish – Opposes re-zone, does not oppose special use permit however favors a new special use permit vs. modification. Supports maintaining drainages and buffer.

Vilelli gave brief rebuttal with comments on drainage maintenance, noise, light and dust particulates. Reminded that city has ordinance with enforcement for noise.

Mayor reconvened the regular council meeting at 7:40 p.m.

Deliberations by Council with various discussions regarding stormwater, noise, support of comprehensive plan, and buffer zone. Deliberations concluded at 7:56 p.m.

IV. **NEW BUSINESS**

1) Proposed Ordinance for Zone Change - **Parkin motioned** to dispense with the rules for reading the ordinance on three different days and called for one reading of the proposed ordinance by title alone, pursuant to Idaho Code §50-902, **2<sup>nd</sup> by Shaha. Roll call vote:** Brockway-Aye, Hoffman-Absent, Parkin-Aye, Shaha-Aye. Motion passes.

As approved by Council at meeting held 05/13/2021 (mch)

**Parkin motioned** to adopt Ordinance # to be assigned, amending the Official Zoning Map of the City of Dover to rezone certain lands known as the Thorne Research Center and described in file #ZC02-21 from “Residential” to “Commercial”, **2<sup>nd</sup> by Brockway**. **Roll call vote:** Brockway-Aye, Hoffman-Nay, Parkin-Aye, Shaha-Aye. Motion passes. **Brockway motioned** to approve the summary of Ordinance # to be assigned, as presented, and authorized the publication of this summary in accord with Idaho Code §50-901A, **2<sup>nd</sup> by Shaha**. **Roll call vote:** Brockway-Aye, Hoffman-Absent, Parkin-Aye, Shaha-Aye. Motion passes.

2) Proposed Amendment to Special Use Permit – **Brockway motioned** to approve File #SUP03-21 for the modification to the terms of the Thorne Research Special Use Permit to allow for light manufacturing and processing of dietary and food products, warehousing, professional offices, public access to existing cafeteria, customer tours and tasting, testing related to processing, wholesale and retail sales, shipping, and receiving, finding that it is in accord with the general and specific standards of the City of Dover, as enumerated in the findings and standards table of the staff report. I further move to adopt the conditions of approval as amended as #4 to read: Existing vegetative buffers and berms, as required by the original permit, shall be retained around the perimeter of the property. At a minimum, a 50-foot wide treed vegetative buffer shall be retained and replaced on the south property line, to include not less than four (4) major evergreen and deciduous trees per 100 linear feet of buffer. And #7 to be added to read: Any fees owing for the processing of the special use permit modification and zone change shall be paid prior to the issuance of the special use permit modification. And reasoned statements as drafted, concluding the permit IS in accord with the applicable standards of Dover City Code Sections 12-10-3 and 12-3-18. The action to be taken to obtain the special use permit is to complete the conditions of approval as adopted, **2<sup>nd</sup> by Parkin**. **Roll call vote:** Brockway-Aye, Hoffman-Absent, Parkin-Aye, Shaha-Aye. Motion passes.

**Parkin motioned** to close the public hearing at 8:10 p.m., **2<sup>nd</sup> by Hoffman**. All in Favor

Mayor and council called for break at 8:11 p.m.

Council reconvened at 8:20 p.m.

3) Mayor’s appointment of Treasurer – Mayor submitted nomination of Stephanie Mueller as City Treasurer **Brockway motioned** to accept appointment, **2<sup>nd</sup> by Hoffman**. **Roll call vote:** Brockway-Aye, Hoffman-Absent, Parkin-Aye, Shaha-Aye. Motion passes.

4) Grounds maintenance contracts – Brockway reviewed findings and cost comparisons. Parkin agreed to walk park on occasion to make observations, communicate with vendor and clerk if there are any concerns. **Hoffman motioned** to approve all three contracts with Lawnco as presented, **2<sup>nd</sup> by Shaha**. **Roll call vote:** Brockway-Aye, Hoffman-Absent, Parkin-Aye, Shaha-Aye. Motion passes.

5) Letter to legislators opposing House Bill HB319 – **Brockway motioned** to approve and sign letter as presented, **2<sup>nd</sup> by Parkin**. **Roll call vote:** Brockway-Aye, Hoffman-Absent, Parkin-Aye, Shaha-Aye. Motion passes.

#### V. **OLD BUSINESS**

1) US Postal Service Letter of Support - **Parkin motioned** to approve and sign letter as presented, **2<sup>nd</sup> by Hoffman**. **Roll call vote:** Brockway-Aye, Hoffman-Absent, Parkin-Aye, Shaha-Aye. Motion passes. Clerk directed to post letter on bulletin board in post office.

VII. **FUTURE AGENDA ITEMS/MEETINGS** - Mayor reviewed items included on agenda.

VIII. **ADJOURNMENT** – **Brockway motioned** to adjourn the meeting at 8:38 p.m., **2<sup>nd</sup> by Shaha**. All in Favor.