



# CITY OF STAR

## LAND USE STAFF REPORT

**TO:** Mayor & Council

**FROM:** City of Star Planning Department *Shen T. Mink*

**MEETING DATE:** **May 3, 2022**

**FILE(S) #:** FP-22-06, Final Plat, Welton Estates Subdivision

### REQUEST

Applicant is seeking approval of a Final Plat for Welton Estates Subdivision consisting of 9 residential lots and 3 common lots on 9.26 acres. The subject property is generally located west of the intersection of W. Floating Feather Road and N. Pollard Lane in Star, Idaho. Ada County Parcel Numbers S0404336120 & S0404336140.

**APPLICANT/REPRESENTATIVE:**

Tucker Johnson  
Green Village 2 Dev. Inc.  
372 S. Eagle Rd., Ste. 328  
Eagle, Idaho 83616

**OWNER:**

Green Village 2 Dev., Inc.  
372 S. Eagle Rd., Ste. 328  
Eagle, Idaho 83616

**OWNER:**

Raeleen Welton  
9500 W. Broken Arrow  
Star, Idaho 83669

### PROPERTY INFORMATION

Land Use Designation - Residential R-3-DA

Acres - **9.26** acres

Residential Lots - 9

Common Lots - 3

### HISTORY

March 2, 2021 Council approved applications for a preliminary plat (PP-21-01) for Welton Estates Subdivision and a private road (Pr-21-01). The preliminary plat was approved for 9 single family residential lots and 1 common lot on 9.26 acres.

May 7, 2019 Council voted 3-1 to uphold the previous decision and deny a request for reconsideration of the April 16, 2019 decision to deny the application.

- April 16, 2019 An application for Rezone (RZ-19-02), Development Agreement (DA-19-01) & Conditional Use Permit (CU-19-03) for an RV Resort was heard by City Council. The Council voted 3-1 to deny the applicant's request.
- November 20, 2018 An application for Comprehensive Plan Amendment (CPA-18-07) to Mixed Use, Rezone to Mixed Use (RZ-18-05) and Conditional Use Permit (CU-18-04) for the RV Resort was heard by City Council. After a 1-1 tie vote, the application received no action.
- May 15, 2007 The property was annexed and zoned Residential (R3) as part of the Alamo Creek Subdivision by the Mac Land Company.
- February 20, 2007 An application for Annexation, Zoning of Residential (R4) with a Comprehensive Plan Map Amendment was denied by Council.

**GENERAL DISCUSSION**

The Final Plat layout for Welton Estates Subdivision generally complies with the approved Preliminary Plat.

**Staff Reviewed Comments from the Preliminary Plat Approval/Findings of Fact:**

The Preliminary Plat, as revised from the original submittal contains 9 single family residential lots and 4 common area lots. The lots will have access and frontage from a private street. The private street (W. Broken Arrow Lane) is an existing, approved private street that will be extended to access all lots within the proposed subdivision. The residential lots will average to about .84 acres each in size. The overall density of the development will be .97 dwelling units per acre. Section 8-4E-2 of the UDC allows developments with densities of less than 1 dwelling unit per acre to request reduction in the total required open space and amenities to the Council. The applicant has requested a waiver of all open space and amenity requirements for the subdivision. The applicant will be required to meet the street tree requirements along the private street. A 6 ft. common lot is proposed along the western boundary of the subdivision that will be dedicated to the City for a future public pathway that will eventually connect Floating Feather Road with the Middle School for student access. The subdivision will provide a pathway connection on the south side of Lot 6 to provide connection to this future pathway.

The private street will be built to ACHD, City of Star and Star Fire District standards. The submitted preliminary plat is showing a 24 ft street width along the eastern segment of the property adjacent to the Star Cemetery where the property width is narrow, widening to a 26 ft street width through the remainder of the development. The Fire District has reviewed the development and approves this width below the 36 ft width requirement in Section 8-6B-2 of

the UDC. Fire lane signage shall be required by the District to maintain property emergency access. As allowed for in Section 8-4D-3B(5) of the UDC, the applicant is requesting a waiver of sidewalks within the development. A private street maintenance plan, including proposed funding, shall also be required by Staff prior to final plat signature. Street name approval must be obtained by the Ada County Street Naming Committee prior to signature of the final plat. Staff suggests a streetlight be placed at the intersection of the Private Road and Pollard Road and also at the end of the cul-de-sac to provide safety and emergency personnel navigation and security lighting to the pathway connection to the future school pathway.

The outparcel in the southwest corner of the applicant's property has been left out of the initial preliminary plat application in order for the owners to complete their flood study of the portion of the property that is within a special flood hazard area (undetermined Zone A). To remove this corner of the property, a condition will be placed on the approval of this preliminary plat requiring the applicant to receive approval of a Property Division application from the City. Once the flood hazard area study is completed, the applicant intends to submit a revised preliminary plat application to bring the remaining property into the overall subdivision. Staff will include additional conditions of approval into this development application to address this process. Staff recommends that the Council include a condition of approval requiring a 6 ft. easement along the western boundary of this outparcel be dedicated to the City as part of this initial preliminary plat in order to preserve the future school pathway in the event that the applicant does not move forward with the revision to the approved preliminary plat.

#### **Staff analysis of Final Plat Submittal:**

**Lot Layout** – The gross density of the final plat is 0.97 du/acre. This is aligned with the Preliminary Plat.

**Mailbox Clusters** – Applicant has provided approval from the Star Postmaster for location of the mail cluster for the development. The cluster is approved to be placed in front of the gate, on the north side of W. Broken Arrow Lane facing South. The approval letter is part of the application packet.

**Streetlights** – Applicant has provided a street line plan, and staff is supportive of the proposed locations for lights. Applicant has also provided a streetlight cut sheet and the proposed fixture is the Star preferred streetlight.

**Street Names** – Ada County requested some of the proposed street names to be modified or changed. The requested changes are not reflected on the plat submitted with this application. All street names shall be accurately reflected on the mylar in order to be signed by the City.

**Subdivision Name** – Welton Estates Subdivision confirmed by Ada County Development Services on December 31, 2020. The supporting documentation is in the application packet.

**Landscaping** – Applicant will be required to provide street trees along the private road and along Pollard Road in accordance with the Unified Development Code. A landscape plan submitted with the application appears to satisfy these requirements.

**Open Space** - Section 8-4E-2 of the UDC allows developments with densities of less than 1 dwelling unit per acre to request reduction in the total required open space and amenities to the Council. The applicant has requested a waiver of all open space and amenity requirements for the subdivision.

**Private Road Gate** – The gate on W. Broken Arrow Lane shall be installed according to the specifications outlined by Star Fire in their preliminary plat staff report. The gate shall provide a minimum of 20 feet of clearance when open and have a Knox Box for emergency access. The gate shall also be setback far enough from Pollard Road so as not to obstruct traffic on Pollard Road when accessing the private lane.

**Conditions of Approval from the Preliminary Plat:**

*Condition of Approval Number 2.*

Condition states the applicant shall submit, and have approved, a Property Division application with the City to separate the southwest corner of the property from the boundary of the preliminary plat, prior to submittal of the final plat application. **This has been completed and recorded on August 27, 2021. ROS 13009. Instrument number 2021-118102.**

*Condition of Approval Number 3.*

Condition states the applicant shall provide the City of Star with a 6 ft. pathway easement along the western boundary of the future outparcel located in the southwest corner of the applicant's property. **Since the Welton's owned the property at the time of approval, this responsibility still falls upon Mr. Johnson to obtain. This easement will need to be recorded before the final plat can be signed.**

*Condition of Approval Number 4.*

Condition states that Lot 7, Block 1 of the approved preliminary plat, now Lot 1, Block 1 of the final plat, shall be dedicated to the City of Star during final platting to establish a future public pathway to the Star Middle School. **Note 6 on the final plat should be updated, by removing Lot 1 from the note. A new note on the final plat should be added which states "Lot 1, Block 1 shall be dedicated to the City of Star. The City shall own and maintain the pathway lot."**

**PUBLIC NOTIFICATIONS**

Notifications of this application were sent to agencies having jurisdiction on April 6, 2022.

October 20, 2021  
April 15, 2022

Keller Associates  
DEQ

Approval Letter and Checklist  
Standard Letter

## FINDINGS

The Council may **approve, conditionally approve, deny** or **table** this request. In order to approve this Final Plat, the Unified Development Code requires that Council must find the following:

A. The Plat is in conformance with the Comprehensive Plan.

*The Council finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.*

B. Public services are available or can be made available and are adequate to accommodate the proposed development.

*Staff finds that all public services are available and able to accommodate this development.*

C. There is public financial capability of supporting services for the proposed development.

*Staff knows of no financial hardship that would prevent services from being provided.*

D. The development will not be detrimental to the public health, safety or general welfare; and,  
*Staff finds no facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.*

E. The development preserves significant natural, scenic or historic features.

*Staff finds that existing conditions have not substantially changed from the approved Preliminary Plat of this subdivision.*

## CONDITIONS OF APPROVAL

1. The approved Preliminary Plat for the Welton Estates Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **The applicant shall provide the City of Star with a 6 ft. pathway easement along the western boundary of the future outparcel located in the southwest corner of the applicant's property.**
3. **Lot 7, Block 1 of the approved preliminary plat, now Lot 1, Block 1 of the final plat, shall be dedicated to the City of Star during final platting to establish a future public pathway to the Star Middle School. Notes on the final plat shall be modified as requested.**
4. **The private street shall meet all requirements of the Star Fire District, including width, signage and turn-around.**
5. **The Applicant/Owner shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC.**
6. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. Streetlights shall be installed prior to any

building occupancy. Design shall follow Code with requirements for light trespass and “Dark Skies” lighting.

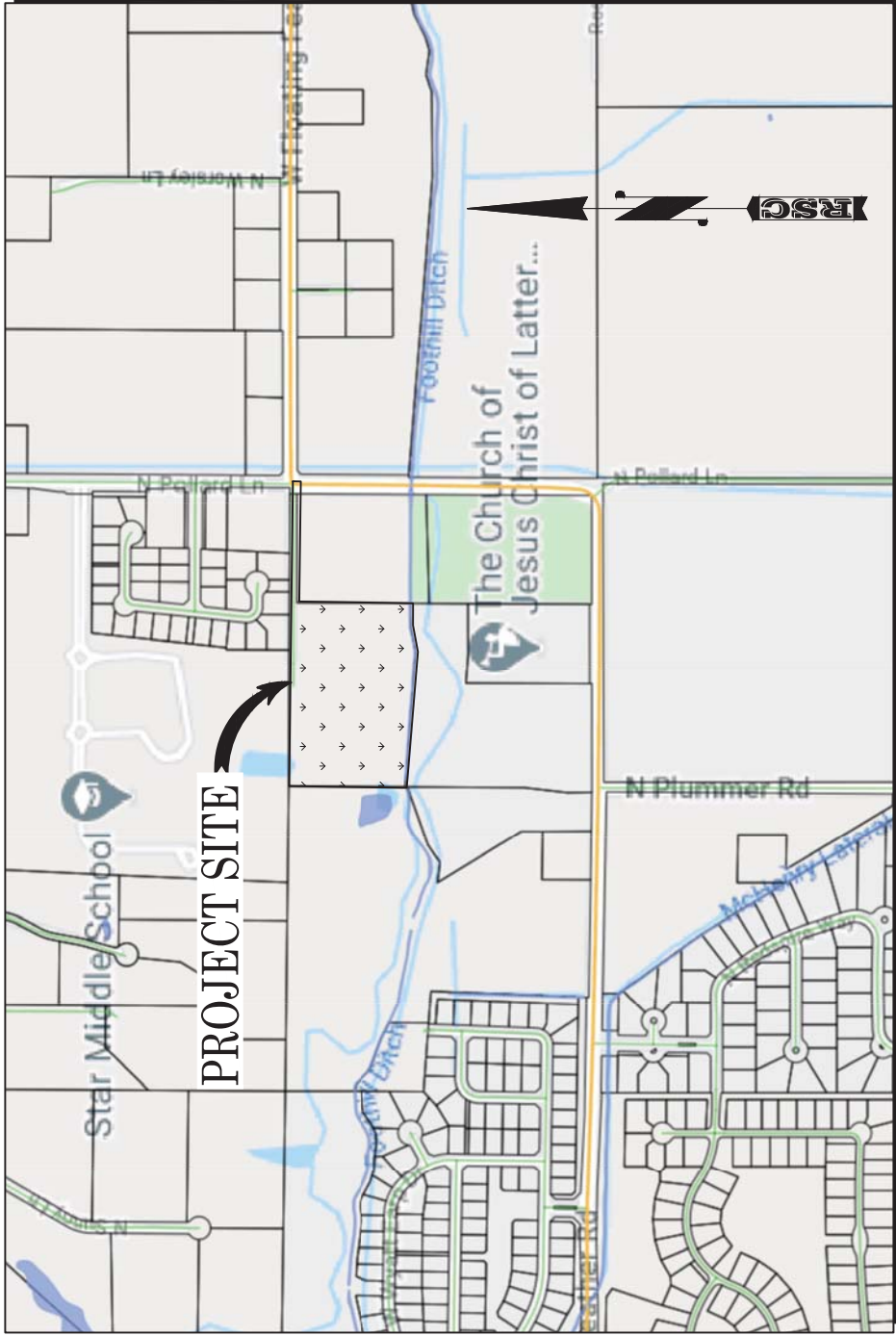
7. Street trees along the private street and landscaping along Floating Feather Road shall be installed per Chapter 8, including Section 8-8C-2-M(2) Street Trees. **The submitted landscape plan shows trees in accordance with the requirements in the UDC. The trees are proposed to be planted on each lot by the builder. Certificate of Occupancy will be withheld until trees are verified to be installed.**
8. The property associated with this approved Final Plat, in addition to the property of all future phases shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
9. **Approval for the private street name shall from Ada County shall be received and street names property reflected on the mylar prior to signature by the City.**
10. The property associated with this approved Final Plat, in addition to the property of all future phases shall be properly maintained throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned weekly, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily.
11. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
12. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
13. The approved Preliminary Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
14. A plat note supporting the “Right to Farm Act” as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
15. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance.
16. The subsequent Final Plats shall comply with and be in accordance with the current City of Star Code, with the exception of any waivers granted by Council.
17. Requested surety shall be required at 150% of the total estimated installed cost, as approved by the City Engineer or Administrator. The term of approval shall not exceed 180 days. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items.)
18. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
19. A separate sign application is required for any subdivision sign.
20. As built plans for pressurized irrigation systems shall be submitted to the City of Star **prior to signature of the final plat.**
21. Applicant shall provide the City with two (2) full size and two (1) 11”x17” copy of the signed recorded final plat with all signatures, prior to any building permits being issued.

22. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
23. The mylar/final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
24. A copy of signed irrigation agreements shall be submitted to the City **prior to signature of the final plat.**
25. All common areas shall be maintained by the Homeowners Association.
26. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of construction.**
27. A copy of the recorded CC&R's shall be submitted to the City of Star prior to any building permits being issued.
28. **Prior to signature of the final plat**, a signed Irrigation District Agreement with the Irrigation Districts shall be provided to the City of Star. This requirement shall be with each subsequent Final Plat application.
29. **Any additional requirements as specified by the fire district.**
30. **Provide pathway and easement for pathway along irrigation ditch.**

<b>COUNCIL DECISION</b>
-------------------------

The Star City Council \_\_\_\_\_ File # FP-22-06 Welton Estates Subdivision Final Plat,  
 on \_\_\_\_\_, 2022.

# Welton Estates Subdivision



VICINITY MAP  
1" = 800'±





# FINAL PLAT APPLICATION

\*\*\*All information must be filled out to be processed.

FILE NO.:	_____
Date Application Received:	_____ Fee Paid: _____
Processed by:	City: _____

## Applicant Information:

PRIMARY CONTACT IS: Applicant  Owner  Representative

Applicant Name: GREEN VILLAGES 2 DEVELOPMENT INC (GV2)  
 Applicant Address: 372 S. Eagle Rd ste 328 Zip: 83616  
 Phone: 208-377-4104 Email: tje@skylined.com

Owner Name: GV2 and Raeleen Welton  
 Owner Address: Above and 9500 W. Broken Arrow Zip: 83669  
 Phone: 208-870-1128 Email: rwelton@outlook.com

Representative (e.g., architect, engineer, developer):  
 Contact: Tucker Johnson Firm Name: GV2  
 Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: same

## Property Information:

Subdivision Name: WELTON ESTATES Phase: 1  
 Parcel Number(s): 50404336120, 50404336140  
 Approved Zoning: R3 Units per acre: 0.97  
 Total acreage of phase: 9.26 Total number of lots: 13  
 Residential: 9 Commercial: - Industrial: -  
 Common lots: 3+road Total acreage of common lots: 0.10 Percentage: 1%  
 Percent of common space to be used for drainage: 0 Acres: 0  
 Special Flood Hazard Area: total acreage N/A number of homes 0

Changes from approved preliminary plat pertaining to this phase:

	Preliminary Plat	Final Plat
Number of Residential Lots:	<u>9</u>	<u>9</u>
Number of Common Lots:	<u>1+road</u>	<u>3+road</u>
Number of Commercial Lots:	<u>-</u>	<u>-</u>
Roads:	<u>1</u>	<u>1</u>

Amenities: Part of Pathway to Middle School

**Flood Zone Data: (This Info Must Be Filled Out Completely Prior to Acceptance):**

Subdivision Name: WELTON ESTATES Phase: 1

Special Flood Hazard Area: total acreage 0 number of homes 0

- a. A note must be provided on the final plat documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plat in situations where two or more flood zones intersect over the property or properties being surveyed.
- b. FEMA FIRM panel(s): #160xxxxxC, 160xxxxxE, etc.: \_\_\_\_\_  
 FIRM effective date(s): mm/dd/year \_\_\_\_\_  
 Flood Zone(s): Zone X, Zone A, Zone AE, Zone AH, etc.: \_\_\_\_\_  
 Base Flood Elevation(s): AE \_\_\_\_ .0 ft., etc.: \_\_\_\_\_
- c. Flood Zones are subject to change by FEMA and all land within a floodplain is regulated by Chapter 10 of the Star City Code.

**Application Requirements:**

(Applications are required to contain one copy of the following unless otherwise noted.)

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed copy of Final Plat Application	
✓	Fee: Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments. <u>208-286-7247</u> <u>14 lots</u>	
✓	Electronic copy of letter of intent and statement of compliance (or substantial compliance) with the approved Preliminary Plat and Conditions of Approval. The letter of intent shall include the following: <ul style="list-style-type: none"> <li>• Gross density of the phase of the Final Plat submitted</li> <li>• Lot range and average lot size of phase</li> <li>• Description of approved open space being provided in the submitted phase including percentage of overall open space, number and type of approved amenities</li> <li>• List any specific approved building setbacks previously approved by Council.</li> </ul>	
✓	Electronic copy of legal description of the property (word.doc and pdf version with engineer's seal and closure sheet)	
✓	Electronic copy of current recorded warranty deed for the subject property	
✓	If the signature on this application is not the owner of the property, an <b>original</b> notarized statement (affidavit of legal interest) from the owner stating the applicant and/or representative is authorized to submit this application.	
✓	Electronic copy of subdivision name approval from Ada County Surveyor's office.	
✓	Copy of the "final" street name evaluation/approval or proof of submittal request from Ada County Street Naming	
✓	Electronic copy of vicinity map showing the location of the subject property	
✓	One (1) 24" X 36" paper copy of the Final Plat & Electronic Copy**	
✓	One (1) 11" X 17" paper copy of the Final Plat	
	Electronic copy of the Final landscape plan**	

	One (1) 11" X 17" copy of the Final landscape plan	
N/A	Electronic copy of site grading & drainage plans**	
✓	Electronic copy of originally approved Preliminary Plat**	
N/A	Electronic copy of a Plat with all phases marked with changes, if applicable**	
✓	Electronic copy of final engineering construction drawings, stamped and signed by a registered engineer**	
✓	Storm drainage calculations must be submitted for <u>private</u> streets/drives and parking areas within subdivisions**	
✓	Electronic copy of streetlight <b>design</b> and <b>location</b> information	
N/A	Special Flood Information – Must be included on Preliminary/Final Plat and Application form.	
✓	Electronic copy of all easement agreements submitted to the irrigation companies	
✓	Electronic copy of the proposed Covenants, Conditions, & Restrictions (CC&R's)	
✓	One (1) copy of Electronic versions of submitted applications, including signed Final Plat Application, legal description, recorded warranty deed, vicinity map, final plat, landscape plan, site grading & drainage plans, copy of original Preliminary Plat, plat with phases marked, engineering construction drawings, storm drainage calculations, streetlight design and location, and signed irrigation agreements, CC&R's <u>shall be submitted in original pdf format (no scans for preliminary plat, landscape plans or grading and drainage plans) on a thumb drive only (no discs)</u> with the files named with project name and plan type.	
	<p><b>Upon Recording of Final Plat, the applicant shall submit the following to the Planning Department prior to building permit issuance:</b></p> <ul style="list-style-type: none"> <li>• One (1) 11" X 17" and (1) 18" X 24" <b>recorded</b> copy of Final Plat</li> <li>• Electronic copy of final, approved construction drawings</li> <li>• Electronic copy of as-built irrigation plans</li> <li>• Electronic copy of recorded CC&amp;R's</li> <li>• Proof of required Construction Sign installation at entrance to development (as conditioned in Preliminary Plat approval) – Picture of installed sign</li> <li>• Electronic copies shall be submitted in pdf format on a thumb drive with the files named with project name and plan type. **Original pdf's are required for all plans – No Scanned PDF's please.</li> </ul>	
	**NOTE: No building permits will be issued until property is annexed into the Star Sewer & Water District and all sewer hookup fees are paid.	

**FEE REQUIREMENT:**

*\*\* I have read and understand the above requirements. I further understand fees are due at the time of filing. I understand that there may be other fees associated with this application incurred by the City in obtaining reviews or referrals by architect, engineering, or other professionals necessary to enable the City to expedite this application. I understand that I, as the applicant, am responsible for all payments to the City of Star.*

  
 Applicant/Representative Signature

2-17-22  
 Date

# Welton Estates General Data and Statement of Compliance

## GENERAL DATA (this phase)

- a. Gross Density– 9 residential lots on 9.26 acres = 0.97 DU/Ac
- b. Lot size range – 0.78 acre to 0.91 acre
- c. Average Lot size – 0.81 acre
- d. Open Space
  - a. One landscaped common lot of 0.10 acres adjacent to the cemetery.
- e. Private Road – 1.35 acre

## COMPLIANCE TO CONDITIONS OF APPROVAL

1. The approved Preliminary Plat for Greiner Hope Springs Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
  - a. The final plat must be signed by various agencies having jurisdiction before the mylar is recorded.
2. The applicant shall submit, and have approved a Property Division application with the City to separate the southwest corner of the property from the boundary of the preliminary plat, prior to submittal of the final plat application.
  - a. This was completed and recorded on August 27, 2021. ROS 13009. Instrument Number 2021-118102.
  - b. enclosed
3. The applicant shall provide the City of Star with a 6 foot pathway easement along the western boundary of the future outparcel in the southwest corner of the applicant's property.
  - a. Ron Walsh owns the "out parcel" and he will provide this easement prior to the City signing the Welton Estates final plat. He is aware and has assumed this responsibility.
4. Lot 7 Block 1 (now Lot 1 Block 1 of the final plat) shall be dedicated to the City of Star during the final platting to establish a future public pathway to the Star Middle School.
  - a. See final plat and plat note
5. The private street shall meet all the requirements of the Star Fire District, including width, signage and turn-around.
  - a. SFD has reviewed and approved the plans and will inspect the roadway prior to issuance of building permits.

6. The applicant shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC.
  - a. See
  
7. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the HOA. Streetlights shall be installed prior to any building occupancy. Design shall follow Code requirements for the light trespass and "dark skies" lighting. Applicant shall submit a streetlight plan prior to final plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "dark sky" initiative.
  - a. See approved construction drawings and the spec sheet, included.
  
8. Street trees along the private street and landscaping along Floating Feather Rd shall be installed per Chapter 8, including Section 8-8C-M(2) Street Trees. The applicant shall submit a landscape plan to the City prior to submittal of the final plat showing one (1) tree per thirty-five (35) linear feet and landscaping along the private street.
  - a. See attached landscape plan. Like the City, we want to line the private street with trees. Due to limited space within the private road right of way, the street trees will be placed in the front 20' of each building lot and be installed by each builder as part of their home construction. The CCR's and ACC's require the builder to complete this work.
  - b. This project does not front Floating Feather.
  
9. The property with the approved preliminary plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
  - a. Yes.
  
10. All signed Irrigation District Agreements with the Irrigation District(s) shall be provided to the City of Star with each subsequent Final Plat application.
  - a. See included license agreement.
  
11. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for the pressurized irrigation system shall be submitted to, and approved by the City of Star Engineer, prior to installation.
  - a. See enclosed stamped approved plans.
  - b. Installation is complete, waiting only on Idaho power to set transformers.
  
12. A plat note supporting the "Right to Farm Act" as per Idaho Code title 22, chapter 45 shall be shown on the final plat.
  - a. See note 2.
  
13. A copy of the CCR's shall be submitted to the City of Star at Final plat.
  - a. Enclosed.

14. The applicant shall follow the letter and/or meet the US Postal Service requirement regarding mailbox location and Postal Services.
  - a. See enclosed USPS approval of location and CBU's.
  
15. The applicant shall comply with Star Sewer and Water District including all conditions of the district, including annexation into the District.
  - a. See enclosed plan approval and annexation.
  
16. A plat note shall state that the development standards for residential development shall comply with the effective building and zoning requirements at the time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
  - a. See final plat notes 3 and 4.
  
17. Development standard for single family residential units shall comply with the effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
  - a. Understood
  
18. All common area shall be maintained by the Homeowners Association unless otherwise stated.
  - a. See plat notes 6, 8 and 9 and the CCR's
  
19. Applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7 a.m. start time). Sign shall be approved by zoning administrator prior to start of construction.
  - a. This sign was installed 10-10-2021 before construction began.
  
20. A sign application is required for any subdivision signs.
  - a. Understood

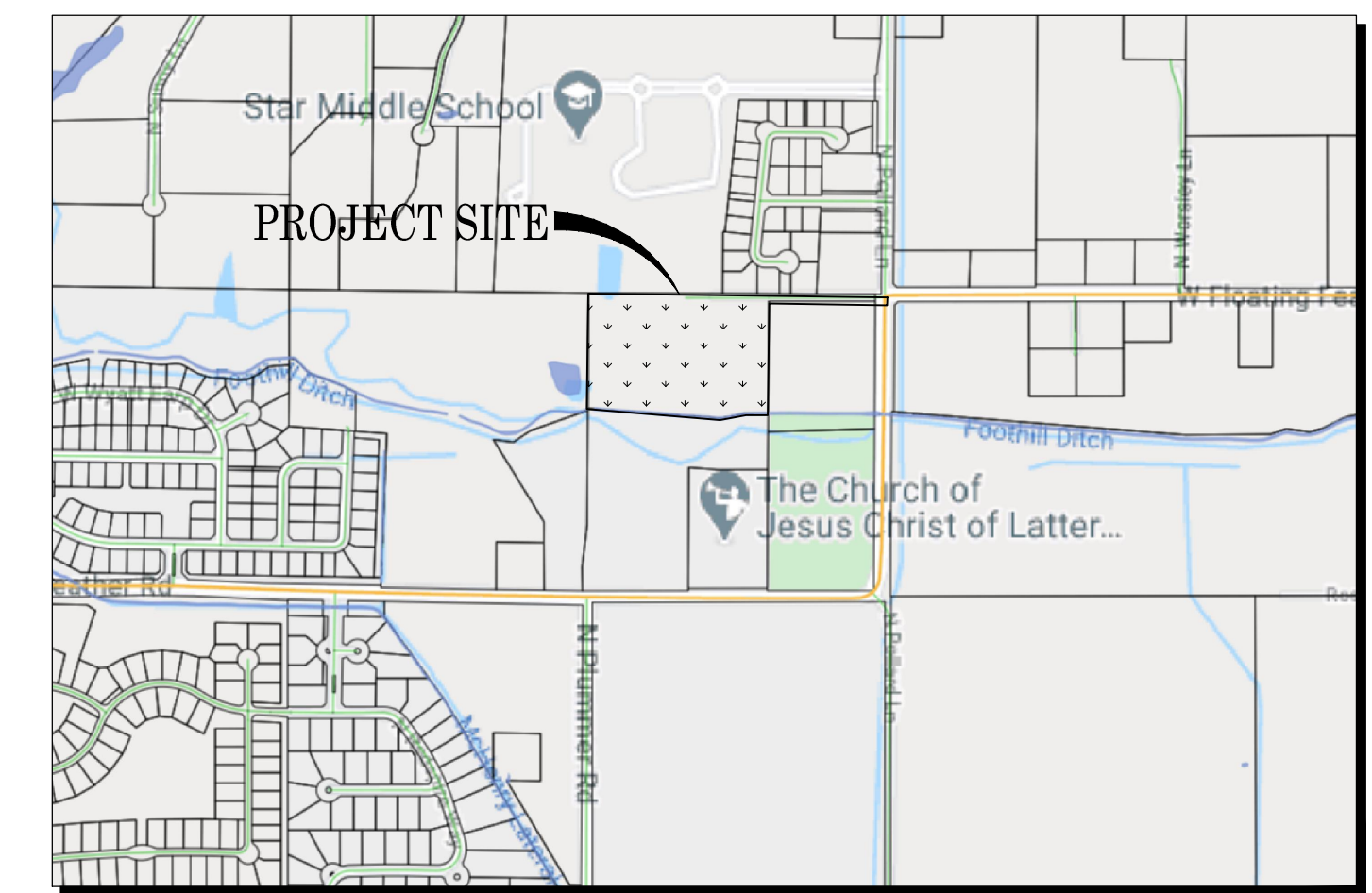


I certify that the above items are accurate.

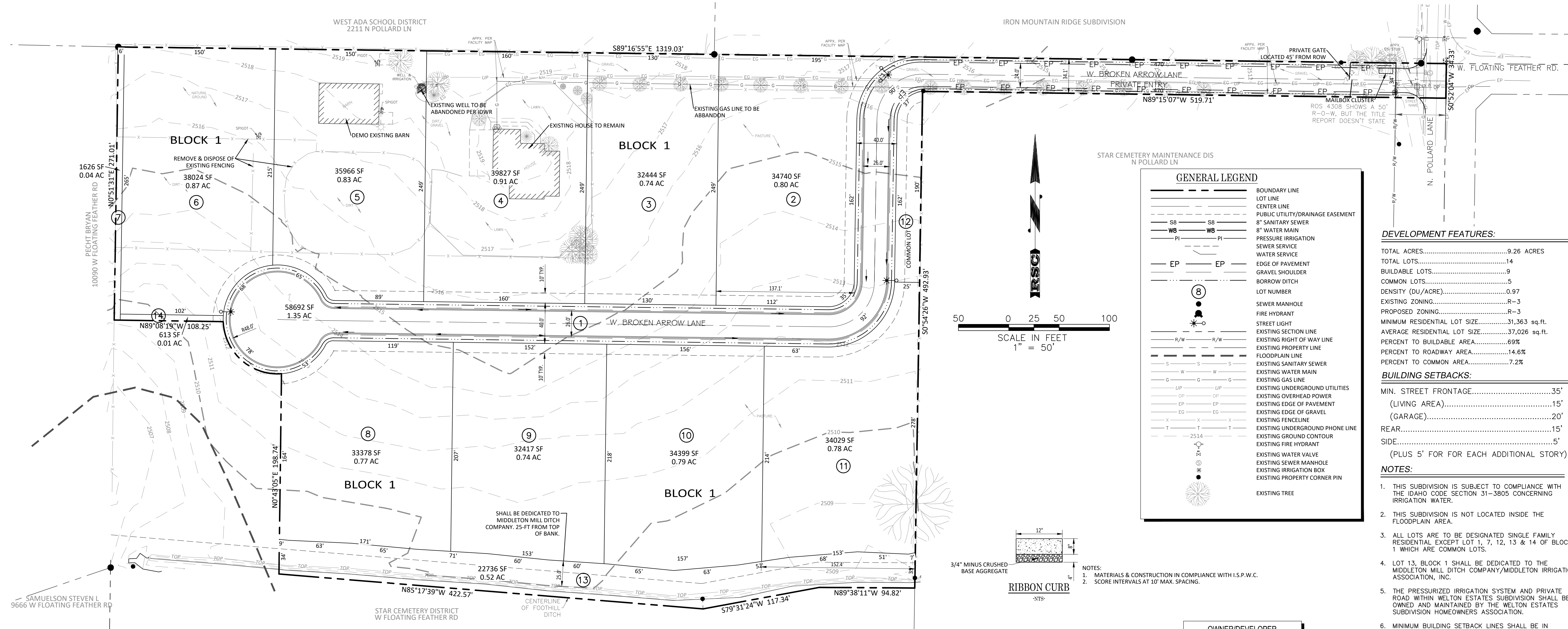
*Tucker Johnson*  
by: *Lisa Tippetts*  
Tucker Johnson  
Green Village 2 Development, Inc.

# PRELIMINARY PLAT FOR WELTON ESTATES SUBDIVISION

A PORTION OF THE SW 1/4, OF THE SW 1/4 OF SECTION 4,  
T.4N., R.1W., B.M., CITY OF STAR, ADA COUNTY, IDAHO  
2021



VICINITY MAP  
1" = 800'



**GENERAL LEGEND**

---	BOUNDARY LINE
---	LOT LINE
---	CENTER LINE
---	PUBLIC UTILITY/DRAINAGE EASEMENT
SB	8" SANITARY SEWER
WB	8" WATER MAIN
PI	PRESSURE IRRIGATION
---	SEWER SERVICE
---	WATER SERVICE
EP	EDGE OF PAVEMENT
---	GRAVEL SHOULDER
---	BORROW DITCH
⊙	LOT NUMBER
⊙	SEWER MANHOLE
⊙	FIRE HYDRANT
⊙	STREET LIGHT
---	EXISTING SECTION LINE
---	EXISTING RIGHT OF WAY LINE
---	EXISTING PROPERTY LINE
---	FLOODPLAIN LINE
---	EXISTING SANITARY SEWER
---	EXISTING WATER MAIN
---	EXISTING GAS LINE
---	EXISTING UNDERGROUND UTILITIES
---	EXISTING OVERHEAD POWER
---	EXISTING EDGE OF PAVEMENT
---	EXISTING EDGE OF GRAVEL
---	EXISTING FENCELINE
---	EXISTING UNDERGROUND PHONE LINE
---	EXISTING GROUND CONTOUR
---	EXISTING FIRE HYDRANT
---	EXISTING WATER VALVE
---	EXISTING SEWER MANHOLE
---	EXISTING IRRIGATION BOX
---	EXISTING PROPERTY CORNER PIN
---	EXISTING TREE

**DEVELOPMENT FEATURES:**

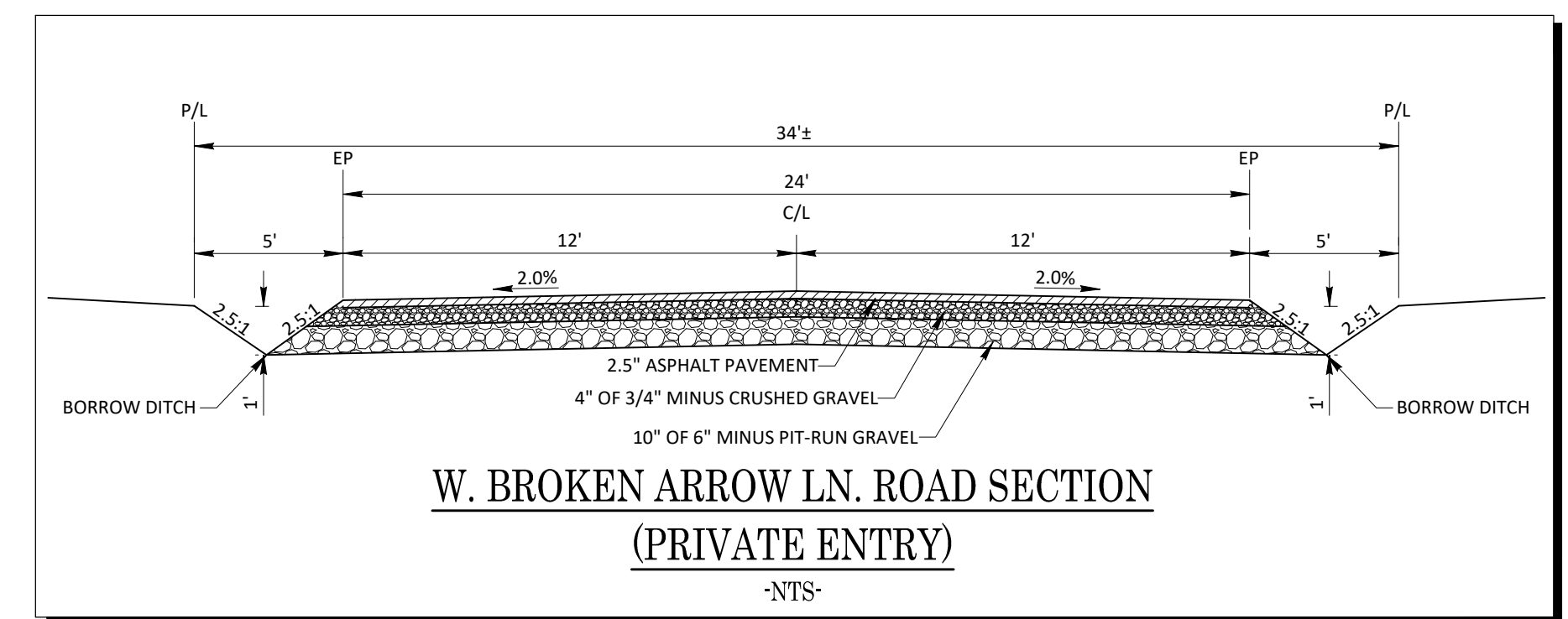
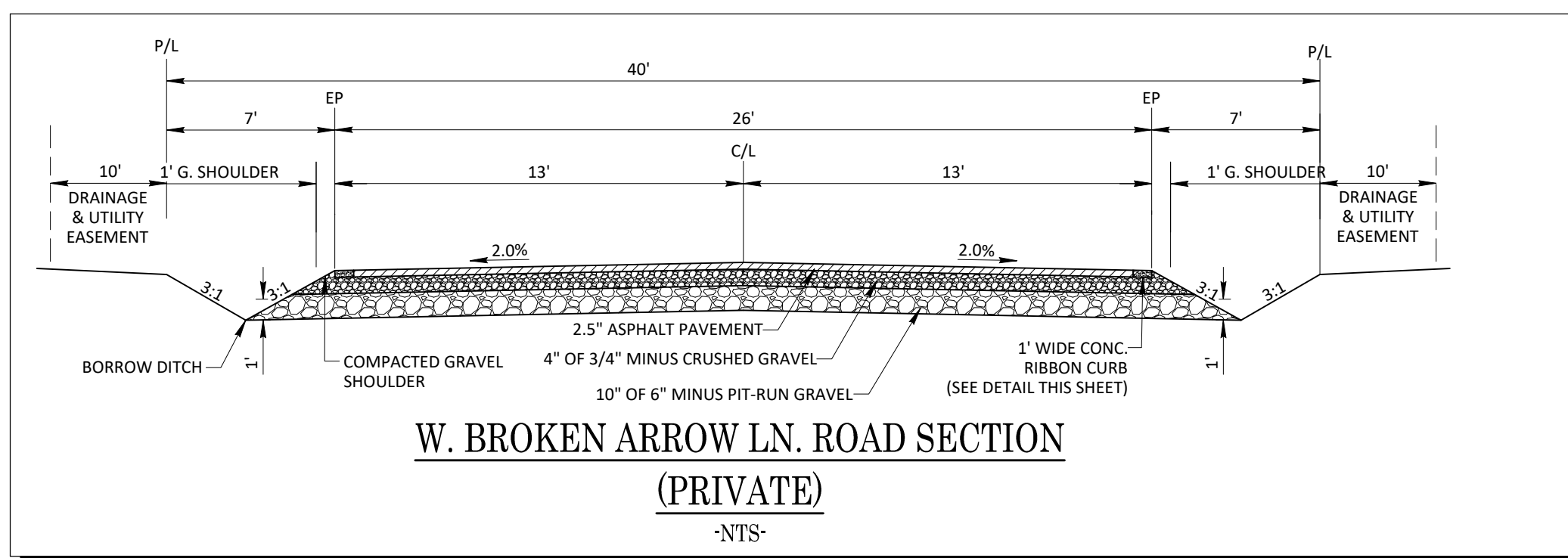
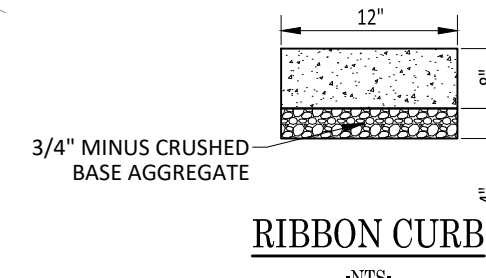
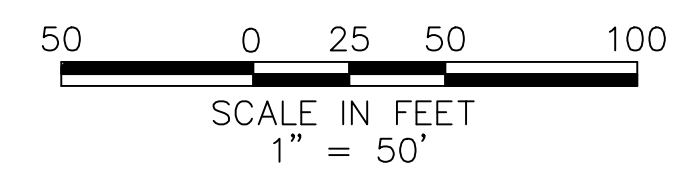
TOTAL ACRES.....	9.26 ACRES
TOTAL LOTS.....	14
BUILDABLE LOTS.....	9
COMMON LOTS.....	5
DENSITY (DU/ACRE).....	0.97
EXISTING ZONING.....	R-3
PROPOSED ZONING.....	R-3
MINIMUM RESIDENTIAL LOT SIZE.....	31,363 sq.ft.
AVERAGE RESIDENTIAL LOT SIZE.....	37,026 sq.ft.
PERCENT TO BUILDABLE AREA.....	69%
PERCENT TO ROADWAY AREA.....	14.6%
PERCENT TO COMMON AREA.....	7.2%

**BUILDING SETBACKS:**

MIN. STREET FRONTAGE.....	35'
(LIVING AREA).....	15'
(GARAGE).....	20'
REAR.....	15'
SIDE.....	5'
(PLUS 5' FOR EACH ADDITIONAL STORY)	

**NOTES:**

- THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH THE IDAHO CODE SECTION 31-3805 CONCERNING IRRIGATION WATER.
- THIS SUBDIVISION IS NOT LOCATED INSIDE THE FLOODPLAIN AREA.
- ALL LOTS ARE TO BE DESIGNATED SINGLE FAMILY RESIDENTIAL EXCEPT LOT 1, 7, 12, 13 & 14 OF BLOCK 1 WHICH ARE COMMON LOTS.
- LOT 13, BLOCK 1 SHALL BE DEDICATED TO THE MIDDLETON MILL DITCH COMPANY/MIDDLETON IRRIGATION ASSOCIATION, INC.
- THE PRESSURIZED IRRIGATION SYSTEM AND PRIVATE ROAD WITHIN WELTON ESTATES SUBDIVISION SHALL BE OWNED AND MAINTAINED BY THE WELTON ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION.
- MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
- COMMON LOT 1 SHALL ENCUMBER A BLANKET CROSS ACCESS, DRAINAGE & UTILITY EASEMENT & SHALL EXTEND 10-FT BEYOND COMMON LOT 1 AS SHOWN.
- SEWER AND WATER SERVICE PROVIDED BY STAR SEWER AND WATER.



**OWNER/DEVELOPER**  
STUART & RAELEEN WELTON  
BROKEN ARROW ESTATES LLC  
P.O. BOX 689 STAR, ID 83669  
(208) 870-1128

**CIVIL ENGINEER**  
JIM COSLETT, P.E.  
ROCK SOLID CIVIL LLC  
270 N. 27th ST. SUITE 100  
BOISE, ID 83702  
(208) 342-3277

**LAND SURVEYOR**  
RICHARD GRAY, P.L.S.  
COMPASS LAND SURVEYING LLC  
4270 E. AMITY AVE.  
NAMPA, ID 83687  
(208) 442-0115

**UTILITY REPRESENTATIVES**

UTILITY	REPRESENTATIVE	PHONE
GAS	INTERMOUNTAIN GAS	(208) 377-6839
ELECTRICITY	IDAHO POWER	(208) 388-6320
TELEPHONE	CENTURY LINK	(208) 385-2144
CABLE	SPARKLIGHT	(208) 375-8288
SEWER	STAR SEWER & WATER DISTRICT	(208) 286-7388
WATER	STAR SEWER & WATER DISTRICT	(208) 286-7388
ROADS	N/A (PRIVATE)	
IRRIGATION	MIDDLETON MILL DITCH COMPANY	(208) 571-3804
FIRE	STAR FIRE DISTRICT	(208) 286-7772

**811 CALL BEFORE YOU DIG!**  
CALL DIGLINE INC.  
PRIOR TO COMMENCING UNDERGROUND WORK  
208-342-1585

**Revisions**

Date	Description
1	
2	
3	
4	

**ROCK SOLID CIVIL**  
Civil Engineering and Land Development Consulting  
270 North 27th Street, Suite 100  
Boise, Idaho 83702  
www.rocksolidcivil.com

THIS DOCUMENT AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE IS THE PROPERTY OF ROCK SOLID CIVIL LLC AND IS NOT TO BE USED IN WHOLE OR PART FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF ROCK SOLID CIVIL LLC.

**WELTON ESTATES SUBDIVISION**  
9500 W. BROKEN ARROW LANE

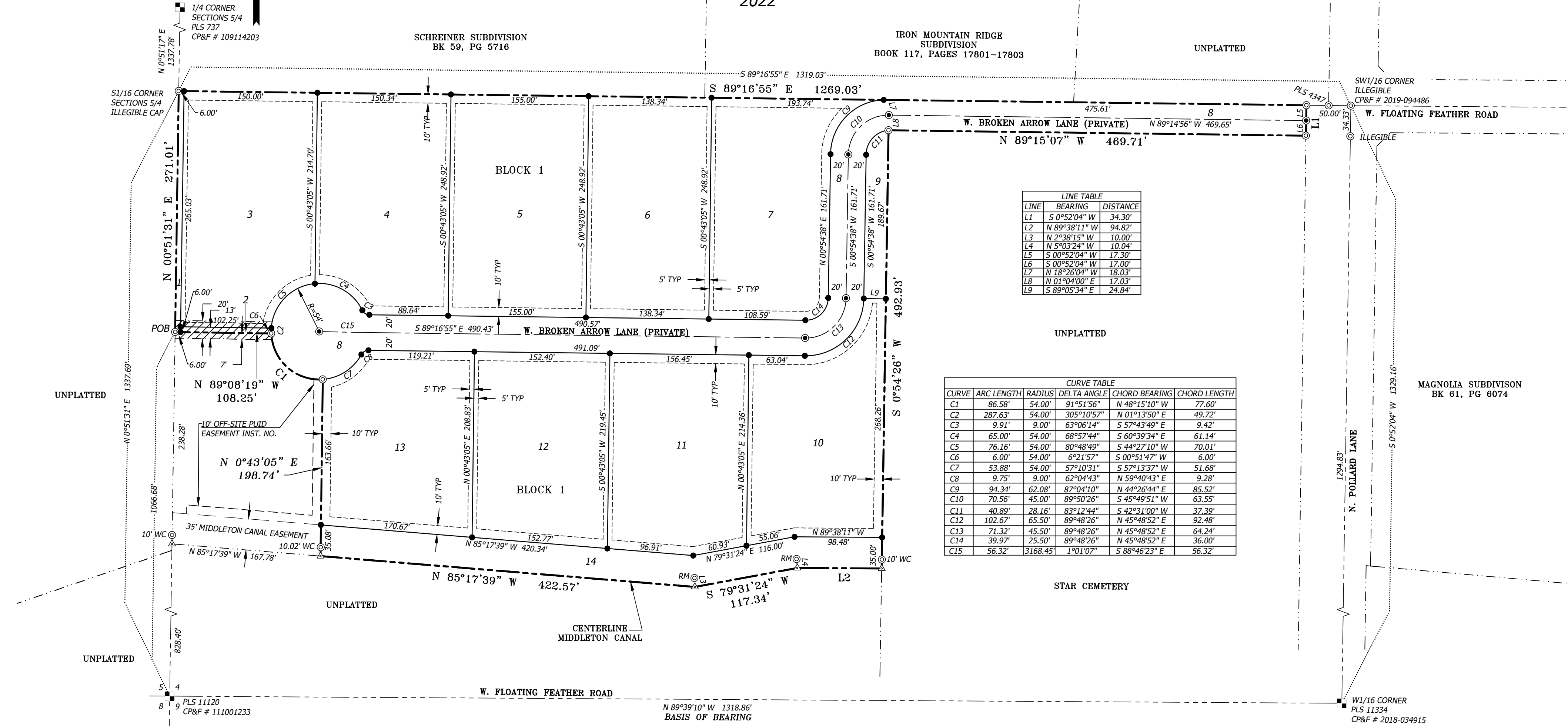
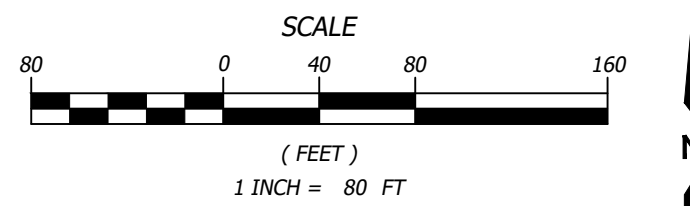
**PRELIMINARY PLAT**

Project Name  
Sheet Name  
Stamp  
**PROFESSIONAL ENGINEER**  
10692  
STATE OF IDAHO  
JIM E. COSLETT

Project No. RSC 20-66  
Drawn By: RLC  
Date: 1 March 2021  
Sheet No.  
**PP1**  
1 of 2

# WELTON ESTATES SUBDIVISION

LOCATED IN THE SW1/4 OF THE SW1/4 OF SECTION 4, T. 4 N., R. 1 W., B.M.,  
CITY OF STAR, ADA COUNTY, IDAHO  
2022



LINE	BEARING	DISTANCE
L1	S 0°52'04" W	34.30'
L2	N 89°38'11" W	94.82'
L3	N 2°38'15" W	10.00'
L4	N 5°03'24" W	10.04'
L5	S 00°52'04" W	17.30'
L6	S 00°52'04" W	17.00'
L7	N 18°26'04" W	18.03'
L8	N 01°04'00" E	17.03'
L9	S 89°05'54" E	24.84'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	86.58'	54.00'	91°51'56"	N 48°15'10" W	77.60'
C2	287.63'	54.00'	305°10'57"	N 01°13'50" E	49.72'
C3	9.91'	9.00'	63°06'14"	S 57°43'49" E	9.42'
C4	65.00'	54.00'	68°57'44"	S 60°39'34" E	61.14'
C5	76.16'	54.00'	80°48'49"	S 44°27'10" W	70.01'
C6	6.00'	54.00'	6°21'57"	S 00°51'47" W	6.00'
C7	53.88'	54.00'	57°10'31"	S 57°13'37" W	51.68'
C8	9.75'	9.00'	62°04'43"	N 59°40'43" E	9.28'
C9	94.34'	62.08'	87°04'10"	N 44°26'44" E	85.52'
C10	70.56'	45.00'	89°50'26"	S 45°49'51" W	63.55'
C11	40.89'	28.16'	83°12'44"	S 42°21'00" W	37.39'
C12	102.67'	65.50'	89°48'26"	N 45°48'52" E	92.48'
C13	71.32'	45.50'	89°48'26"	N 45°48'52" E	64.24'
C14	39.97'	25.50'	89°48'26"	N 45°48'52" E	36.00'
C15	56.32'	3168.45'	1°01'07"	S 88°46'23" E	56.32'

**LEGEND**

- SUBDIVISION BOUNDARY LINE
- LOT LINE
- EXISTING DEED OR LOT LINE
- CENTERLINE
- RIGHT OF WAY
- SECTIONAL LINE
- SECTIONAL LINE
- PUBLIC UTILITIES, IRRIGATION & DRAINAGE EASEMENT
- FOUND 5/8" REBAR/CAP PLS 11574 OR AS NOTED
- FOUND 1/2" REBAR AS NOTED
- FOUND ALUMINUM CAP MONUMENT
- SET 5/8" REBAR/CAP PLS 11574
- SET 1/2" REBAR/CAP PLS 11574
- △ CALCULATED POINT
- 1 LOT NUMBER
- 1 POB POINT OF BEGINNING
- PUID PUBLIC UTILITIES, IRRIGATION & DRAINAGE
- STAR SEWER AND WATER EASEMENT

**PLAT NOTES**

- EASEMENTS: A PERMANENT EASEMENT FOR PUBLIC UTILITIES IRRIGATION AND DRAINAGE IS HEREBY RESERVED ALONG THE FOLLOWING:  
-TEN (10') FOOT WIDE ADJACENT TO THE SUBDIVISION BOUNDARY, RIGHT OF WAYS, FRONT AND REAR LOT LINES, OR AS DEPICTED.  
-FIVE (5') FOOT WIDE INTERIOR LOT LINES, OR AS DEPICTED.
- THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF IDAHO CODE RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FOR THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
- ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE MOST RECENTLY APPROVED SUBDIVISION STANDARDS OF THE CITY OF STAR AT THE TIME OF RESUBDIVISION.
- MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF STAR APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
- NO HOMEOWNER SHALL AT ANY TIME FILL OR OBSTRUCT ACHD DITCHES OR SWALES. MAINTENANCE OF ANY IRRIGATION DITCH OR PIPE CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER, UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY.
- LOTS 1, 2, 8, 9 AND 14, BLOCK 1, ARE RESERVED AS COMMON LOTS, ARE SUBJECT TO BLANKET PUBLIC UTILITY, IRRIGATION AND DRAINAGE EASEMENT, ARE NON BUILDABLE LOTS, AND ARE OWNED AND MAINTAINED BY THE WELTON ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION.

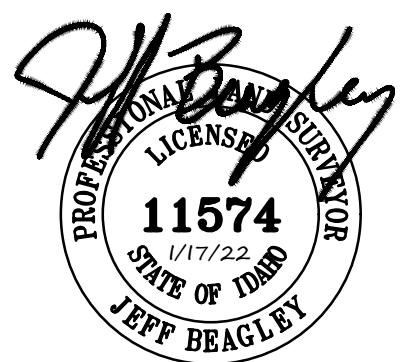
- THIS SUBDIVISION SHALL BE SUBJECT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WELTON ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, TO BE FILED AND RECORDED IN THE ADA COUNTY RECORDER'S OFFICE.
- THE HOMEOWNERS' ASSOCIATION (HOA), ITS OWNERSHIP AND MAINTENANCE COMMITMENTS CANNOT BE DISSOLVED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE CITY OF STAR, IDAHO. ALL IMPROVED INDIVIDUAL LOTS ARE SUBJECT TO THE FRACTIONAL SHARE OF THE IRRIGATION ASSESSMENT FOR EACH HOA COMMON LOT(S) THAT RECEIVE(S) MUNICIPAL IRRIGATION. IF THE ASSESSMENT IS NOT PAID BY THE HOA, THE INDIVIDUAL IMPROVED LOTS ARE SUBJECT TO A LIEN FOR NON-PAYMENT.
- LOT 8, BLOCK 1 CONTAINS A PRIVATE ROAD FOR INGRESS/EGRESS AND SHALL BE MAINTAINED BY THE WELTON ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION.

**SURVEYORS NARRATIVE**

SAWTOOTH LAND SURVEYING WAS CONTRACTED TO SUBDIVIDE THIS PARCEL INTO THE 13 LOTS AS SHOWN HEREON. THE BOUNDARY MONUMENTS WERE FOUND AS SHOWN ON RECORD OF SURVEY INSTRUMENT NO. 2021-118102.

**REFERENCES:**

- R1) RECORD OF SURVEY NO. 4308
- R2) RECORD OF SURVEY NO. 8259
- R3) RECORD OF SURVEY NO. 8568
- R4) RECORD OF SURVEY NO. 12023
- R5) RECORD OF SURVEY NO. 2021-118102
- R6) IRON MOUNTAIN RIDGE SUBDIVISION, BOOK 117, PAGE 17801
- R7) SCHREINER SUBDIVISION, BOOK 59, PAGE 5716
- R8) MAGNOLIA SUBDIVISION, BOOK 61, PAGE 6074
- R9) SPECIAL WARRANTY DEED INST. NO. 2021-112985



**SAWTOOTH**  
Land Surveying, LLC

2030 S. WASHINGTON AVE.  
EMMETT, ID 83617  
(208) 398-8104  
FAX (208) 398-8105

WWW.SAWTOOTHLS.COM

SHEET: 1 OF 3	DATE: 1/2022	DRAWN BY: AR	CHECKED BY: JB	JOB#: 121156	DWG#: 121156-PP
---------------	--------------	--------------	----------------	--------------	-----------------





100 E Bower Street, Suite 110  
Meridian, ID 83642

(208) 288-1992

October 20, 2021

Mayor Trevor Chadwick  
City of Star  
P.O. Box 130  
Star, Idaho 83669

**Re: Welton Estates Subdivision– Final Plat Application**

Dear Mayor:

Keller Associates, Inc. has reviewed the Final Plat and Construction Drawings for the Welton Estates Subdivision dated August 29, 2021. We reviewed this package to check conformance with the City Subdivision Ordinance and coordinated our review with Shawn L. Nickel. There are a few outstanding items that need to be addressed prior to the City Engineer signing the final plat as indicated on the attached Final Plat and Construction Drawing Review Checklist.

We recommend that the construction drawings and final plat be **APPROVED**. The City Engineer's signature on the final plat will be withheld until the requirements identified on the attached checklist are satisfactorily addressed. The attached checklist was reviewed with the applicant's engineer and it was agreed that the additional items needed for approval would be addressed.

By stamping and signing the Final Plat and Construction Drawings, the Registered Professional Land Surveyor and Professional Engineer, respectively, are responsible to ensure that said plat and construction drawings conform to all City standards, ordinances, and policies (and State laws and statutes). Any variances or waivers to these standards, ordinances, or policies must be specifically and previously approved in writing by the City. Acceptance of the above referenced Final Plat and Construction Drawings does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.**

A handwritten signature in blue ink, appearing to read "Ryan V. Morgan", is written over a horizontal line.

Ryan V. Morgan, P.E.  
City Engineer

Enclosure(s)

cc: File



**STATE OF IDAHO**  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1445 N Orchard Street, Boise, ID 83706  
(208) 373-0550

Brad Little, Governor  
Jess Byrne, Director

April 15, 2022

By e-mail: [snickel@staridaho.org](mailto:snickel@staridaho.org)

City of Star  
P.O. Box 130  
Star, Idaho 83669

Subject: Welton Estates Subdivision, FP-22-06

Dear Mr. Nickel:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:  
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

**1. AIR QUALITY**

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

## **2. WASTEWATER AND RECYCLED WATER**

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

## **3. DRINKING WATER**

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

#### **4. SURFACE WATER**

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

## 5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

## 6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.

Response to Request for Comment

April 15, 2022

Page 5

- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

A handwritten signature in black ink that reads "Aaron Scheff". The signature is written in a cursive, flowing style.

Aaron Scheff  
Regional Administrator  
DEQ-Boise Regional Office

EDMS#: 2022AEK81