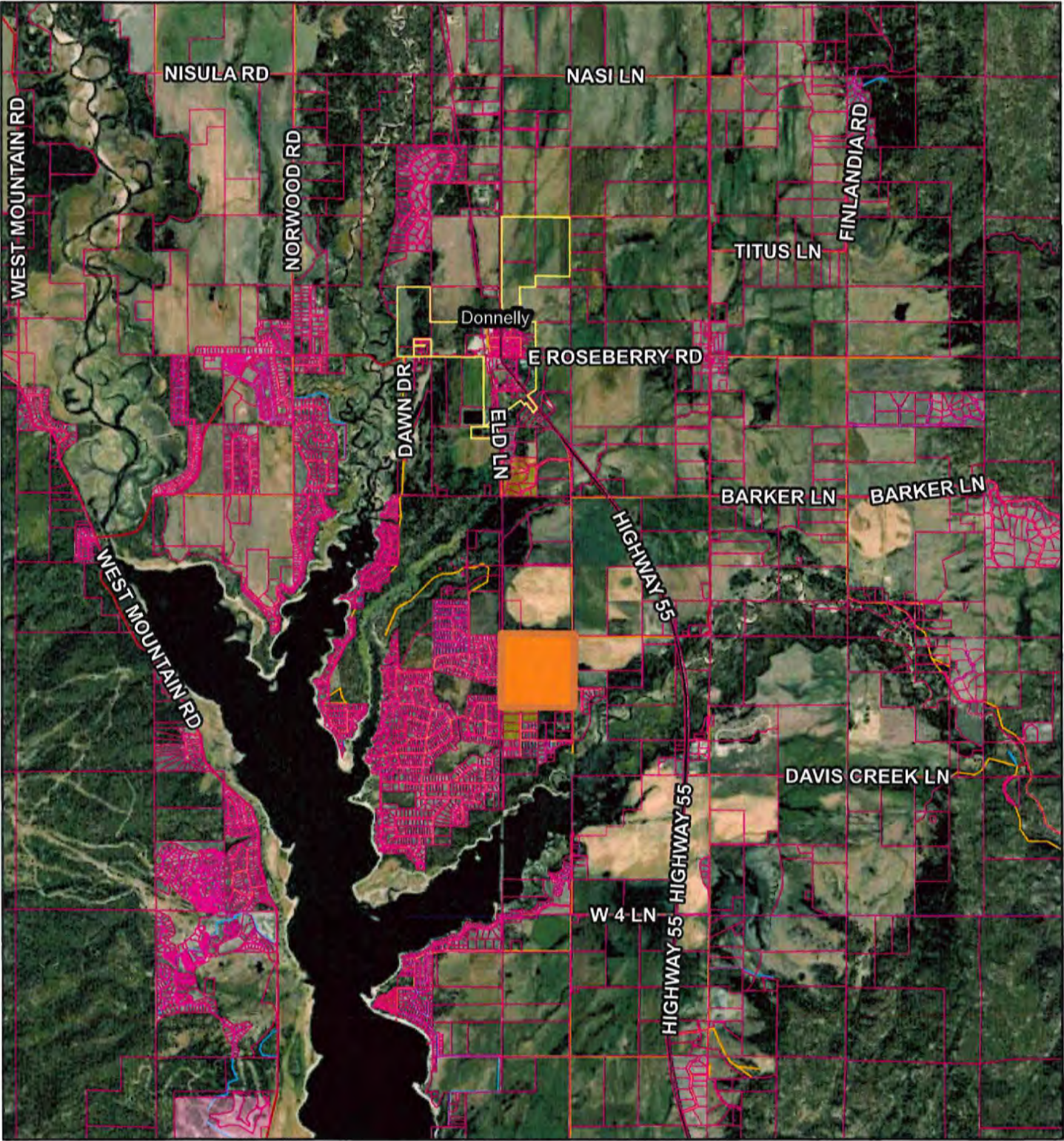
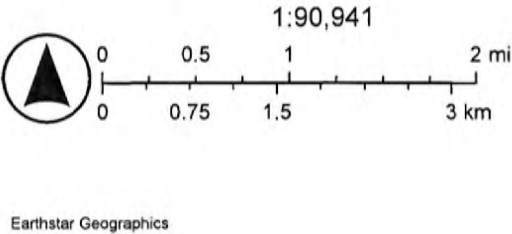


# PUD 23-02 Vicinity Map



12/6/2023, 9:59:42 AM

- Municipalities
- Parcel Boundaries
- Roads
- MAJOR
- MINOR COLLECTOR
- COLLECTOR
- URBAN/RURAL
- USFS
- PRIVATE
- Other



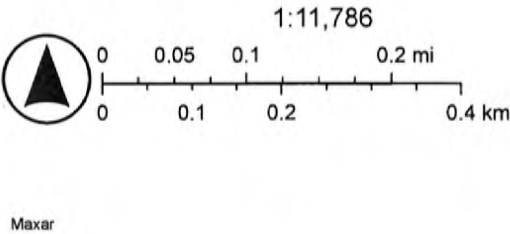


# PUD 23-02 Aerial Map



12/6/2023, 9:46:47 AM

- Address Points
- Parcel Boundaries
- Roads
  - MINOR COLLECTOR
- URBAN/RURAL
- PRIVATE



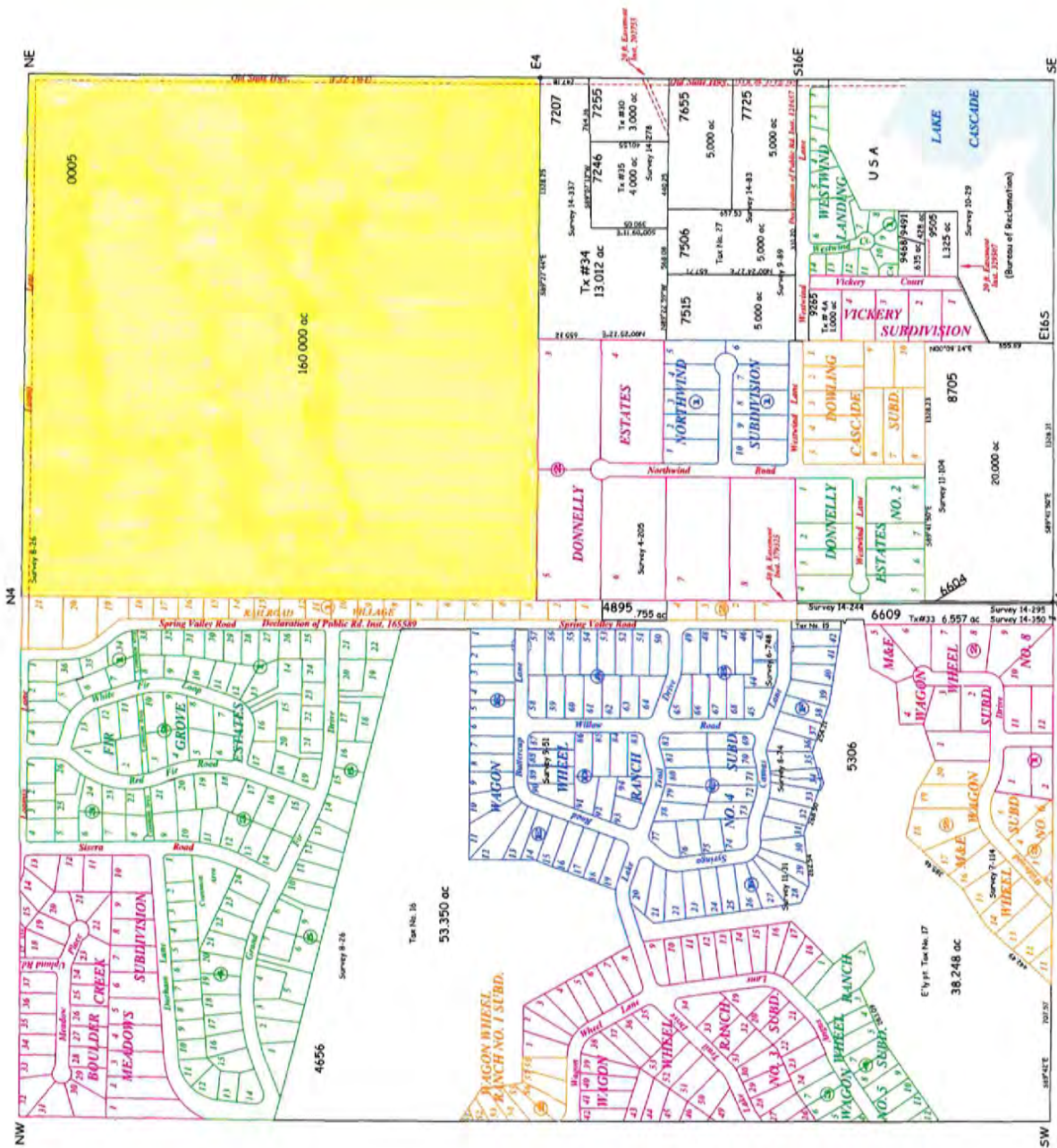


# PLAT TITLE

T W P . 1 6 N R O 3 E S E C . 2 7

VALLEY COUNTY  
Cartography Dept.  
Assessor's Office  
Cascade, ID 83611

Filename:  
Valley County Base Map  
Scale: ~~1"=400ft~~  
Date: 11/28/2023  
Drawn by: L Frederick



This drawing is to be used for reference purposes only. The County is NOT responsible for any dimensions contained herein.



DEVELOPMENT DATA:

PHASE 1  
AREA - 31.71 ACRES  
RESIDENTIAL LOTS - 50 LOTS  
STREET - 1.16 ACRES  
OPEN SPACE - 14.6 ACRES  
DENSITY - 1.58 DU/ACRE

PHASE 2  
AREA - 10.89 ACRES  
RESIDENTIAL LOTS - 36 LOTS  
STREET - 1.16 ACRES  
OPEN SPACE - 1.16 ACRES  
DENSITY - 1.59 DU/ACRE

PHASE 3  
AREA - 11.50 ACRES  
RESIDENTIAL LOTS - 31 LOTS  
STREET - 1.16 ACRES  
OPEN SPACE - 2.67 ACRES  
DENSITY - 1.79 DU/ACRE

PHASE 4  
AREA - 30.54 ACRES  
RESIDENTIAL LOTS - 82 LOTS  
STREET - 1.16 ACRES  
OPEN SPACE - 9.88 ACRES  
DENSITY - 2.03 DU/ACRE

PHASE 5  
AREA - 32.77 ACRES  
RESIDENTIAL LOTS - 74 LOTS  
STREET - 1.16 ACRES  
OPEN SPACE - 8.57 ACRES  
DENSITY - 2.28 DU/ACRE

LEGEND:

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOT LINE
- EXISTING EDGE OF ASPHALT
- PROPOSED EDGE OF ASPHALT
- PROPOSED EDGE OF PAVEMENT/SEWER
- PHASE 1 AREA
- PHASE 2 AREA
- PHASE 3 AREA
- PHASE 4 AREA
- PHASE 5 AREA
- PHASE 8 AREA



NORTH



SCALE: 1" = 150'

NO.	REVISION	BY	DATE	DESIGN	AND
				DESIGN	AND
				CHECKED	AND
				APPROVED	DTT

MACGREGOR TOWNSITE PUD  
VALLEY COUNTY, IDAHO  
PHASING PLAN

**CRESTLINE**  
ENGINEERS  
323 DENHARD LANE, SUITE C - PO BOX 2330  
MCALL, IDAHO 83638

FIGURE 2 2 OF 5



*View From Loomis LN*



*View From Loomis LN*





*View from Loomis LN*

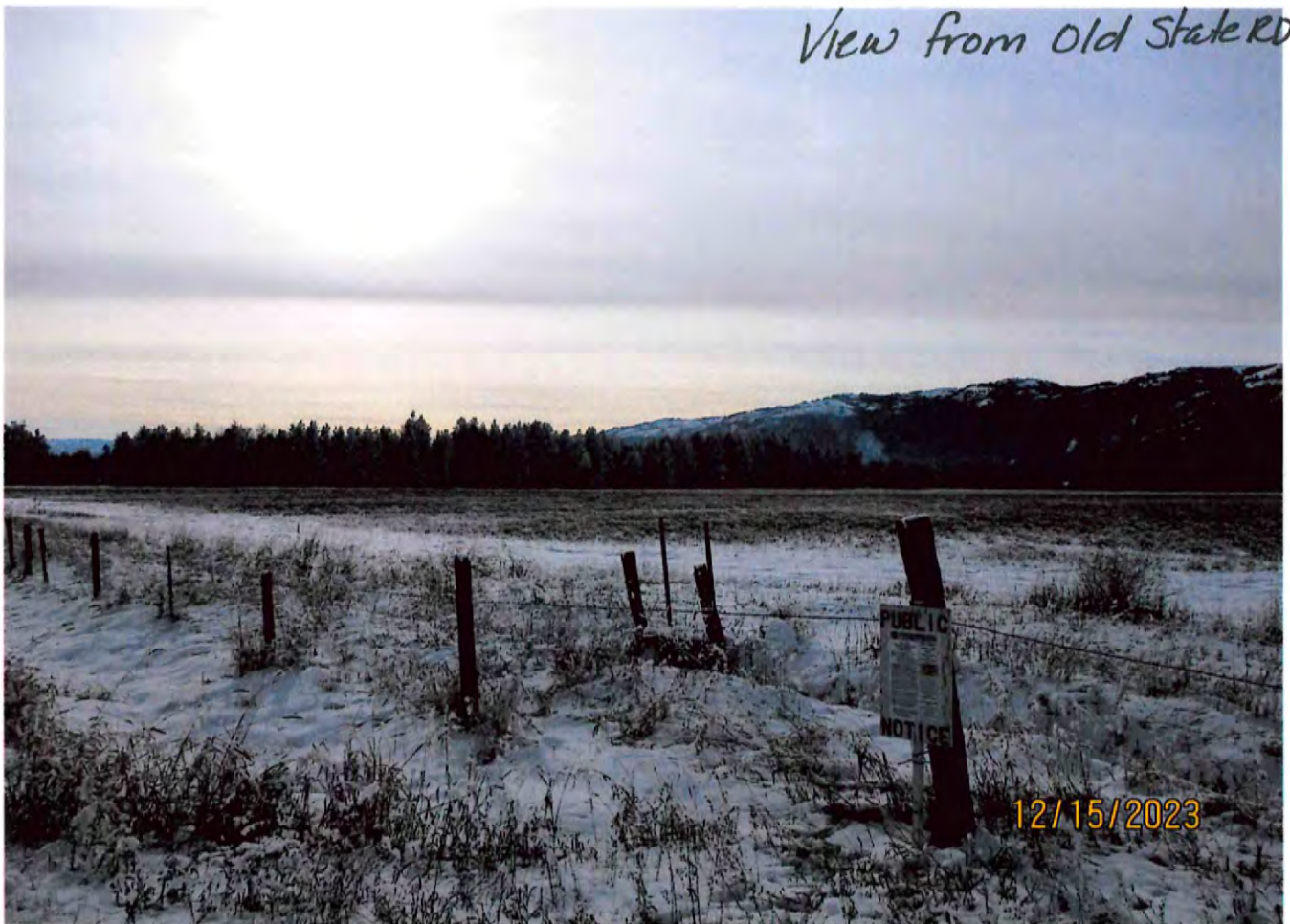


*View from Old State Rd*





View from Old State Rd



12/15/2023

View from Old State Rd



12/15/2023



Valley County Transmittal  
Division of Community and Environmental Health

Return to:

- ☐ Cascade  
☐ Donnelly  
☐ McCall  
☐ McCall Impact  
☒ Valley County

Rezone # \_\_\_\_\_

Conditional Use # PUD 23-02

Preliminary / Final / Short Plat CUP 23-52

Mac Gregor Townsite

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:  
☐ high seasonal ground water ☐ waste flow characteristics  
☐ bedrock from original grade ☐ other \_\_\_\_\_
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☒ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:  
☒ central sewage ☐ community sewage system ☐ community water well  
☐ interim sewage ☒ central water  
☐ individual sewage ☐ individual water
- ☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:  
☒ central sewage ☐ community sewage system ☐ community water  
☐ sewage dry lines ☒ central water
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:  
☐ food establishment ☐ swimming pools or spas ☐ child care center  
☐ beverage establishment ☐ grocery store

☒ 14. Application And Engineering Report Required

Reviewed By: [Signature]

Date: 12 / 11 / 23



## **PUD 23-02 MacGregor Townsite and CUP 23-52 Phase 1 Preliminary Plat**

**From:** Saran Becker [REDACTED]

**Sent:** Tuesday, December 12, 2023 7:12 AM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Re: PUD 23-02 MacGregor Townsite and CUP 23-52 Phase 1 Preliminary Plat

Good morning Cynda,

As part of the applications with Valley County, ITD has received the TIS for the proposed Macgregor Townsite, including 335 single-family residential lots, community amenities, and 49 acres of open space located. The proposed development is located south of Donnelly, Valley County, and I have forwarded the TIS to the reviewing engineer. Please allow 6-8 weeks for this process, and please be aware that the timeline could fluctuate a bit based on workload and potential follow-up questions we might have.

Please don't hesitate to reach to me with any other questions you might have.

Thank you,

Saran J Becker

District 3 - Development Services Coordinator

8150 W Chinden Blvd, Garden City, ID 83714

Phone: [REDACTED]

Email: [REDACTED]



**Your Safety \* Your Mobility  
Your Economic Opportunity**





## Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

December 26, 2023

Valley County Planning & Zoning Commission  
P.O. Box 1350  
Cascade, Idaho 83611

RE: P.U.D. 23-02 MacGregor Townsite and C.U.P. 23-52 Phase I preliminary plat

After review, the Donnelly Rural Fire Protection District will require the following.

- All fire apparatus access roads shall be built to Valley County Road Department standards or **Section 503.2 IFC 2018**
- **Section 503.2.1 IFC 2018** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet exclusive of shoulders, except for approved security gates in accordance with **Section 503.6 IFC 2018** and an unobstructed vertical clearance of not less than 13 feet 6 inches
- **Section 503.4 IFC 2018** Fire apparatus access roads shall not be obstructed in any manner including the parking of vehicles, minimum widths and clearances established in **Sections 503.2.1 and 503.2.2 IFC 2018** shall be maintained at all times
- In accordance with **Section D103.6 IFC 2018** where required by the fire code official, NO PARKING – FIRE LANE signs shall be posted on both side sides of fire apparatus access roads.
- **Section 503.4.1 IFC 2018** Traffic calming devices shall be prohibited unless approved by the fire code official
- **Section D107.1 IFC 2018** developments of one- or two- family dwellings where the number of dwellings exceeds 30 shall be provided with two separate and approved fire apparatus access roads
- **Section D107.2 IFC 2018** Where two fire apparatus roads are required, they shall be placed a distance apart equal to, and not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served. This is measured in a straight line between accesses
- All roads shall be inspected and approved by the DRFPD prior to final plat
- **Section 507.1 IFC 2018** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to the premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction
- The required water supply for this development shall be a fire hydrant system. All fire hydrants shall have 5 inch Storz connector installed on the hydrant. Fire



hydrants shall be placed every 400 to 600 feet, depending on occupancy classification and capable of providing adequate flow. Redundant power supply and redundant fire pump shall be required

- An engineered drawing of the water system complete with hydrant locations shall be submitted to the Donnelly Rural Fire Protection District for review prior to construction. All fire hydrants shall be installed in accordance with **Section C102.1 IFC 2018**
- The required fire flow for single family dwellings shall be a minimum of 1125 gallons per minute with duration of not less than two hours. The fire flow requirement for commercial non-sprinklered buildings shall be based on **Table B150.2 IFC 2018** The minimum fire flow requirement for commercial sprinklered facility shall be not less than 1500 gallons per minute for a duration of not less than two hours
- All hydrants shall be flow tested prior to final plat
- In accordance with **Section 501.5 IFC 2018** Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except where approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles in accordance with **Section 505.2 IFC 2018**
- **Section 903.2.8 IFC 2018** An automatic sprinkler system installed in accordance with **Section 903.3 IFC 2018** shall be provided throughout all buildings with a Group R fire area
- Fire alarms shall be installed in accordance with **Section 907.2 IFC 2018**
- A complete set of alarm and sprinkler plans shall be submitted to the Donnelly Rural Fire Protection District for review prior to construction
- **Section 503.7.5 IFC 2018** all buildings shall have a permanently posted address, that shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and maintained thereafter

Please call 208-325-8619 with any questions.

Jess Ellis



Fire Marshal  
Donnelly Fire Department



Parametrix No. 314-4875-011

Cynda Herrick, AICP, CFM  
Valley County Planning and Zoning  
219 North Main Street  
PO Box 1350  
Cascade, ID 83611

Re: January 11, 2024, Planning and Zoning Commission Agenda Items

Dear Cynda:

The following comments are for the item listed in the on the January 11, 2024, Valley County (VC) Planning and Zoning Commission agenda you directed us to review:

**New Business:**

**2. *Tamarack Resort P.U.D. 98-1 Amendment and C.U.P 23-50 Phase 3.6 – Buttercup Custom Chalets – Preliminary Plat***

Detailed site grading and drainage plans and drainage design documentation for the site improvements are required for review and approval by Valley County. Additional stormwater resulting from site improvements will need to be retained on site. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required to protect adjacent properties, waterways, and roadway ditches.

The preliminary site grading plans show cut and fill slopes extending beyond the proposed road right-of-way and easements. Applicant should address how the proposed slopes will be protected from individual lot development.

**3. *Tamarack Resort P.U.D. 98-1 Amendment and C.U.P 23-51 Phase 3.4 – Lower Sugarloaf Custom Chalets – Preliminary Plat***

Detailed site grading and drainage plans and drainage design documentation for the site improvements are required for review and approval by Valley County. Additional stormwater resulting from site improvements will need to be retained on site. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required to protect adjacent properties, waterways, and roadway ditches.

The preliminary plans identify potential wetlands within the project site. Grading or disturbance of wetlands is subject to approval of the U.S. Corps of Engineers under the federal clean water act. A federal 404 permit may be required and will be part of the conditional use permit.

**4. *P.U.D. 23-02 MacGregor Townsite and C.U.P 23-52 Phase 1 – Preliminary Plat***

Detailed site grading and drainage plans and drainage design documentation for the site improvements are required for review and approval by Valley County. Additional stormwater resulting from site improvements will need to be retained on site. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required





to protect adjacent properties, waterways, and roadway ditches for each phase of the site development.

The preliminary plans identify potential wetlands within the project site. Grading or disturbance of wetlands is subject to approval of the U.S. Corps of Engineers under the federal clean water act. A federal 404 permit may be required and will be part of the conditional use permit.

A Traffic Impact Study was prepared in accordance with the Idaho Transportation Department guidelines and determined that all intersections within the study area perform above the acceptable Level of Service D at full buildout of the development; therefore, no mitigation is required.

Please contact me if you have any questions.

Sincerely,

Parametrix

A handwritten signature in black ink, appearing to read "Paul S. Ashton", with a stylized flourish at the end.

Paul Ashton, PE

cc: Project File



## Valley County PZ Commission - January 11, 2024 - Agency Notice

Jeff McFadden <jmcfadden@co.valley.id.us>

Thu 12/28/2023 7:12 AM

To: Paul Ashton [REDACTED]; Cynda Herrick <cherrick@co.valley.id.us>

Cc: Lori Hunter <lhunter@co.valley.id.us>; Cody Janson [REDACTED]; Valley County Road Department <roaddept@co.valley.id.us>

Paul,

I would like to be involved in the drainage plan for MacGregor subdivision, especially if they are not going to retain "all" of the storm water. A good portion of the water that drains from the northern portion goes through a ditch/culverts on the northern end of Wagon Wheel and Fir Grove subdivisions. These drainages are already maxed out during most spring melts. There is not a lot of options to drain that parcel without affecting other drainages downstream. The water I'm talking about, drains through an easement ditch through Fir Grove owned by the property owners of that subdivision.

Thank you,

Jeff McFadden, Superintendent  
Valley County Road Department

---

**From:** Paul Ashton [REDACTED]

**Sent:** Wednesday, December 27, 2023 5:48 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Cc:** Lori Hunter <lhunter@co.valley.id.us>; Cody Janson [REDACTED]; Valley County Road Department <roaddept@co.valley.id.us>

**Subject:** RE: Valley County PZ Commission - January 11, 2024 - Agency Notice

Cynda,

Attached is a PDF copy of the agenda review letter for the P&Z Commission Meeting on Thursday, January 11<sup>th</sup>. As directed, I reviewed items 2, 3, and 4 on the agenda, described as Tamarack Resort P.U.D. 98-1 Amendment and C.U.P 23-50 Phase 3.6 – Buttercup Custom Chalets – Preliminary Plat, Tamarack Resort P.U.D. 98-1 Amendment and C.U.P 23-51 Phase 3.4 – Lower Sugarloaf Custom Chalets – Preliminary Plat, and P.U.D. 23-02 MacGregor Townsite and C.U.P 23-52 Phase 1 – Preliminary Plat.

Let me know if you have any questions or comments.

Thanks!

# Parametrix

**Paul Ashton, PE**

Senior Engineer

208-906-1155 | direct

208-891-1995 | mobile



## Proposed Road Names PUD 23-02 MacGregor Townsite

Kelly Copperi <ktaylor@co.valley.id.us>

Tue 1/2/2024 1:24 PM

To: Cynda Herrick <cherrick@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>; Laurie Frederick <lfriderick@co.valley.id.us>

Haymaker, it's too close for me.

Sgt. Kelly Copperi  
Valley County Sheriff's Office  
Communications Supervisor  
Office: 208-382-5160  
Cell: 208-630-3566



---

**From:** Cynda Herrick <cherrick@co.valley.id.us>

**Sent:** Tuesday, January 2, 2024 11:35

**To:** Kelly Copperi <ktaylor@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>; Laurie Frederick <lfriderick@co.valley.id.us>

**Subject:** Re: Proposed Road Names PUD 23-02 MacGregor Townsite

Why is Playmaker a NO, so we can let the applicant know...also, I agree MacGregor association is with the ranch near Snowbank that was sold.

thanks, Cynda

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

*Service T Transparent A Accountable R Responsive*

---

**From:** Kelly Copperi <ktaylor@co.valley.id.us>

**Sent:** Monday, December 11, 2023 9:48 AM

**To:** Lori Hunter <lhunter@co.valley.id.us>; Laurie Frederick <lfriderick@co.valley.id.us>; Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Re: Proposed Road Names PUD 23-02 MacGregor Townsite

I would like to see playmaker and macgregor renamed. Playmaker is a 100% a no for me.

Kelly

---

## **Proposed Road Names PUD 23-02 MacGregor Townsite**

Laurie Frederick <lfr frederick@co.valley.id.us>

Tue 12/26/2023 3:08 PM

To: Kelly Copperi <ktaylor@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>; Cynda Herrick <cherrick@co.valley.id.us>

We agree with Kelly's recommendation.

### **Laurie Frederick**

Cadastral Specialist III

Valley County Cartography Dept.

lfr frederick@co.valley.id.us

cartography@co.valley.id.us

208-382-7127

Service

Transparent

Accountable

Responsive

---

**From:** Kelly Copperi <ktaylor@co.valley.id.us>

**Sent:** Monday, December 11, 2023 9:48 AM

**To:** Lori Hunter <lhunter@co.valley.id.us>; Laurie Frederick <lfr frederick@co.valley.id.us>; Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Re: Proposed Road Names PUD 23-02 MacGregor Townsite

I would like to see playmaker and macgregor renamed. Playmaker is a 100% a no for me.

Kelly

---

**From:** Lori Hunter <lhunter@co.valley.id.us>

**Sent:** Monday, December 11, 2023 8:44:06 AM

**To:** Kelly Copperi <ktaylor@co.valley.id.us>; Laurie Frederick <lfr frederick@co.valley.id.us>; Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Proposed Road Names PUD 23-02 MacGregor Townsite

Kelly / Laurie / Cynda

These road names have been proposed for a new development. Proposed map attached. Let me know if you have any concerns.

Per VCC 5.4.4C

Drive = ... generally meandering one or more directions....

Way = ... generally meandering in one or more directions....

Lane = ... runs generally east or west

Boulevard = ... use... shall be determined and approved by board

Based on the above, I think Helene Drive should be a Lane. Should the WAYS have a different designation? Note that not all roads have proposed names yet, only phases 1, 2, and 3.

Carl Loop  
Hat Trick Way  
Helene Drive

Lumber Jack Way  
MacGregor Boulevard  
Playmaker Way





**North Lake Recreational Sewer and Water District**  
435 South Eld Ln., PO Box 729 Donnelly, ID 83615 (208) 325-8958

December 20th, 2023

Cynda Herrick, Valley County Planning and Zoning Director  
Valley County Planning and Zoning Department  
PO Box 1350  
Cascade, Idaho 83611

Re: PUD 23-02 MacGregor Townsite, CUP 23-52 Phase 1 Preliminary Plat  
January 11<sup>th</sup>, 2024  
Planning and Zoning Public Hearing

Director Herrick:

North Lake Recreational Sewer and Water District (NLRSWD) has received Agency Notification and desire to provide the following written comments:

Annexation:

- 1) The subject property owner has not petitioned the District for Annexation. Annexation would be required prior to the petitioner receiving District services.

North Lake Recreational Sewer and Water District Central Sewer Services:

- 1) The subject property is within the Districts Service and Planning Area.

North Lake Recreational Sewer and Water District Water Services:

- 1) The subject property is within the Districts Service and Planning Area.



**North Lake Recreational Sewer and Water District**  
435 South Eld Ln., PO Box 729 Donnelly, ID 83615 (208) 325-8958

Sincerely,

Travis Pryor  
NLRSD Manager of District Operations

Enclosures

cc: Board of Directors, North Lake Rec Sewer and Water District



1445 N. Orchard St.  
Boise ID 83706 • (208) 373-0550



Brad Little, Governor  
Jess Byrne, Director

---

December 22, 2023

Cynda Herrick, Planning & Zoning Director  
Valley County Planning & Zoning  
219 N. Main Street  
P.O. Box 1350  
Cascade, Idaho 83611  
[cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

Subject: PUD 23-02 / MacGregor Townsite

Dear Cynda Herrick:

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).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

**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."

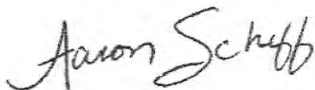
For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

#### 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.
- 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,



Aaron Scheff  
Regional Administrator

c:

2021AEK





## **Valley Soil & Water Conservation District**

**209 N Idaho Street**

**PO Box 580**

**Cascade, ID 83611**

January 3, 2024

Valley County P&Z Commissioners  
c/o Cynda Herrick  
219 N. Main St.  
Cascade, Idaho 83611

**Subject: PUD 23-02 & CUP 23-52**

Proposed MacGregor Townsite Subdivision  
Donnelly Area, Valley County, ID

Planning and Zoning Commissioners,

We understand the proposed development will contain 335 single-family cluster residential lots, 2 ponds and a commercial plaza on 159 acres of relatively flat land. The rectangular site is located south of Donnelly and southwest of the intersection of Old State Road and Loomis Lane.

We are supportive of smart growth in the valley ... that which is low impact and protective of natural resources and takes into account the beauty and open characteristics of the county and the harmony of our community in general. This planned development deviates from the intent of Codes/Comprehensive Plan and the Waterways Management Plan and is NOT low impact. Several issues should be addressed.

1. **Drainage**

The surface water section of the application is incomplete and the application downplays the importance of onsite treatment and future pond drainage into waterways with designated uses including cold water aquatic life, domestic water supply, salmonid spawning, primary contact recreation to list a few uses. In addition, the land drains into impacted waterways failing to meet Environmental Protection Agency's (EPA's) list of 303(d) water quality standards (primarily phosphorus). Drainage in this area is also a concern to the district as some neighboring residents to the west continue to experience seasonal high-water problems, flooding in crawl-spaces, perched water and localized ponding annually.

The County Comprehensive Plan includes a section entitled CHAPTER 4: NATURAL RESOURCES Goal 1 is to "conserve and manage . . . surface water in all its forms in order to prevent depletion or pollution". Goal 2 is to "recognize the waterways and water bodies in Valley County as special areas," and Goal 3 contains objectives to consider "the preservation of water quality".

The application's geotechnical report (June test pit logs) indicate's water was encountered from 3 to 5.5 feet below the ground surface and the logs note indications of iron stains in the soil which is conducive to shallow fluctuating seasonal groundwater conditions. USDA Natural Resources Conservation Service (NRCS) Soil Survey has a large portion (48%) of the site listed as Roseberry coarse sandy loam, "Drainage class: Poorly drained". Their geotechnical report

recommends onsite stormwater disposal which seems confusing as the Application states *“Stormwater will be captured and treated on-site, and it is not anticipated that the proposed development will significantly alter the existing drainage patterns. The development will utilize a series of vegetated detention swales where practicable prior to releasing stormwater downstream”*. In addition, the county announcement states *“excess water will overflow the ponds and exit to the existing ditches along the western property boundary”*.

The application, specifically the Geotechnical Report statement:

*“We recommend stormwater disposal occur within poorly-graded sand and poorly-graded sand with silt soils, as observed during our field exploration. Based on field seepage test results and our experience with similar soil types, we recommend the following seepage rates be utilized for on-site civil stormwater disposal design.*

♦ *Poorly-graded sands with silt ..... 4 in/hr*

♦ *Poorly-graded sands ..... 8 in/hr*

*Once stormwater disposal facility locations have been established, large-scale seepage testing should be accomplished within those locations to confirm or update the recommended seepage rates. Please note that the recommended seepage rate provided above assumes seasonal high groundwater will not restrict vertical seepage.”*

This recommendation appears flawed since infiltration is severely limited in the winter and spring time when the soil and ponds are still frozen, ice layers under snow (impermeable icing restricts vertical seepage). This occurs at a time when we experience some of our heaviest snowfall followed by a sudden thaw condition resulting in rapid runoff. In addition, the application seems to contradict itself stating that stormwater will be treated onsite ... and discharge into drainages (i.e. *“The development will utilize a series of vegetated detention swales where practicable prior to releasing stormwater downstream”*). Best management practices of using vegetative swales are only 65% effective in removing sediment and 25% in removing phosphorus according to the USEPA, and is not at all effective with frozen ground.

We are concerned that this application is confusing and does not adequately address permanent long-term stormwater pollution prevention issues and its cumulative pollution that could affect drainage discharges into county comprehensive plan designated “special areas” (i.e. Lake Cascade). Suburban drainage contributes thermal warming and substantial pollutants including nutrients, suspended solids, litter, oil, grease, metals, pesticides, fertilizers and other pollutants to the waterways. The proposed ponds pose other inherent issues and are also a concern. All of these can contribute to wetland degradation and lake toxic algae growth.

It is for these reasons that our ability to comment further on drainage is limited since the plans lack vital information. Valley County Code 9-5A-1-E states that the county engineer and soil conservation district provide plan reviews. We therefore recommend a comprehensive stormwater treatment and drainage plan be submitted and reviewed prior to this application approval.

## 2. **Loss of Valuable Farmland** (when its developed, it’s gone forever)

Properly managed agriculture land is valued for food production, strengthening food security, providing cover for wildlife, absorbing water in case of extreme rainfall and help to prevent flooding. Plant growth helps regulate air quality and temperature, and above all farmlands provide cherished open space views. This property and the properties surrounding it on 2 sides



have been actively farmed and productive. This proposed subdivision would remove 159 acres of productive farmland...forever.

The County Comprehensive Plan tries to protect farmland and includes a section entitled, CHAPTER 13: LAND USE, Goal 1 to *“Retain the rural atmosphere of Valley County by protecting its natural beauty and open characteristics and preserving its historical and scenic beauty.”*

*Objectives:*

*1. Encourage those land use practices that protect and reserve the best agricultural land for agricultural use.”*

This area of Valley County with its sandy loam soil is considered by many as some of the most productive farmland in the county.

The cursory concerns expressed herein are not exhaustive or all-inclusive and other issues including the numerous variances from code are a concern. The purpose of this letter is to oppose the subject subdivision until changes are made. The burden is on the Applicant to establish that this project can be placed here in a way that substantially complies with all of the county Codes and the Comprehensive Plan. In our opinion the Applicant has not met that burden.

Respectfully Submitted,

Valley Soil & Water Conservation District Board of Supervisors

Art Troutner, Chairman, John Lillehaug, Bill Leaf, Colt Brown, Judy Anderson  
and Associates Lenard Long and Pam Pace

## **Proposed MacGregor Subdivision**

**From:** Jeffrey King [REDACTED]

**Sent:** Wednesday, December 6, 2023 12:12 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>; Bonnie Layton [REDACTED]; Gregg Tankersley [REDACTED]

**Cc:** Amy King [REDACTED]; steve.stuebner [REDACTED]

[REDACTED]; Donnelly Pathways [REDACTED]

**Subject:** Proposed MacGregor Subdivision

Good morning,

Attached are some comments to the proposed development.

I am a proponent of the Valley County Pathways and was glad to see the trail adjacent to the old railroad ROW along the western property line of the proposed development as well as along Loomis Ln. and Old State Rd. I encourage you to further coordinate with them on their master plan.

My neighbors and I would like to see an additional pond or detention basin in the north west corner of the proposed development to further buffer against having new single family properties directly butting our properties in Railroad Village. This would also enhance the pathway running through this area, provide additional refuge for wildlife and maintain vistas of the Needles and West mountains. The northwest corner of the existing property currently drains to the drainage culvert between Lots 18 & 19 in Railroad Village and this could potentially continue to be utilized. A log pole or similar style fence along the western property line is also requested.

There are several areas of existing trees along the perimeter of the proposed development that would be nice to see retained.

We are sad to see the farmland be developed but overall are pleased to see the proposed open spaces and amenities.

Thank you,

**Jeffrey L. King**

Cell: [REDACTED]

My apologies in advance for any autocorrect mishaps from my iPhone.

TOTAL ACRES: 160.7 ACRES  
 LOT COUNT: 351 RESIDENTIAL LOTS  
 TOTAL OPEN SPACE: 87.11 ACRES (54.3%)

Existing storm water culvert

Existing storm water pond

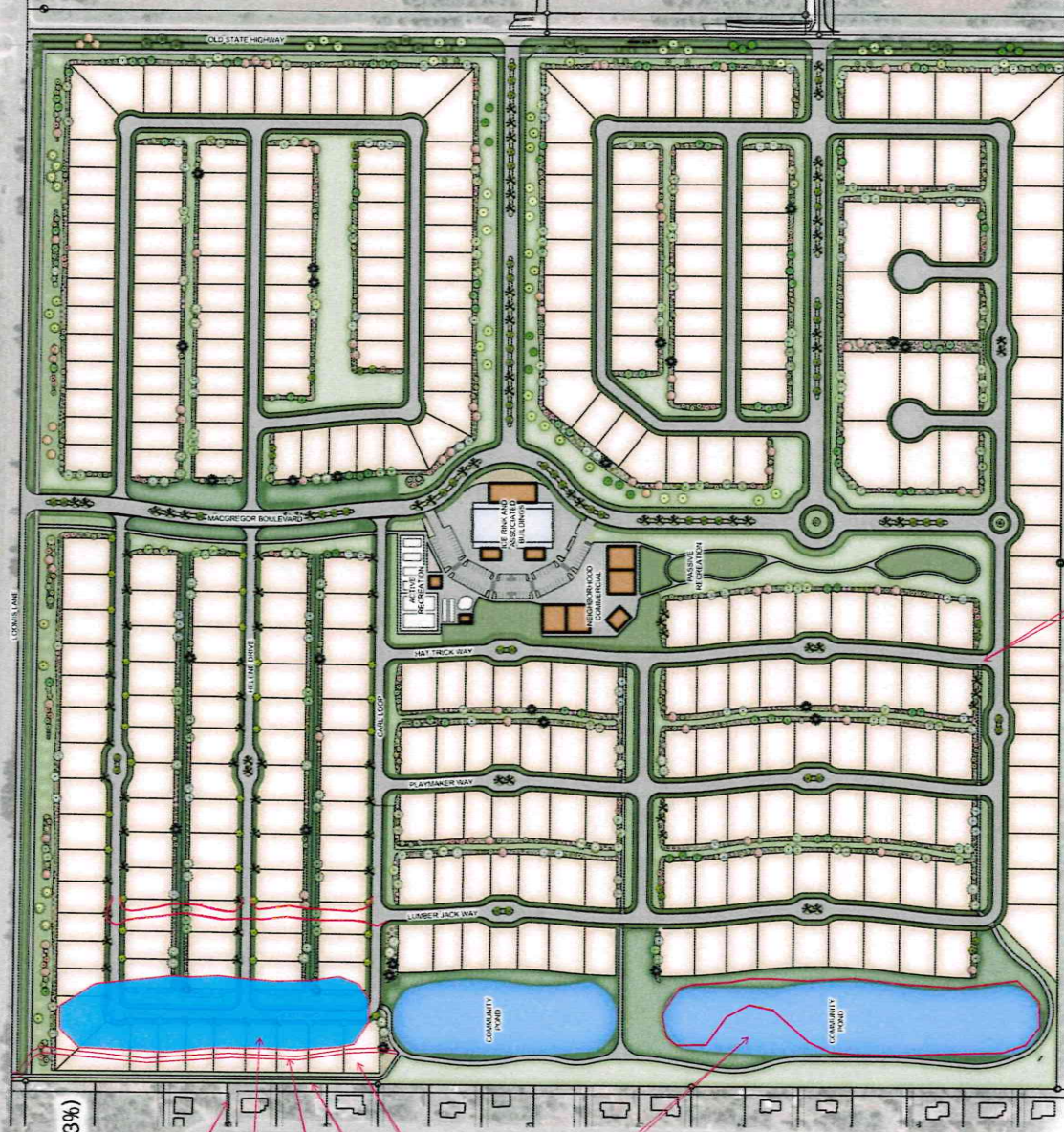
Pond or storm water detention basin.  
 Portion of site currently drains to this  
 area and into adjacent Rail Road

Relocate pathway away from west  
 property line and maintain existing  
 trees along western property line.

Log pole fence along western  
 property line

Maintain pocket of existing  
 trees

Maintain pocket of existing  
 trees



MACGREGOR SUBDIVISION  
 VALLEY COUNTY, IDAHO  
 PRELIMINARY OVERALL LANDSCAPE PLAN

SCALE: 1"=50'-0"

Continue trail to Old  
 State Rd.

Figure 3 of 5



**P.U.D. 23-02 MacGregor Townsite and C.U.P. 23-52 Phase 1 Preliminary Plat**

Jeffrey King [REDACTED]

Tue 1/2/2024 4:06 PM

To: Cynda Herrick <cherrick@co.valley.id.us>; Lori Hunter <lhunter@co.valley.id.us>

Cc: Bonnie Layton [REDACTED]; Gregg Tankersley [REDACTED];

[REDACTED]; Amy King [REDACTED]; steve.stuebner [REDACTED]

[REDACTED]; Donnelly Pathways [REDACTED]

Good afternoon,

My wife and I are the property owners of 12930 Spring Valley, Rd, Donnelly, ID. On December 6, 2023 I submitted preliminary comments via email after receiving the concept site plan that was presented at the November 30, 2023 neighborhood meeting. Below/attached are additional comments to be shared at the upcoming January 11, 2024 public hearing.

As previously stated, we are sad to see the farmland to the east of our property developed. We very much enjoy our unobstructed view of the Needles Mountains and the wildlife that visit the area. As Valley county continues to grow, development of these farmlands is unfortunately inevitable. The focus of this and future developments should be on public accessible open spaces, community pathway connectivity, architecturally pleasing buildings/structures, native landscaping, maintaining view corridors and wildlife habitat. I was pleased to see that the preliminary concepts for this proposed development took into consideration some of these items such as open spaces, ponds and ice rink. I was also pleased to see the proposed pathways, which I am a strong advocate of and encourage further dialog/coordination with the Valley County Pathways team.

Some areas of concern include:

- View Corridors - Proposed lots abut directly to the neighboring Railroad Subdivision properties on the northwest corner of the development. These proposed lots are smaller than those in Railroad Subdivision creating a very tight density (1 1/2 to 1 ratio for most and 2 to 1 ratio at one location). Consider adding another pond or storm water detention basin and larger acreage lots. Larger acreage lots that abut the two currently proposed community ponds should be considered as well (see attached markups to proposed site plan).
- Snow Storage/Surface Water/Runoff - This has been an issue for the Wagon Wheel Subdivision for years and should be considered/properly designed for. Consider adding a controlled draining stormwater detention basin feed by creeks off snow storage areas (see attached markups to proposed site plan).
- Wildlife Habitat – Consider maintaining existing trees throughout the development. Work with Idaho Fish & Game to properly construct the ponds to promote healthy wildlife and not large mosquito havens. Consider utilizing native trees and plants.
- Architectural/Landscaping Standards – This is a mountain community. Consider mountain architecture vernacular focusing on natural and textured

buildings/structures that blend into the surroundings and withstand the rugged mountain environments. Consider utilizing native materials, trees, and plants.

With modifications, I would support this development.

Thank you,

**Jeffrey L. King**

Cell: [REDACTED]

My apologies in advance for any autocorrect mishaps from my iPhone.

**PUD 23.02 GROVES PROPOSAL - P&Z****From:** Kirby Robertson [REDACTED]**Sent:** Wednesday, December 20, 2023 12:53 PM**To:** Cynda Herrick <cherrick@co.valley.id.us>**Subject:** PUD 23.02 GROVES PROPOSAL - P&Z

Hi Cynda,

Please see the attached for distribution to P&Z Commissioners for consideration.

I suspect the “rabble” will show up screaming NO. I’m supportive of Craig, despite the projects impact on our lives, if he can solve the problems I’m concerned about. The HWY 55 access points are a whole different issue as it applies to this project. I didn’t add comment on that as I don’t know how we can manage dealing with ITD on that roadway and I’m sure the commissioners will have their own immediate questions on that issue.

Please confirm receipt and let me know if any questions. Hope you and yours have a Merry Christmas.

Thank you,

**Kirby Robertson**

[REDACTED]



**KIRBY J. ROBERTSON**  
**12952 UPLAND RD.**  
**DONNELLY, ID 83615**

December 20, 2023

Valley County Planning and Zoning  
Attn. P&Z Commissioners  
PO Box 1350  
Cascade, ID 83611

RE: PUD 23-02 application, Groves Family Properties, hearing January 11, 2024

Commissioners,

The Valley County Comprehensive Plan states that no development will be approved that may adversely impact existing residents of the county. This requirement applies to the Groves PUD application.

To be clear, I'm generally supportive of the Groves Family Properties PUD request. I acknowledge that the Donnelly area has availability of certain services that make the proposed project potentially viable under specific conditions. Requested smaller lot sizes coupled with smaller square footage housing units may, within reason, provide an expanded opportunity for more moderate-income housing solutions. However, I have significant concerns related to the application that must be mitigated by the developer to meet the "no harm" requirements built into the County comprehensive plan.

- The applicant proposes connection and use of water and sewage services provided by the North Lake Recreational Sewer and Water District. However, no commitment was made by the applicant related to their funding of capacity improvements necessary to offset system demands created by the new proposed units. To remain consistent with the "no harm" expectation in the comprehensive plan, the developer must be required to directly fund full capacity improvements consistent with proposed units being added to the system. The North Lake system capacity is already strained. As a local user, we continue to experience fluctuating low water flows and had two occasions in 2023 of full water delivery failure for portions of days. District staff failed to respond to calls or provide explanation for the ongoing issues which is a point of concern. Prior management of the North Lake District permitted plat connections to the system without financial consideration to fund related capacity increase. The result was a monthly fee increase from \$40 per month to \$80 per month paid by existing users to mitigate shortfalls created by the historic mismanagement issues. Failure of P&Z Commissioners to require developer funded capacity increase for both water delivery and sewer treatment would be a direct violation of the comprehensive plan "no harm" requirement.

- The proposed project is located on the southwest corner of Old State Highway and Loomis Lane. Valley County did not extend the resurface of Old State Highway south of Loomis Lane. Recent Loomis Lane improvements stretched from the HWY 55 intersection and stopped at the Old State Highway intersection. The proposed project has one ingress / egress onto Loomis Lane in the section that has not been resurfaced. The other two ingress / egress locations are on Old State Highway, also in areas that have not been resurfaced. Both proposed road access sights are in an unsustainable condition for current traffic. Both road stretches have deteriorated to a point that pothole repair is unable to keep pace with the issue. Jeff McFadden with the Valley County Road Dept. can confirm my assessment. A new plat located roughly at Durham and Grand Fir that is on pace for lot sales and new homes in 2024 will only add traffic counts to what is already a problem roadbed. Neither Loomis Lane nor Old State Hwy are in a condition to sustain traffic from a new 335 lot plat without resurfacing in advance of newly added trips. Any approval of this project by P&Z should necessitate requirement of road resurface improvements to the areas impacted by the proposed PUD funded and completed in advance of first plat recording and lot sale. These improvements should be secured via either Performance Bond or assigned demand Letter of Credit. Ideally this improvement would include addition of a third turn lane on both roads to mitigate the additional traffic.
- Given the proposed increased traffic, the Old State Highway and Loomis Lane intersection should be converted to a four way stop. The intersection is already a location that experiences numerous slide off and collision accidents. Conversion to a four-way stop would limit health and safety concerns related to the increased traffic counts.
- The Traffic Study provided by the applicant was completed on November 8, 2023. The study was conducted during “shoulder season”, the low point of traffic in the area. Whether intentionally timed to support the project or not, the study is not a reliable representation of actual traffic on Loomis Lane or Old State Hwy. All SISCRA Campground traffic access the site via Loomis Lane. Many SISCRA users are in residence full time during the open season and create elevated daily use trips on the impacted roads. SISCRA closed for the year not long before the traffic study was conducted so related traffic counts are not reflected in the study. All Boulder Creek Recreational site traffic access the site via Loomis Lane. The Boulder Creek Recreational site closed for the summer season not long before the traffic study was conducted. Boulder Creek Recreational site traffic increases significantly with spring boating and fishing season and upon winter freeze up of Cascade Lake due to snowmobile access demands, ice fishing access, as well as other recreational activity that draws significant seven day a week traffic. This activity on the surface roads was not accounted for in the study. The study discounts westbound traffic from the development to only 5% which, given likely demand of residents on Boulder Creek Recreation facilities, is likely understated. Further, I was unable to find an appropriate analysis of likely traffic counts related to future construction on existing unimproved lots in the Boulder Creek Meadows and the greater Wagon Wheel area and the new plat expected to record in 2024 at Durham and Grand Fir that will increase traffic on Loomis Lane, Old State Hwy as well as at the difficult Highway 55 intersections of both roads.
- The applicant indicates that amenities in the plat may include a Concert Venue. Neighboring property owners are not supportive of added noise pollution.

- The applicant indicates that the project may / will include a coffee and or beer and wine facility coupled with a food truck area and skating rink. The traffic study does not address expected outside traffic drawn to the development to make use of these proposed amenities. This kind of commercial activity is not consistent with the residential nature of the area.
- The geological report provided with the application is a point of concern. The applicant states that the subject property is not affected by stormwater overflow or spring melt. However, the property is in a high-water table area and has standing water on the site during spring melt. Removal of 8 – 12 inches of surface vegetative material to reach virgin soil sources will create additional surface water issues. The report reflects that sub-surface soils are not particularly stable and compactable which is one of the ongoing issues with maintaining county roads in the area. The project is relatively close to Cascade Lake which increases expectations of runoff management to mitigate future environmental concerns. A fully supported and finalized engineering plan for water and runoff management should be required prior to moving to approve this PUD. Additionally, either Performance Bonding or Demand Letter of Credit security provided by the developer to adequately mitigate cost risk to the county for these improvements should be required.
- Lastly, as an owner who passes the subject property daily and owns real estate in the immediate area with longer term value concerns, I would like to see the developer install barrier berms with trees fronting both Loomis Lane and Old State Highway to screen the project from view and maintain the natural aspects of the area. Given the request for higher density with limited information provided as to CC&R's, Architectural controls, and management of both, view barrier landscaping the project is an appropriate mitigant in the event the project results in less than desirable future maintenance of the homes and project in general.

I'm aware these requirements represent a financial calculation on behalf of the developer to determine viability of the project due to increased cost. However, Commissioners should implement the requirements to protect current Valley County residents and property owners, unapologetically, in keeping with the "no harm" standard. If the economics of the project make sense for the applicant given the added requirements, they will move forward. I have direct business experience with the applicant and am confident in his ability to complete the project to County standards. In the event the P&Z Commissioners require the applicant to mitigate the issues above, I would recommend support for the proposed project. Absent the mitigants protecting existing residents, I would recommend denial.

Thank you for your consideration.



---

Kirby J. Robertson



**Public Comment - PUD 23-02 MacGregor Townsite - Wilson comments final**

**From:** [REDACTED]

**Sent:** Sunday, December 31, 2023 6:13 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Public Comment - PUD 23-02 MacGregor Townsite - Wilson comments final

Thank you for considering these comments in your evaluation of the PUD 23-02 MacGregor Townsite proposal.

I am **OPPOSED** as it is currently proposed.

Please see attached

David B. Wilson

12884 Spring Valley Rd, Donnelly, ID 83712

Phone: [REDACTED]

e-mail: [REDACTED]

December 31, 2023

To: Cynda Herrick, AICP, CFM, Planning & Zoning Director

From: David B. Wilson, 12884 Spring Valley Rd, Donnelly, ID 83712

Re: **PUD 23-02 MacGregor Townsite** - Public Comments

As a property owner and resident in the Railroad subdivision in Donnelly that is adjacent to the proposed development, I would like to submit my **OBJECTION** TO PUD 23-02 MacGregor Townsite. As explanation of my objection, I would like to submit the following comments and observations:

- This development is not consistent with nor in harmony with the rural and semi-rural nature of Valley County, Donnelly, and the local neighborhood.
  - The urban, high-density nature of the proposal will change the current atmosphere that defines life in Valley County.
  - Allowing this development as proposed be would a significant step towards Valley County embracing a high density, urban feel that is contrary to what makes this area such a satisfying place to live.
  - The high-density proposal negatively impacts the wildlife that Valley County residents value and enjoy.
- The high-density nature of the proposal will create multiple issues that are not adequately addressed in the plan.
  - Inadequate provision for parking.
    - No provision for nor any alternative to on-street parking.
    - No accommodation for residents recreational parking needs including utility trailers, RVs, ATVs, snowmobile trailers, etc.
    - The streets are too narrow for on-street parking.
  - Narrow streets and roundabouts shown on the map are incompatible with snow removal and emergency vehicle needs.
  - Snow management.
    - There are limited areas for snow removal/storage from streets, between houses, between driveways and from roofs.
  - Inadequate surface water management.
    - The proposal would reduce water settlement (percolation) of snow melt and rainwater and divert more into the existing drainage ditch.
    - The current drainage ditch has been poorly maintained. Many years the ditch provides inadequate drainage resulting in water threatening adjacent properties. Additional drainage from the proposed development could cause flooding of neighboring properties.
- Upgrades in capacity of water and sewer systems could result in increased rates for current users. Any needed upgrades should be paid by the developer.

Sincerely,

David B Wilson



December 31, 2023

To: Cynda Herrick, AICP, CFM. Planning & Zoning Director

From: Lawrence & Opal Henneman. 12886 Spring Valley Road, Donnelly, ID 83615

**Re: P.U.D. 23-02 MacGregor Townsite and C.U.P. 23-52 Phase 1 Preliminary Plat**

We **OBJECT** to the development proposed for the following reasons.

1. The Ditch referred to in the excess overflow plan (*"Excess water would overflow from the ponds to the existing ditch along the western property boundary"*) runs through our property and has overflowed in past years. The plan for excess water to overflow from the ponds into this ditch would exacerbate these problems, causing more flooding onto our properties and increased mosquito breeding.
2. ANY additional flow into the ditch will compound the drainage issue, which is already being experienced due to the inadequate placement of the culvert at 12882 Spring Valley Road.
3. The proposed ponds themselves will add to the mosquito problem mentioned above if they are not properly aerated. (We recommend that city water is used instead of ponds).
4. If the snow management plan includes piling snow up on the southern or western edge of the property, this will also increase flow into the ditch causing even more flooding onto our property.
5. The combination of 335 homes along any relaxation of Valley County Codes (*to "reduce right-of-way widths, reduce front and rear setbacks, reduce maximum lot coverage, reduce frontage width along roads"*) will cause increased traffic within the development and consequently increase the traffic on the public roads which we travel on daily.
6. If the above codes are relaxed this will hamper any emergency evacuations in the event of an emergency, as the entire area depends on Loomis Lane for their only exit.
7. If street parking is allowed, along with these relaxed codes, fire trucks may have difficulties getting to a fire. Fires impact us all.
8. We also object to the misuse of Agricultural Water from Lake Fork Reservoir to irrigate the development, as this cuts into the water supply for farmlands in the area.

Concern: Regarding point # 2 above, can we depend on the County to address the placement of the culvert on 12882 Spring Valley Road?

Thank you for your kind consideration.

Yours sincerely,

Lawrence & Opal Henneman





**Public hearing****From:** Brian Peyton [REDACTED]**Sent:** Wednesday, December 27, 2023 10:31 AM**To:** Cynda Herrick <cherrick@co.valley.id.us>**Subject:** Public hearing

December 26, 2023

RE: Preliminary Plot Phase I Objection

MacGregor Townsite

January 6, Public Hearing

Dear Cynda Herrick,

I'm very sad to see something like this coming to our Donnelly Neighborhood. I have enjoyed pasture views and snow covered acreage for many years. I own lots 19 and 20 at Railroad Village Sub-division and do not like the idea of so many homes being built right on the property line. I would like to see open space or pond area bordering my property as well.. There are only 6 properties without an open area buffer zone behind their homes. I am including an adjusted property map to show a revision in tis area that includes an additional pond area. Please see adjusted plan to lower density and add pond.

Sincerely,

Brian Peyton

12936/12938 Spring Valley Road  
[REDACTED]

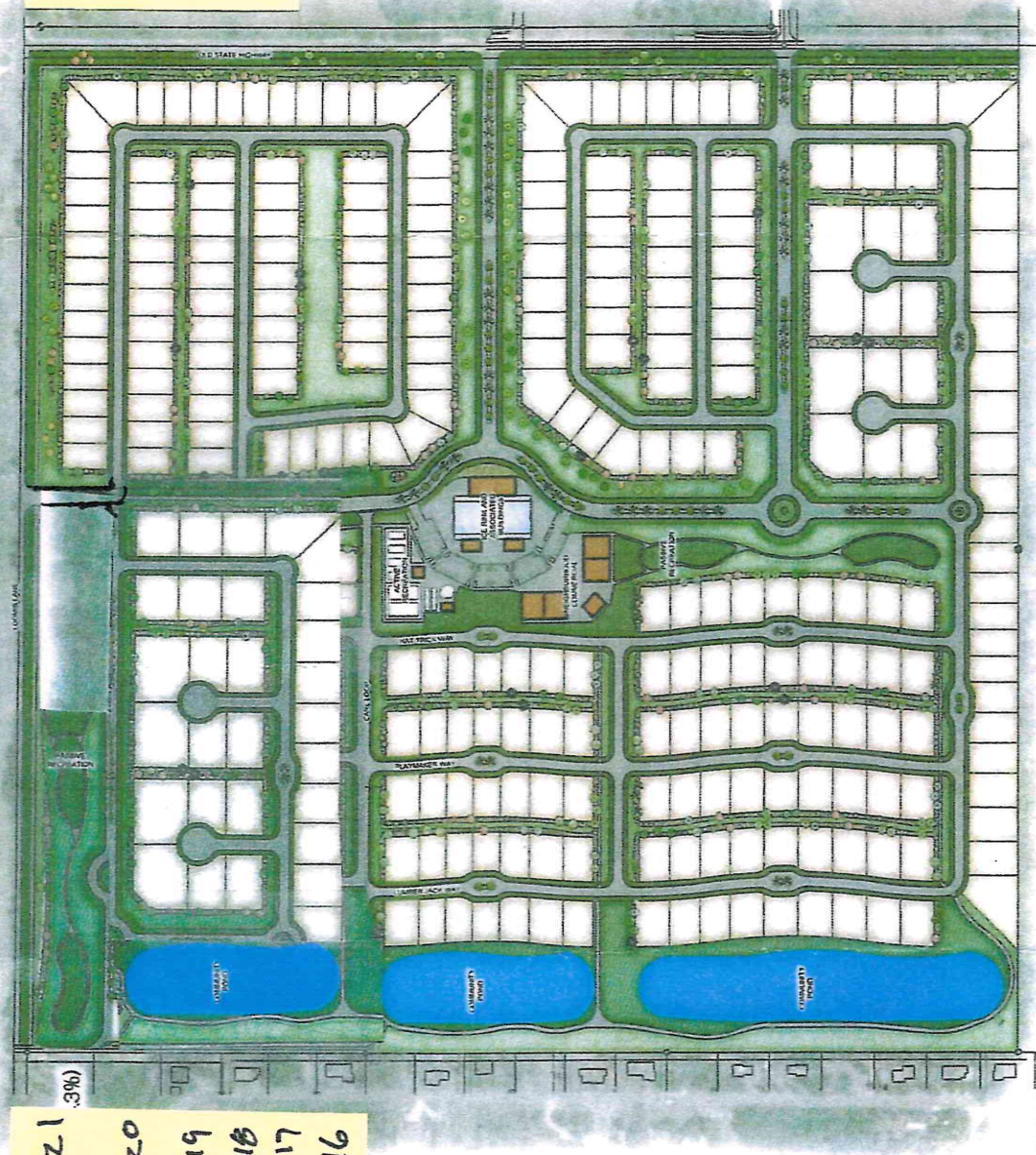
Redesign  
Less density  
Add 3rd Pond ↓

N 1

Plaza  
Pond  
open  
space

Lot 21  
Lot 20  
Lot 19  
Lot 18  
Lot 17  
Lot 16

North west  
Adjustment Plan



GREGOR SUBDIVISION  
LEY COUNTY, IDAHO  
LIMITARY OVERALL LANDSCAPE PLAN  
1"=150'-0"

Figure 3 of 5



**new developments off of old state road**

**From:** Debbie Boston [REDACTED]

**Sent:** Tuesday, January 2, 2024 2:16 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** new developments off of old state road

Cynda, This is in response to the notice of public hearing regarding the Groves LLC 335 residential project at Old State Road and Loomis.

I am very concerned about this project as it will add a lot of traffic and congestion at our only point of exit from the neighborhoods of Wagon Wheel/Fir Grove Estates/Boulder Meadows/Jack Lane, etc. Can you imagine hundreds or thousands of people trying to escape a wildfire through this one exit? Not only do we have residents, but lots of people often visit Boulder Creek boat launch and SISCRA camp ground, etc.

Our neighborhoods are already suffering from too much traffic and too many speeders. A few dogs have been hit and I wonder how long til a child is hit by a car.

I do not agree with relaxed rules regarding right-of-ways, setbacks, etc as this will cause too much crowding of people, buildings, traffic.

Another concern is the drinking water. We already have very poor pressure from time to time so adding more people sounds like even less water pressure.

Apparently there are other developments going in off old State Road and you sent me a map link, but it isn't labeled as to new developments. Is there a list of recent developments that have been approved and/or are pending and some way of finding them on the gis map?

Thank you  
Debbie Boston  
[REDACTED]



## **Letter on MacGregor Township PUD 23-02**

**From:** Galen Shaver [REDACTED]

**Sent:** Tuesday, January 2, 2024 1:57 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Letter on MacGregor Township PUD 23-02

Cynda could you please get this letter to each commissioner. Thank you very much ,  
Judy

Dear P&Z Commissioners

January 2, 2024

I am writing to ask you to deny the MacGregor Township PUD application 23-02, CUP 23-52, for the following reasons.

As a longtime rural resident of Valley County, I am increasingly alarmed by the loss of productive farmland in our valley. The American Farmland Trust's report, "Farms Under Threat" says very clearly, "How Idahoans choose to develop will shape the future of farming". The choice you will make if you allow this farmland to be developed will be one more devastating blow to the economy based on working farms in our county. It is well documented that allowing dense residential development in a setting encroaching on farmland sets a precedent and intensifies the changes in the rural landscape endangering surrounding farms and indeed accelerating a domino effect of development and sprawl at the expense of farmland. As a country and as a county we can not afford to lose any more productive farmland and this is a highly productive piece of ground growing not only good hay but grain crops.

In addition, losing farmland to developments is fiscally risky for the county. If we look at the cost of community services, for every dollar collected in taxes from working farms the county pays less than a dollar for services for that farm. But the opposite is true for developments like the proposed MacGregor Township. For every dollar collected in taxes from a development the cost of providing community services is more than a dollar. So, in fact, the farms are subsidizing the cost of new and existing developments. If you continue to lose farmland, you eventually undermine your budgets. It doesn't take an accountant to see that this is a losing proposition for the county.

The acreage in question is surrounded on 3 sides by productive farmland. There is definitely a compatibility question here. One could say that there is residential development on one side, but if we make that argument then no farmland is safe and we will always be dealing with the domino effect that I mentioned earlier. What

I am saying is that there is a legacy of agriculture and farming to protect here and that there has to be the courage to draw some lines or just watch our working farm economy be fragmented as well as limiting remaining ag operations' production, marketing and management options. A slow but conclusive loss of farming, families and our rural character.

Please deny this application and thank you for the chance to comment.

Judy Anderson  
13775 Nisula Road  
Lake Fork

**PUD 23-02 MacGregor Townsite**

**From:** Steve Byrne [REDACTED]

**Sent:** Tuesday, January 2, 2024 7:24 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Cc:** steve Byrne [REDACTED]; karen [REDACTED]

**Subject:** PUD 23-02 MacGregor Townsite

January 2, 2024

To: Cynda Herrick, AICP, CFM, Planning & Zoning Director

From: Steve and Karen Byrne, 12898 Spring Valley Rd, Donnelly, ID 83712

Re: **PUD 23-02 MacGregor Townsite** - Public Comments

As a property owner and resident on Spring Valley Rd in Donnelly which is adjacent to the proposed development, I would like to submit my **OBJECTION** TO PUD 23-02 MacGregor Townsite. My objections are as follows:

- This development is not consistent with nor in harmony with the rural and semi-rural nature of Valley County, Donnelly, and the local neighborhood.
  - o The urban, high-density nature of the proposal will change the current atmosphere that defines life in Valley County.
  - o Allowing this development as proposed be would a significant step towards removing more Valley County quality farm and grazing land and start the path towards a high density, urban feel ( Avamore ) that is contrary to what makes this area such a satisfying place to live.
  - o This high-density proposal will negatively impact road safety, air quality, noise levels, wildlife and the overall well being of many Valley County residences.
- The high-density nature of the proposal will create multiple issues that are not adequately addressed in the plan.
  - o Inadequate provision for parking.
    - § No provision nor any alternative to on-street parking.
    - § No accommodation for residents recreational parking needs including utility trailers, RVs, ATVs, snowmobile trailers, etc.
    - § The streets are too narrow for on-street parking.
  - o Narrow streets and roundabouts shown on the map are incompatible with snow removal and emergency vehicle needs.
  - o Inadequate surface water management.
    - § The proposal would reduce water settlement (percolation) of snow melt and rainwater and divert more into the existing drainage ditch.
    - § The current drainage ditch has been poorly maintained. Many years the ditch provides inadequate drainage resulting in water threatening adjacent properties. Additional drainage from the proposed development could cause flooding of neighboring properties.
- Upgrades to county roads and impact maintenance, Highway 55 turn lane, school capacity impacts and additional capacity for the water and sewer systems should be paid for upfront by the developer before any building permits are issued.
- There are over 400 homes and condos that have been approved for the Donnelly area already. Can our infrastructure and quality of life take an additional 335 homes without a substantial negative impact to all Donnelly residents?

Sincerely, Steve and Karen Byrne



## **Public Hearing Jan 11, 2024 - PUD 23-02 and CUP 23-52**

**From:** Steve Vaus [REDACTED]

**Sent:** Wednesday, January 3, 2024 9:40 AM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** Public Hearing Jan 11, 2024 - PUD 23-02 and CUP 23-52

I am opposed to this project because of the housing density, narrow roadways, culdesacs, snow removal/storage issues, snow melt run off, air quality issues, potable water concerns, lack of design and effect on property values, lack of adequate fire or other emergency evacuation routes.

The density is stated as 2.11 units per acre, but 159 acres less open space of 49, less space for roadways, culdesacs, and ponds does not equate to 2.11 units per USEABLE acreage as stated in lot sizes of .19 to .26 which more likely equals about 5 units per acre. This puts the houses so close together that it leaves little room for off-street parking. On-street parking on these narrow roadways will create clogged streets and hinder snow removal. If these are affordable houses, you can count on 2-4 vehicles per house. The culdesacs will add to the difficulty of snow removal. It's pretty obvious that people would be on top of each other.

As to snow removal - will it be moved to the pond areas and if there is a sudden melt in the spring, will there be a rush of water from stored snow piles rushing down spring valley road and through the drainage ditch that traverses Fir Grove Estates? Fir Grove Estates already has some flooding issues at the lower end of the drainage ditch by Grand Fir and Durham.

If most of these houses have wood-burning stoves, this will create an air quality issue.

Our water supply seems to already be strained as water pressure is often low. Adding more demand may threaten those already here.

This many residences crammed so closely together, with no appealing design will adversely affect our property values.

At any time there could be thousands of people in the area that is served by one exit - Loomis and Old State Road. Another 335 residences with at least 2 cars each just created an impossible bottle neck at our only escape route. There are several developments/neighborhoods, Boulder Creek boat launch, SISCRA campground, etc behind this bottle neck. What happens if there is a fire, flood or some other emergency? How will we get out?

A development this dense will have an adverse effect on the quality of life for existing residents.

Development will happen, but for the MacGregor Townsite, I suggest larger domestic lots to correspond with the surrounding neighborhoods. Remember we are not in Meridian.

Thank you, Steve Vaus [REDACTED]



January 3, 2024

Valley County P&Z Commissioners  
c/o Cynda Herrick  
219 N. Main St.  
Cascade, Idaho 83611

**Subject: PUD 23-02 & CUP 23-52**

Proposed MacGregor Townsite Subdivision  
Donnelly Area, Valley County, ID

Planning and Zoning Commissioners,

We understand the proposed development will contain 335 single-family residential lots on 158.72 acres of existing farmland. The project is located south of Donnelly and southwest of the intersection of Old State Road and Loomis Lane.

We are concerned with the number of variances from codes and specifically have concerns regarding:

1. **Drainage;** the projects contribution of pollutants to Lake Cascade. The proposed ponds also remove cold water from the natural drainage inflow into the lake that is need for cold water aquatic life and control of algae growth.
2. **Density;** the 335 cluster homes with average of 0.22 acre lots size has a social density of over 4 units/acre which is not harmonious with a rural setting. It's urban sprawl.
3. **Loss of Farmland** (when its developed, it's gone forever); Agriculture land helps control flooding, and provides precious open space for viewscape and infiltration of stormwater.
4. **Water;** the Application fails to acquire drinking water from the limited resources at NLRWSD and the impact on aquifer changes resulting from the proposed subdivision or effects on groundwater quality and quantity if new wells are required is not discussed.
5. **Wetlands;** the loss of wetland filters impacts downstream water quality and Lake Cascade.

Thank you for your consideration regarding these matters.

Respectfully Submitted,

Lenard D. Long  
Friends of Lake Cascade  
Cascade, Idaho 83611

(Representing 2,153 concerned lake enthusiasts)

January 3, 2024

Valley County Planning and Zoning Commission

- Katlin Caldwell, Chairman
- Ken Roberts, Vice-Chairman
- Scott Freeman, Commissioner
- Carrie Potter, Commissioner
- Gary Swain, Commissioner

Valley Country Director Cynda Herrick

Subject: MacGregor Townsite PUD 23-02 & CUP 23-52 (owner Grove Family LLC) Hearing  
1/11/24 at 6:00pm

This proposed planned unit development is asking for .19 acres and .25 acre lots which is way to high density for the area and land. All surrounding subdivisions have 1/2 acre to 1-acre lots which allows for more open space and a place to store snow on their lots. None of the proposed home sizes are affordable to the work force housing that is needed.

The proposed project of phase one doesn't have a good drainage plan nor does the 15 year plan for the other phases. This has had high water on it way into summer every year trying to go west towards Lake Cascade. Right now it drains through RR Village and into Fir Grove Estates causing issues for both subdivisions and parts of Durham & Hereford. All the houses in RR Village and Fir Grove are built up on man made pads and all have sump pumps under their house that run all spring into summer and the water is pumped out into the road right of way and just sits on top of the ground because of the high water table. The whole area of these two subdivisions is a swamp and a mosquito breeding area and so will MacGregor development.

Access to Highway 55 must be the main concern. Loomis Lane connecting to Highway 55 is a blind intersection & can't handle this added traffic especially with 55 traffic going 65+ mph. The Old State Road & 55 is also a very dangerous intersection and will even be worse since the VC P&Z & VC Commissioners just approve a storage unit complex at this intersection & 55 traffic is also going 65+mph at this intersection. Until there is a final approved VC Road Dept. and ITD agreement approved there "shall not" be anymore approvals in this area until these intersections have been redone.

Until such time this land has been annexed into North Lake Sewer & Water District nothing should be approved by VC P&Z because NLS & Water might not have the capacity for sewer collection or treatment. They say potable water from North Lake but where is the letter stating the plan where NL can supply that water.

Why hasn't Mr. Groves completed his proposed high density development on Highway 55 adjoining the City of Donnelly to the north of town which is in the City impact area???? This is where we need high density and a good plan.

We recommend this application for MacGregor Township be denied based on density and the issues we have addressed.

Please confirm back to me you received this email and I will look forward to the staff report including our whole letter.

Respectfully,  
Bill & Linda Eddy  
Donnelly, ID

## **MacGregor Township Project**

**From:** Therese Gibboney [REDACTED]

**Sent:** Wednesday, January 3, 2024 2:10 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** MacGregor Township Project

1/3/24 @ 2:10 pm

P.U.D. 23-02 MacGregor Townsite and C.U.P. 23-52 Phase 1 Preliminary Plat: Groves

Katlin Caldwell, Chair Commissioner

Ken Roberts, Vice Chair Commission

Scott Freeman, Commissioner

Carrie Potter, Commissioner

Gary Swain, Commissioner

Planning and Zoning Commissioners:

We are writing to you regarding the MacGregor Township project, which will presented to you on 1/11/24.

The various issues of the entire valley are once again in question, including failing infrastructure, traffic issues, no stop lights or round a-bouts. When will crumbling infrastructure be addressed? We can't simply continue to stumble into the future before addressing these real concerns. How much is enough until our infrastructure is addressed? With Shoemaker Donnelly Storage, possibly Garnet Valley and Tamarack Ski Areas growth, how will you address this serious issue of infrastructure and traffic? You hold the safety of Valley County residents in your hands, as well as future generations.

There are further issues with the use of affordability. Within his proposal Mr Groves phase begins with 1400 to 1800 SF price of homes (beginning at approximately \$600K). Mr Groves emphasized "affordability" & "attainability" in the Neighborhood meeting for valley residents. It seems with every new project they tout these two key words and yet once again they are not affordable nor attainable for the hard working people of Valley County.

Lot sizes, densities and heights should be rethought out. A hockey rink and community center are both admirable, however, by saying they will be open to the public will only intensify the traffic this project proposes in this area. Developers should be charged with building "community" resources in town, within the impact zone, for all to use rather than every development heralding facilities such as pickle ball courts, ice rinks, dog parks, etc. We are not Boise nor do we wish Valley County to look like it. Take that space and give home owners proper "green space" around each home instead. Valley County is already a recreational Valley with all its natural resources so let's keep it like that.



This project should be denied and resubmitted after addressing these concerns. How was Mr Groves allowed even a preliminary submittal before he held is neighborhood meeting?

Time is of the essence to stop unmitigated development and protect Lake Cascade, migrating animals and those who already call Valley County home. Listen to the people.

Thank you for your time and consideration.

Respectfully,  
The Gibboneys  
Donnelly, Idaho

Please confirm you received this email and our letter will be posted in entirety in the staff report.

**MacGregor Township****From:** Kevin Lukens [REDACTED]**Sent:** Wednesday, January 3, 2024 4:45 PM**To:** Cynda Herrick <cherrick@co.valley.id.us>**Subject:** Re: MacGregor Township

We are strongly opposing the development on Loomis Lane and Old State Highway. This will destroy another neighborhood with insufficient infrastructure, wetland area and high water tables. Absolutely NO!

January 3, 2024

To: Cynda Herrick, AICP, CFM. Planning & Zoning Director

From: Brandon Arnott & Dena Whitney – 12890 Spring Valley Rd, Donnelly, ID 83615

**RE: P.U.D. 23-02 MacGregor Townsite and Conditional Use Permit 23-52  
Phase 1 Preliminary Plat.**

I **Strongly Object** to this Development as currently proposed. The development as proposed does not seem to be fitting for the already over populated and crowded neighborhood area as it stands. We already have just about every available lot being bought and build on, along with all the weekend traffic overflowing the neighborhood. As for the ditch running along the barrier between this proposed plan and the existing homes on Spring Valley Road, we already have an issue with the ditch flooding in the spring time. With the proposed pond bordering our ditch, there would be an almost guarantee on major flood problems affecting the runs living on Spring Valley Road. This application and process was brought upon us on very short notice and also only including the people within 300 feet of the proposed plan. This plan impacts way more of the area than just the residents living on Spring Valley Rd. For me, as well as the rest living on Spring Valley Road, we already have an insane amount of traffic traveling through, most of them speeding beyond speed limits, and not to mention the amount of pets, children, parents of all sort that operate off road vehicles, or walk down the road almost being hit or disturbed by the over abundance of traffic as is. It would only create more traffic as it is not safe already. This development will have a significant impact on the existing homeowners in the entire Wagon Wheel Subdivision. There is also an existing potential for major disaster with the only ONE point of access to every other homeowner in the neighborhood. Currently if there was an incident South of Old State on Loomis that blocked the road, Emergency Vehicles would not be able to respond or access the greater Wagon Wheel Subdivision. This is a current existing situation that would only get worse with the new proposed Subdivision. This entire subdivision also already does not have even close to a great quality of water to residence, so where is the improvement to help with existing homeowners rather than adding another full neighborhood to the same

water? The Applicant has not considered the amount of traffic that will be going into the existing Greater Wagon Wheel Subdivision, only Old State and Loomis. With Boulder Creek Boat Launch being a public boat launch the proposed subdivision will absolutely create more traffic on the already overloaded infrastructure. We need more time to carefully consider this Development and the impacts it will have on our community. I respectfully request that this Application be Denied or Tabled so the Existing Homeowners in the area and County Commissioners can better understand the implications of approving such a large development.

Sincerely,  
Brandon Arnott





January 3, 2024

To: Cynda Herrick, AICP, CFM. Planning & Zoning Director

From: Mr. & Mrs. Justin Blackstock. 219 Angus Ln, Donnelly, ID 83615

**RE: P.U.D. 23-02 MacGregor Townsite and Conditional Use Permit 23-52  
Phase 1 Preliminary Plat.**

I **Strongly Object** to this Development as currently proposed. This looks like something that belongs in Boise or Meridian, **Not Donnelly Idaho**. The way the application was submitted right during the Christmas Holiday's prevented most of the current residents from being able to do any research or even understand what the applicant is proposing. This development will have a significant impact on the existing homeowners in the Wagon Wheel Subdivision and all contiguous Developments. We already have a potential disaster with only One point of access (Loomis) to hundreds of existing homeowners. Currently if there was an incident South of Old State on Loomis that blocked the road, Emergency Vehicles would not be able to respond or access the greater Wagon Wheel Subdivision. **Who is liable?** This is a current existing situation that would only get worse with the new proposed Subdivision. The Applicant has not considered the amount of traffic that will be going into the existing Greater Wagon Wheel Subdivision, only Old State and Loomis. With Boulder Creek Boat Launch being a public boat launch the proposed subdivision will absolutely create more traffic on the already overloaded infrastructure. We need more time to carefully consider this Development and the impacts it will have on our community. I respectfully request that this Application be Denied or Tabled so the Existing Homeowners in the area and County Commissioners can better understand the implications of approving such a large development.

Sincerely,  
Justin Blackstock



## Loomis and old state project

From: Crystal [REDACTED]  
Sent: Wednesday, January 3, 2024 9:26 PM  
To: Cynda Herrick <cherrick@co.valley.id.us>  
Subject: Loomis and old state project

Regarding this project, I have a few concerns

- 1- 335 residential lots that are 0.19-0.26 acres each is not supported by the surrounding neighborhoods where lots start closer to 0.50 acres.
- 2- loomis and old state area is already notorious for hellacious pot holes with the current traffic, what would the plan be for the roads with that much more traffic??
- 3- community areas- how did they determine what amenities are needed in our community?  
I can tell you as someone who grew up here and returned to raise a family that an outdoor ice skating rink is not on the top of most peoples lists for what would improve our community. Baseball/softball field YES  
basketball courts YES  
BUT AN ICE RINK no way!  
And would these areas be open to the public for use? Or this subdivision only?
- 4- water overflow from the ponds being routed to the Western side ditches seems like a problem since that ditch holds water and creates a mosquito problem at the south end near our property where the water stands and doesn't flow out at it should. So how would that work for added ponds also using the ditch for overflow?

Thank you,  
Crystal Pickett

1 of 6

**Valley County Planning & Zoning Commission**  
Invites You to Participate in a PUBLIC HEARING

**P.U.D. 23-02 MacGregor Townsite and C.U.P. 23-52 Phase 1 Preliminary Plat**

**Applicant/Property Owner:** Groves Family LLC

**Location:** The 159-acre site is parcel RP15M01E270005 located at the intersection of Loomis Lane and Old State Road, in the NE 1/4 Section 27, T16N, R35E, Boise Meridian, Valley County, Idaho

**Project Description:** Groves Family LLC is requesting approval of 335 single-family residential lots, community amenities, and open space. Community amenities would include recreational courts, a commercial plaza, outdoor recreational rink, pathways, and approximately 40 acres of open space. The net density is 2.11 units per acre. Lot sizes range from 0.19 to 0.26 acres. Construction would occur in six phases over a 15-year period.

A final determination of wetlands and any required mitigation would be permitted through the U.S. Army Corps of Engineers. Two ponds along the western edge of the development would delineate the riparian water associated with the riparian water rights. The collected water would be stored and used to irrigate the open space areas throughout the development. Excess water would overflow from the ponds to the existing ditch along the western property boundary.

North Lake Recreational Sewer and Water District (NLRSD) would provide water and sewer service. The site has a preliminary stormwater management plan. Underground power and telecommunications would be included.

A wildlife mitigation plan and a Traffic Impact Study have been submitted. Fire hydrants would connect into the NLRSD public water system.

(Continued on reverse side.)

**PUBLIC HEARING**  
**January 11, 2024**  
**6:00 p.m.**

**Valley County Courthouse**  
**2nd Floor**  
**219 North Main Street**  
**Cascade, Idaho**

You are invited to participate in the public hearing and/or comment on the proposal.

You may view the hearing by going to our website: [www.valleyco.id.us](https://www.valleyco.id.us) and click on "Watch Meetings Live".

The meeting is In-person. We no longer provide call-in service. The service was discontinued by our provider.

You may comment in person by U.S. Postal Service mail, or by email. Written comments greater than one page must be received at least seven days prior to the public hearing. To be included in the staff report, comments must be received by 5:00 a.m. Wednesday, Jan. 3, 2024.

If you do not submit a comment, we will assume you have no objections.

Direct questions and written comments to:  
Cynda Herrick, AICP, CFM  
Planning & Zoning Director  
PO Box 1320  
Cascade, ID 83611  
308.382.7116  
[cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

**OPPOSITION TO MACGREGOR PUD - JANUARY 11, 2024**

**From:** jackie Beverage [REDACTED]

**Sent:** Tuesday, January 2, 2024 9:03 PM

**To:** Valley County Commissioners <commissioners@co.valley.id.us>; Cynda Herrick <cherrick@co.valley.id.us>

**Subject:** OPPOSITION TO MACGREGOR PUD - JANUARY 11, 2024

[commissioners@co.valley.id.us](mailto:commissioners@co.valley.id.us)

[cherrick@co.valley.id.us](mailto:cherrick@co.valley.id.us)

Good morning Cynda!

I have not yet received a response to my email to you on December 12, 2023, regarding the MacGregor Planned Development meeting.

First, I was shocked that not only were the rules of the Ordinance for a meeting prior to submittal of plans for a project not followed, but, that you did not personally take it up with Mr. Groves, and further, did not respond to my email questioning the same. The original ordinance, as written and proposed to the County Commissioners stated a neighborhood meeting "shall" be held, not that it be recommended, but required. Did you receive a list of attendees? Did you receive a list of changes requested, notes and/or minutes of the meeting? I find that all the voices of the people of Valley County are being ignored for the money of the developers.

In the neighborhood meeting, Mr. Groves stated that he COULD put in larger lots and larger homes, rather than 335 single family homes. We the people of Valley County, will be pushing for less density of this proposed development. While we do not oppose development that is inevitable, we do oppose increased density, especially in rural areas. This is four miles south of Donnelly. Almost every area surrounding this property has homes on one half acre or larger, so it is absolutely absurd to add 335 homes to 109 acres (they are allowing 50 acres for the proposed common areas, which includes two drainage ponds). We also oppose adding this many homes to an already crippled infrastructure. Mr. Groves could not give a complete answer regarding updates and/or modifications of the intersections of Loomis and Highway 55 and the Old State Road and Highway 55. Both of these intersections at this time are deplorable, with no visible night time markers and serious blind spots in both directions both day and night! With the addition of the approved storage facility at the Old State Road and Highway 55, this issue should have been addressed prior to this application being accepted!

I hate to have to rehash old topics, but no one is listening to us for the same concerns every time. The issues discussed in the neighborhood meeting are the same ones we have discussed in emails and our three minute oppositions for the past approved developments: These are, but not limited to, Infrastructure, water, sewer, roads, power, traffic, density, snow removal, snow storage, drainage (swamp ponds), lighting, common areas, and one of THE most important for this valley is the environmental impact on the rivers, streams, lakes, reservoirs and wildlife, including current sanctuaries and migratory areas. This area has a notoriously high-water table, homes in Fir Grove have year-round sump pumps running. Fir Grove is less than 1000 feet from this PUD. Once again, we are watching to see who is listening and who will make their choices based on money.

I hereby request an immediate response to my inquiry of December 12 and why the original wording of the ordinance for meetings was changed. I also request that a copy of this letter (by

email) be presented to the Planning and Zoning Committee for the upcoming hearing for this PUD on January 11, 2024, as well as a copy to the County Commissioners. I will be presenting this same information and opposition at that hearing in my allotted three minutes.

Regards,

Jackie Beverage

Please copy to: Planning & Zoning Commissioners:

Katlin Caldwell

Scott Freeman

Carrie Potter

Ken Roberts

Gary Swain

Please copy to: County Commissioners

Commissioner Elting Hasbrouck, District 1

Commissioner Sherry Maupin, District 2

Commissioner Neal Thompson, District 3



## MacGregor Planned Development

Cynda Herrick <cherrick@co.valley.id.us>

Wed 12/13/2023 8:05 AM

To: Lori Hunter <lhunter@co.valley.id.us>

Please place in the record.

I finished the review and accepted the application after I had the Neighborhood meeting information.

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

“Live simply, love generously, care deeply, speak kindly, and leave the rest....”

*S*ervice *T*ransparent *A*ccountable *R*esponsive

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**From:** jackie Beverage [REDACTED]  
**Sent:** Tuesday, December 12, 2023 2:46 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** Re: MacGregor Planned Development

Thank you for your response, Cynda.

I find this troubling that Mr. Groves submitted his application PRIOR to the neighborhood meeting and it was accepted.

Wouldn't you ask that he hold off until after the meeting and any changes or suggestions that neighbors specifically requested be incorporated into the plans?

I thought that was the idea behind the recent ordinance for public meetings prior to the submittal of plans on a development.

Regards,

Jackie Beverage

---

**From:** Cynda Herrick <cherrick@co.valley.id.us>  
**Sent:** Tuesday, December 12, 2023 8:35 AM  
**To:** [REDACTED]  
**Subject:** Fw: MacGregor Planned Development

Yes, we have received an application.

It can be found on the Valley County website under the P&Z Department, meetings...

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

"Live simply, love generously, care deeply, speak kindly, and leave the rest...."

*S*ervice *T*ransparent *A*ccountable *R*esponsive

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**From:** jackie Beverage [REDACTED]  
**Sent:** Monday, December 11, 2023 3:33 PM  
**To:** Cynda Herrick <cherrick@co.valley.id.us>  
**Subject:** MacGregor Planned Development

Hello Cynda,

I would like to have information on the submittal of plans or preliminary plans for the MacGregor Planned Development at the corner of Loomis and The Old State Road.

Craig Groves held a neighborhood meeting in Donnelly on November 30, 2023 and I believe he stated that he had submitted a preliminary plan or proposal to Valley County the previous Monday.

Would you please verify if this is indeed the case?

Thank you for your assistance at this time.


Regards,

Jackie Beverage  
Donnelly, Idaho

(No subject)

Wed 12/20/2023 11:34 AM

To: Cynda Herrick <cherrick@co.valley.id.us>

 1 attachments (616 bytes)

text\_0.txt;

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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I cannot attend the hearing because of logistics but had a couple of questions. One, we have livestock on our property at 12889 Old state road and wondered if there is going to be some sort of wall separating our property from the new development, also, is there any off premis in the plans for road department? Also , I cannot find any lines to denote where the Tamarack Resort custom chalets were to be developed.

**T-Mobile**

This message was sent to you by a T-Mobile wireless phone.

November 15, 2023

**Subject: MacGregor Planned Unit Development – Neighborhood Meeting**

Dear Neighbor:

You are invited to attend a neighborhood meeting to discuss plans to develop a Planned Unit Development in Valley County, south of the City of Donnelly (please see attached map for project location).

The meeting will be held on **Thursday, November 30, 2023, at 6:00pm** at the Donnelly City Hall – Meeting Room located at 169 Halferty Street, Donnelly, ID 83615.

If you are unable to attend the meeting, have any questions about the meeting, or questions about the proposed project, please do not hesitate to call me at 208-342-5400 or e-mail me at [bonnie.layton@nv5.com](mailto:bonnie.layton@nv5.com)

Sincerely,

*Bonnie Layton*

Bonnie Layton  
Senior Planner





Primary Owner	Owner Address
DEAMER TOM	30830 SARABIA ST LAKE ELSINORE CA 92530
KING AMY L	10244 SUMMERWIND DR BOISE ID 83704
WAGON WHEEL RANCH RECR CORP	10522 W HAWK HILL ST BOISE ID 83714
MILLION DAN	10531 4S COMMONS DR #166-108 SAN DIEGO CA 92127
CULLISON DAVE	10874 W ONONDAGA DR BOISE ID 83709
KLEINT P RICHARD III	11353 SW WESTGATE WAY HAPPY VALLEY OR 97086
ROBERTS VONN CARL	1209 BLACK CANYON RD SIMI VALLEY CA 93063
PEYTON FAMILY TRUST	124 TORO CANYON RD CARPINTERIA CA 93013
WILSON FAMILY TRUST	12884 SPRING VALLEY RD DONNELLY ID 83615
BENSON FAMILY TRUST THE	12885 OLD STATE RD DONNELLY ID 83615
HENNEMAN LAWRENCE E	12886 SPRING VALLEY RD DONNELLY ID 83615
CALLAHAN WILLIAM P	12888 SPRING VALLEY RD DONNELLY ID 83615
ARNOTT BRANDON W	12890 SPRING VALLEY RD DONNELLY ID 83615
BYRNE STEVEN	12898 SPRING VALLEY RD DONNELLY ID 83615
SHEPHERD BRETT	12902 SPRING VALLEY RD DONNELLY ID 83615
OKEEFFE TERRY L	12905 SPRING VALLEY RD DONNELLY ID 83615
LINTHICUM TERRY	12908 SPRING VALLEY RD DONNELLY ID 83615
CHAMBERS ROBERT COLIN	12919 SPRING VALLEY RD DONNELLY ID 83615
HLAWATSCHEK STEVEN T	12920 SPRING VALLEY RD DONNELLY ID 83615
HAGEN ERIC M	12926 SPRING VALLEY RD DONNELLY ID 83615
KARTCHNER KEVIN EUGENE	13045 W WOODSPRING ST BOISE ID 83713
CARTER JANELL L	13736 CLEARVIEW RD MCCALL ID 83638
KNEALE SCOTT	1676 HILLCREST DR MOSCOW ID 83843
JOHNSEN SHARI LIVING TRUST	2049 W ASPEN CREEK DR NAMPA ID 83686
OAKMONT SIGNATURE HOMES LLC	2502 N CONSTANCE PLACE EAGLE ID 83616
LEE RONALD JAY	2706 VIEW RIDGE DR MELBA ID 83641
FROST KYLE J	2894 S CANNON WAY MERIDIAN ID 83642
PARKER JOEL	2905 VIA LIBERTAD CARLSBAD CA 92010
BURNS DONNA	2938 W 21ST AVE SPOKANE WA 99224
FUNDING OUR FUTURE LLC	3843 N WOODY LN BOISE ID 83703
LEE DWAIN & PAIGE LIVING TRUST	4057 N BALLANTYNE LN EAGLE ID 83616
PLAGER SHARON	4065 RULON DR AMMON ID 83406
GUNNING MILES	5114 S MARSALA WAY MERIDIAN ID 83642
CARHART RUTH A	5239 SUNFISH LN MERIDIAN ID 83642
CAVEN MARK	5684 E UPMINSTER ST NAMPA ID 83687
RIDLEY LARRY GENE	5810 N BOGART LN GARDEN CITY ID 83714
FERGUSON RANDALL C	590 LYNHURST PLACE MERIDIAN ID 83642
YOUNG KELLY J	5920 N VICENZA AVE MERIDIAN ID 83646
MC CRACKEN KELLY L	615 SALESYARD RD EMMETT ID 83617
LUND KRISTOFFER BJARNE	840 SIDONIA ST ENCINITAS CA 92024
VAN HEES KERRY	968 S HERON POINTE WAY EAGLE ID 83616
SAMPSON HOLLI K	PO BOX 1634 MCCALL ID 83638
BURKE MICHAEL	PO BOX 328 DONNELLY ID 83615
NEEDLES VIEW RANCH LLC	PO BOX 42 DONNELLY ID 83615
FOSTER JOHN D	PO BOX 4258 MCCALL ID 83638
FIR GROVE ESTATES HOMEOWNERS ASSOCIATION INC	PO BOX 55 DONNELLY ID 83615
SPRING VALLEY LIVESTOCK INC	PO BOX 59 MARSING ID 83639
BROWN COLTON S	PO BOX 606 DONNELLY ID 83615
EDWARDS FRANKLIN B ESTATE OF	PO BOX 653 DONNELLY ID 83615
CAMPBELL KENNETH W	PO BOX 73 DONNELLY ID 83615
COMBS BILLIE R	PO BOX 923 DONNELLY ID 83615



## **MACGREGOR TOWNSITE PUD**

### **NEIGHBORHOOD MEETING SUMMARY**

**BY:** Gregg Tankersley

**PROJECT:** MacGregor Townsite Planned Unit Development/C.U.P. & Preliminary Plat Application

**DATE/TIME:** Thursday, November 30, 2023, 6:00 P.M. – 8:30 P.M.

**LOCATION:** Donnelly City Hall, 169 Halferty Street, Donnelly, ID 83615

Attendance List (attached)

An introduction to Project and Project Team was provided by Craig Groves, Applicant/Owner, Groves Family, LCC.

#### **I. Neighborhood Discussion**

During the meeting, the following list of general topics or concerns were discussed. The bulleted list below is not intended to be all inclusive and some items or topics of discussion may have been missed. In general, a question or comment was made by one or many of the meeting attendees and the best attempt to address each one was made during the meeting. Some of the items are anticipated to be addressed as the project progresses and evolves further through the planning/design phases which includes receiving formal review comments from the various authorities having jurisdiction.

- Concerns about existing irrigation and runoff/surface water associated with the property and how the development will address these problems.
- Concerns about snow storage.
- Concerns about existing water system pressure and quality in the surrounding neighborhoods and how the project may impact those.
- Concerns about the State Highway network and impact caused by additional traffic.
- Comments made that "we need to get organized to fight the project with the Valley County Planning & Zoning and County Commissioners."
- Did you consider a mix of density or larger lots?
- Thoughts on restricting two story homes to certain areas of the project?
- What would the lots sell for?

- How much will the project be built up grading wise and what will the separation from groundwater be?
- Have there been thoughts about fences or requiring them?
- The density is the real problem with the project.
- Concerns about 15 years of construction while the project is built out.
- Will you be using local contractors or people from the valley?
- Conversation about being a good neighbor and that a good neighbor would not put this project in.
- Concerns about decreasing property values because of new home construction.

MACGREGOR TOWNSITE PUD  
NEIGHBORHOOD MEETING  
DONNELLY CITY HALL

THURSDAY, NOVEMBER 30, 2023, 6:00 P.M.

NAME	NEIGHBORING ADDRESS NEAR DEVELOPMENT	EMAIL ADDRESS	PHONE NUMBER
Craig Groves	NA		
Gregg Tankersley	NA		
Lawrence Henneman	12886 Spring Valley Rd		
Opal Henneman	-		
Steve Byrne	12908 Spring Valley Rd		
Kaden Byrne	12908 Spring Valley Rd.		
TIVER HUNWATSEK	12910 SPRING VALLEY RD.		
Brett Shepherd	12902 SUR		
SHARL JOHNSON	12912 Spring Valley Rd		
CHRIS RENFRO	44 Buckskin Dr.		
Jackie Beverage	32 Lakeland Rd.		
Steve Beverage	" " "		
Don Florio (1)	City of Donnelly		
Annette Broadbus	16 Lakeland Rd Donnelly		
Russ Broadbus	✓ -		
David Quinson	12883 NORTH WIND Donnelly		
Miles Gunning			
Dena Whitney	12890 Spring Valley Rd		





## Review Letter for MacGregor Townsite

**From:** Craig Groves [REDACTED]

**Sent:** Friday, December 15, 2023 8:54 AM

**To:** Cynda Herrick <cherrick@co.valley.id.us>; Gregg Tankersley [REDACTED]

Bonnie Layton [REDACTED]

**Subject:** Fwd: Review Letter for MacGregor Townsite

Good Morning Cynda,

Here is the draft development agreement.

R. Craig Groves  
[REDACTED]

Begin forwarded message:

**From:** Barbara Beaushaw [REDACTED]

**Date:** December 15, 2023 at 10:51:59 PM GMT+7

**To:** Craig Groves [REDACTED]

**Cc:** Hethe Clark [REDACTED]

**Subject:** RE: Review Letter for MacGregor Townsite

I have updated. Here you go.

Thanks,  
Barb

### DEVELOPMENT ATTORNEYS

**Barbara Beaushaw, Legal Assistant**

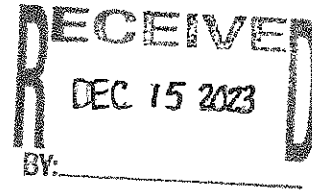
251 E Front Street, Suite 310 | PO Box 639 | Boise, Idaho 83701  
[REDACTED]

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After Recording  
Return to:

T. Hethe Clark  
Clark Wardle LLP  
P.O. Box 639  
Boise, Idaho 83701



**DEVELOPMENT AGREEMENT**  
**[MacGregor Townsite]**

This Development Agreement (this "**Agreement**") is entered into effective as of the date last written below, by and among VALLEY COUNTY, IDAHO, a body politic within the State of Idaho (the "**County**") and Groves Family, LLC, an Idaho limited liability company (the "**Developer**"). The County and the Developer are sometimes collectively referred to herein as the "**Parties**" and individually as a "**Party**."

WITNESSETH:

WHEREAS, the Developer is the owner of record of that certain real property legally described on **Exhibit A**, attached hereto and made a part hereof (the "**Property**");

WHEREAS, the Developer is seeking approval of applications \_\_\_\_\_ and \_\_\_\_\_ (the "**Applications**");

WHEREAS, the Developer has proposed that the Property be developed pursuant to and in accordance with the Applications, the County's Comprehensive Plan and Zoning Ordinance in effect on the date of application, and in accordance with the terms and conditions of this Agreement and any amendments hereto. Such development is hereafter referred to as the "**Project**";

WHEREAS, the County has the authority pursuant to Section 9-9-9 of the Valley County Code and Section 67-6512(d) of Idaho Code to attach certain conditions to a special use permit and condition the approval of a Planned Unit Development on, among other things, minimizing the impact on other development, providing on-site or off-site public facilities and requiring the mitigation of effects of the proposed development upon service delivery by any political subdivision. See Idaho Code § 67-6512(d)(1),(6),(8). These conditions of approval are to be memorialized in a Development Agreement for the purpose of allowing, by agreement, the proposed development to proceed;

WHEREAS, the County's Planning & Zoning Commission (the "**Commission**") and County Commissioners (the "**Board**") held public hearings as prescribed by law with respect to the development of the Property and this Agreement, including: \_\_\_\_\_ (Commission) and \_\_\_\_\_ (Board);

WHEREAS, all public hearings pursuant to notice as required by law or other action required to be held or taken prior to the adoption and execution of this Agreement have been held and/or taken;

WHEREAS, the Board approved the Applications on \_\_\_\_\_, subject to review and approval of this Agreement and written findings of fact and conclusions of law (the "**Written Decision**");

WHEREAS, upon approval of this Agreement and the Written Decision, it is the intent and desire of the Parties that development of the Property proceed as provided herein, subject to the terms and conditions of this Agreement; and,

WHEREAS, the Parties do enter into this Agreement with mutual consideration as reflected in the covenants, duties, and obligations herein set forth.

## AGREEMENT

**NOW THEREFORE**, in consideration of the above recitals which are incorporated below, and of the mutual covenants and agreements herein contained and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Development Permitted by this Agreement. This Agreement shall vest the right to develop the Property, as described on Exhibit A, with respect to the approval of each of the Applications (the "**Approvals**"), as restricted by those certain conditions of approval identified on **Exhibit B** attached hereto and made a part hereof (the "**Conditions**"). Development shall be substantially consistent with those certain concept plans and depictions identified on **Exhibit C**, attached hereto and made a part hereof.

2. Recordation. The Developer shall record this Agreement, including all of the exhibits attached hereto, and submit proof of such recording to the County within ten (10) business days of execution hereof by the County. Failure to comply with this section shall be deemed a default of this Agreement by the Developer.

3. Effective Date. This Agreement will be effective upon recordation.

4. Development to be Consistent with the Approvals and this Agreement. Development of a portion of the Property substantially inconsistent with this Agreement and the Written Decision, as determined by the County Planning Director, without formal modification of the Approvals or the Concept Plan pursuant to the requirements of the Valley County Code, and/or amendment of this Agreement, shall result in a default of this Agreement by the Developer in connection with such specific portion of the Property, subject to the cure provisions of Section 6, below.

5. Default. In the event the Developer, its heirs, successors, assigns or subsequent owners of the Property or any other person acquiring an interest in the Property, fails to faithfully comply with all of the terms and conditions included in this Agreement in connection with a portion of the Property, this Agreement may be modified or terminated by the Board after consultation with and with written notice to the Developer and upon compliance with the requirements of Valley County Code and the notice and cure provisions set forth below.

6. Remedies. This Agreement shall be enforceable in any court of competent jurisdiction by either the County or the Developer, or by any successor or successors in title or interest or by the assigns of the Parties. Enforcement may be sought by an appropriate action at law or in equity to secure the performance of the covenants, agreements, conditions, and obligations contained herein.

a. In the event of a material breach of this Agreement, the Parties agree that the County and the Developer shall have thirty (30) days after delivery of notice of said breach to correct the same prior to the non-breaching party's seeking of any remedy provided for herein; provided, however, that in the case of any such default that cannot with diligence be cured within such thirty (30) day period, if the defaulting Party shall commence to cure the same within such thirty (30) day period and thereafter shall prosecute the curing of same with diligence and continuity, then the time within which such failure may be cured shall be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.

b. In the event the performance of any covenant to be performed hereunder by either the County or the Developer is delayed for causes which are beyond the reasonable control of the Party responsible for such performance, which shall include, without limitation, natural disasters, pandemics, changes in the law, emergency orders, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.



7. Notices. Any and all notices, demands, requests, and other communications required to be given hereunder by either of the Parties shall be in writing and be deemed properly served or delivered, if delivered by hand to the Party to whose attention it is directed, or when sent, two (2) days after deposit in the U.S. mail, postage prepaid, addressed as follows:

**To the County:**

Valley County  
c/o Director, Planning & Development Services Department  
219 N. Main St.  
Cascade, Idaho 83611

**To the Developer:**

Groves Family, LLC

Attn: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

or at such other address, or to such other Party which any Party entitled to receive notice hereunder designates to the other in writing as provided above.

8. Attorneys' Fees. Should any litigation be commenced between the Parties concerning this Agreement, the prevailing Party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorneys' fees as determined by a court of competent jurisdiction. This provision shall survive any default, termination, or forfeiture of this Agreement.

9. Time is of the Essence. The Parties acknowledge and agree that time is strictly of the essence with respect to each and every term, condition, and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the Party so failing to perform.

10. Binding upon Successors. This Agreement shall be binding upon and inure to the benefit of the Parties' respective heirs, successors, assigns, and personal representatives, including the County's corporate authorities and their successors in office. This Agreement shall be binding on the owner of the Property, each subsequent owner and each other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefitted and bound by the conditions and restrictions herein expressed.

11. Final Agreement; Modification. This Agreement sets forth all promises, inducements, agreements, conditions, and understandings between the Developer and the County relative to the subject matter hereof, and there are no promises, agreements, conditions, or understanding, either oral or written, express or implied, between the Developer and the County, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change, or addition to this Agreement shall be binding upon the Parties unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to County, to a duly adopted ordinance or resolution of the County.

a. This Agreement shall not preclude the application of any law that is specifically mandated and required by changes in state or federal laws or regulations. In the event such law prevents or precludes compliance with one or more provisions of this Agreement, the County and the Developer shall meet and confer to determine how provisions of this Agreement would need to be modified or suspended in order to comply with the law while still allowing the project to proceed

substantially in accordance with the Written Decision. The Developer shall prepare and process the necessary amendment or amendments to this Agreement reasonably required in order to complete the development of the Property in accordance with the Written Decision.

12. Invalid Provisions. If any provision of this Agreement is held invalid, such provision shall be deemed to be excised herefrom and the invalidity thereof shall not affect any of the other provisions contained herein, except that if any provision of this Agreement is held invalid which the Developer deems essential to its development of the Property, the Developer may, at its sole discretion, declare this entire Agreement null and void of no force and effect and thereby relieve all Parties from any obligations hereunder.

13. No Agency, Joint Venture or Partnership. The County and the Developer hereby agree that nothing contained herein or in any document executed in connection herewith shall be construed as making the County and the Developer joint venturers or partners.

14. Construction. This Agreement has been reviewed and revised by legal counsel for both the County and the Developer, and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.

15. Choice of Law. This Agreement and its performance shall be construed in accordance with and governed by the laws of the State of Idaho, with venue for any action brought pursuant to this Agreement to be in the Fourth Judicial District, Valley County, State of Idaho.

*[end of text; signatures on following page]*

IN WITNESS WHEREOF, the Parties, having been duly authorized, have hereunto caused this Agreement to be executed, on the day and year last written below, the same being done after public hearing, notice and statutory requirements having been fulfilled.

**THE COUNTY:**

VALLEY COUNTY, IDAHO,  
an Idaho municipal corporation

ATTEST:

By: \_\_\_\_\_  
\_\_\_\_\_, County Commissioner  
Dated: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, Ex-Officio County Clerk  
Dated: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, County Commissioner  
Dated: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, County Commissioner  
Dated: \_\_\_\_\_

**THE DEVELOPER:**

GROVES FAMILY, LLC,  
an Idaho limited liability company

By: \_\_\_\_\_  
\_\_\_\_\_, Manager  
Dated: \_\_\_\_\_

**EXHIBITS:**

Exhibit A: Legal Description of the Property  
Exhibit B: Conditions of Zoning Approval  
Exhibit C: Concept Plan  
Exhibit D: Clubhouse Depictions  
Exhibit E: Open Space, Trails, and Pathways Plan  
Exhibit F: Amenities Plan  
Exhibit G: Parking Plan  
Exhibit H: Phasing Plan

[notary acknowledgments on following page]

STATE OF IDAHO       )  
                                  ) ss.  
County of Valley       )

On this \_\_\_\_\_ day of \_\_\_\_\_ 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known or identified to me to be the \_\_\_\_\_ and EX-OFFICIO COUNTY CLERK of VALLEY COUNTY, the body politic of the State of Idaho that executed the instrument or the person who executed the instrument on behalf of said body politic, and acknowledged to me that such body politic executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for Idaho  
Residing at \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
                                  ) ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_ 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, known or identified to me to be the MANAGER of GROVES FAMILY, LLC, the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that said limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**EXHIBIT A**  
**Legal Description of the Property**



**EXHIBIT B**  
**Conditions of PUD Approval**

**EXHIBIT C**  
**Concept Plans and Depictions**

**EXHIBIT D**  
**Clubhouse Depictions**

**EXHIBIT E**  
**Open Space, Trails, and Pathways Plan**

**EXHIBIT F**  
**Amenities Plan**



**EXHIBIT G**  
**Parking Plan**

**EXHIBIT H**  
**Phasing Plan**

## **Review Letter for MacGregor Townsite**

**From:** Craig Groves [REDACTED]

**Sent:** Tuesday, December 12, 2023 3:37 PM

**To:** Cynda Herrick <cherrick@co.valley.id.us>

**Cc:** Bonnie Layton [REDACTED]; Gregg Tankersley [REDACTED]

**Subject:** RE: Review Letter for MacGregor Townsite

Cynda,

Attached is the original map showing the MacGregor townsite. I believe this map is before Cascade Lake was built.

In addition, the Lonesome Whistle, written by Duane L. Peterson, describes the townsite as a logging camp operated by MacGregor/Boise Payette logging company until the late 30's.

Thanks

Craig Groves

---

**From:** Cynda Herrick <cherrick@co.valley.id.us>

**Sent:** Tuesday, December 12, 2023 11:37 AM

**To:** Craig Groves [REDACTED]

**Cc:** Bonnie Layton [REDACTED]; Gregg Tankersley [REDACTED]

**Subject:** Review Letter for MacGregor Townsite

Please see attached.

Cynda Herrick, AICP, CFM  
Valley County  
Planning and Zoning Director  
Floodplain Coordinator  
PO Box 1350  
Cascade, ID 83611  
(208)382-7116

“Live simply, love generously, care deeply, speak kindly, and leave the rest....”

**S**ervice **T**ransparent **A**ccountable **R**esponsive





SCALE IN 1 MILE

FOR SALE BY  
CHAS. F. MEYER  
36 W. OAK STREET, PORTLAND, OREGON  
EQUITY 104-97, NATIONAL TRUST COMPANY  
20 THIRD AVE., SEATTLE, WASHINGTON

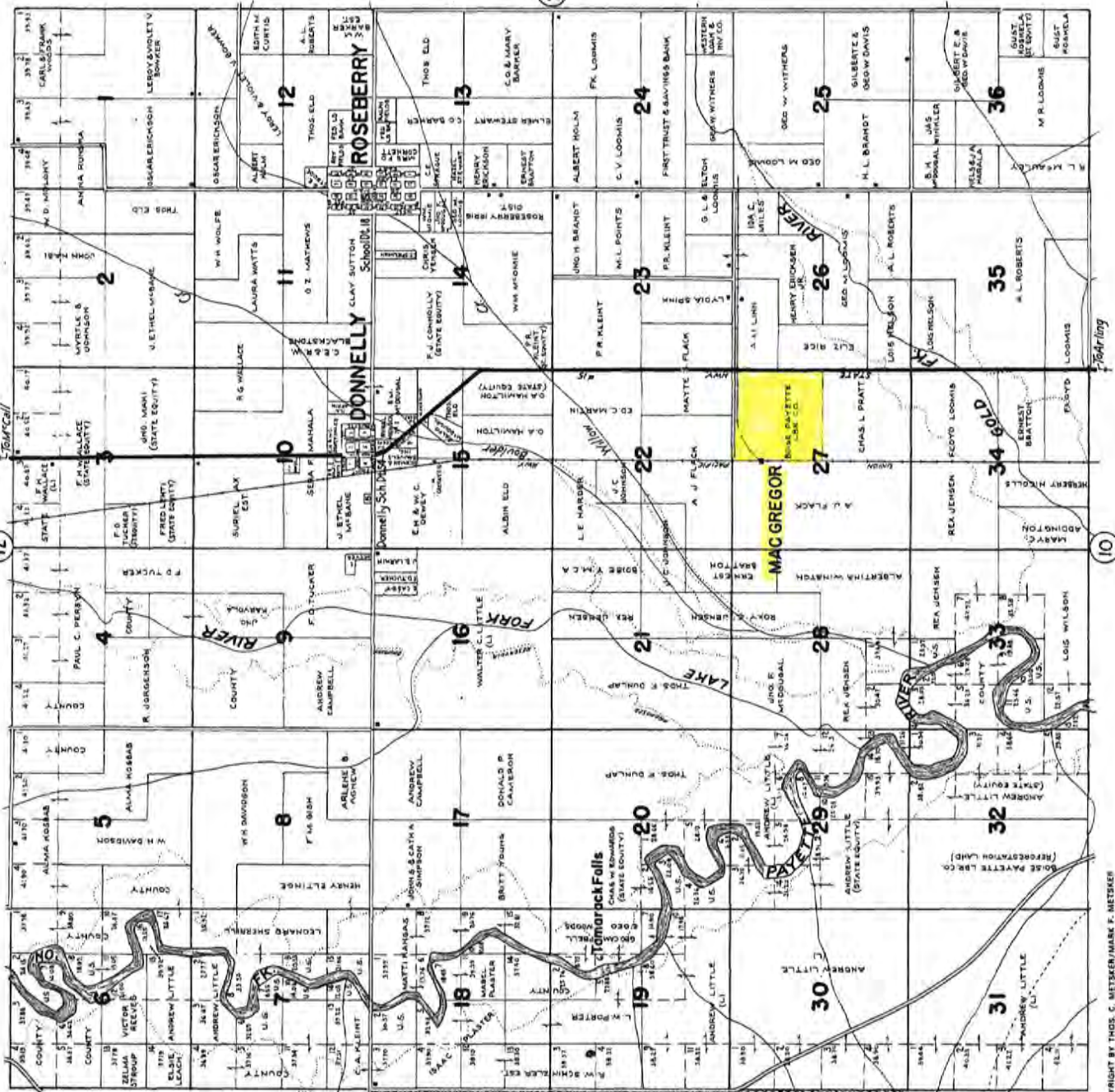
# TOWNSHIP 16 N., RANGE 3 E. B. M. VALLEY COUNTY, IDAHO





# TOWNSHIP 16 N., RANGE 3 E. B. M. VALLEY COUNTY, IDAHO

FOR SALE BY  
**METSKER MAPS**  
111 SOUTH 19TH ST., TACOMA, WASHINGTON  
1008 SECOND AVE., SEATTLE, WASHINGTON



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- LEGEND**
- PAVED ROADS
  - STATE HWYS. UNPAVED
  - IMPROVED ROADS
  - DIRT ROADS
  - INTERIOR ROADS
  - RAILROADS
  - TRAILS
  - INTERMITTENT CREEKS
  - SCHOOLS
  - STATE LAND LEASONS