

## Rachel Martin

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**From:** Rachel Martin  
**Sent:** Thursday, June 1, 2023 12:43 PM  
**To:** Kurt Eggers  
**Subject:** FW: Dornin - 126 Alpine Drive

Hi Kurt,

Tom and I discussed your questions and understand your concerns. My responses are below in RED.

Tom has one addition which appears in blue.

I hope this helps.

We would like to include this in the record for the Commission so they understand which criteria these concerns can be addressed under.

Thank you for reaching out,

Rachel Martin  
Zoning Specialist II  
208-788-5570

[www.blainecounty.org](http://www.blainecounty.org)

Blaine County Code

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-----Original Message-----

From: Kurt Eggers <[kurt@eggersassociates.com](mailto:kurt@eggersassociates.com)>  
Sent: Monday, May 29, 2023 1:43 PM  
To: Rachel Martin <[rmartin@co.blaine.id.us](mailto:rmartin@co.blaine.id.us)>; Tom Bergin <[tbergin@co.blaine.id.us](mailto:tbergin@co.blaine.id.us)>  
Cc: Chris Dornin <[chris@dorningroup.com](mailto:chris@dorningroup.com)>  
Subject: Dornin - 126 Alpine Drive

Dear Rachel and Tom,

I feel like the discussion got off track at the May 25 P & Z with regard to draining the pool, water use, and water quality. I understand we are subject to extra scrutiny but I am just requesting that it be kept reasonable. Perhaps you disagree but here are my thoughts.

How many pools are there in Blaine county?

Has the county required every pool to prove that they are within their 13,000 gallons/day when they fill the pool?

Has the county required everyone with a pool to meter their well and provide proof of their water usage?

This line of discussion - though useful as a community - is beyond the scope of the MOD review.

The Dornin's are required by state law to abide with the water usage allowed, just as is everyone else in the county and the state, regardless of whether they have a pool or not.

When the pool is filled we will be sure to adhere to this requirement. It has been noted that the daily use is 10 gallons per person per day...a far cry from the overall allowed 13,000 gallons.

I understand your concern, we see any permit applied at the county as an opportunity to enforce regulations that are not being enforced now. Protecting the County's water is very important to the elected officials and a concern brought up by several neighbors. The Commission can require conditions that address neighbors' concerns according to the code below. This discussion is part of standard 11.

11. Construction proposed as part of a site alteration permit application shall comply with other applicable codes and ordinances, including, but not limited to, the fire code; title 7, chapter 3 of this code; and the building code, as amended, in effect at the time.

**9-21-5: SITE ALTERATION PERMIT PROCEDURE:**

*E. Conditions: The commission may attach reasonable conditions upon granting a site alteration permit, including, but not limited to:*

*5. Any other condition for special use permit specified in Idaho Code section 67-6512(d), as amended: a) minimizing adverse impact on other development; b) controlling the sequence and timing of development; c) controlling the duration of development; d) assuring that development is maintained properly; e) designating the exact location and nature of development; f) requiring specific on site or off site public facilities or services; g) requiring more restrictive standards than those generally required in this title; and h) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.*

How many pools are there in Blaine County?

Have they all provided a plan for the water when the pool gets drained? Most pools just drain it on to the grass nearby and let it flow where it will. Draining the pool is a rare event. We are trying to provide a more thoughtful solution.

Most pools do not require a Public Hearing. Your client wants to build a pool that requires a Public Hearing. This opens the discussion to public scrutiny and the concerns of neighbors. This pool happens to be uphill from several neighbors. The drainage of such a large pool could impact them. The Planning Commission can require conditions to mitigate this impact.

How many pools are there in Blaine County?

Have they all provided documentation as to the water quality when it gets drained? How much more proof do we have to provide? To what end? What is acceptable?

These are good questions for all pools but not something that is required so it seems the Dornin's are being singled out.

Drainage is part of every MOD Site Alteration and is addressed with standard 3.

*3. Site alterations for property protection and hillside stabilization and rehabilitation due to natural circumstances may be permitted, if the applicant can demonstrate and a licensed engineer certifies that the site alterations are designed to remedy a substantial threat of significant damage to permanent structures. Natural circumstances are limited to the following natural hazard circumstances: postfire and postfire debris flows or landslides and postflood.*

TB: Eight community wells are within the time of travel of the mouth of Lake Ck. and this list does not include common wells that do not serve smaller numbers. While the wellhead protection district does not extend up the hill, this will drain down into the district. The ponds in the valley floor are likely, I would speculate, wetlands that have simply been excavated. Finally, Criteria #7 states that alteration . . . of the natural drainage of the site shall be minimized and mitigated . . . " Usually and in this case, alteration is of the terrain, but it can also be of the water I would say.

See the attached map from the county GIS - there are literally homes built in the wetlands. Presumably there are several septic tanks and drainfields also located in these areas.

The Dornin's are not adjacent to any wetlands or creeks flowing to the Bigwood. There are however numerous homes built in or adjacent to the wetlands and closer to open water.

Unfortunately we cannot regulate development that took place before the publication of County Ordinances.

I will try to address these as much as I can for the P & Z but it is difficult as there are no written standards for these questions for pools in Blaine County?

Thank you for your consideration. I will be in touch when I get more information.

Best Regards,

Kurt Eggers  
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