RECEIVED 3-20-26

Planning & Zoning Department

APPEALS AND RECONSIDERATION

Appeals and reconsideration provide the remedy of appeal from and requests for reconsideration of final decisions made by the Administrator, PZC, BoCC, or other County official. An applicant or affected person may avail themselves of these administrative remedies in accordance with section 4-16 of the LDC. An appeal of a decision will be reviewed by the PZC or BoCC (specified in table in section 4-1-1-). Appeals and requests for reconsideration must be filed with the Administrator within 14 calendar days of the date of a written decision. Any applicant of affected person seeking judicial review of a written decision must first request reconsideration of the final decision.

For Office Use Only

Fees Paid

☑ Check # $500 #3629 ☐ Credit Card ☐ Cash _____

Fees are non-refundable.

Requirement for Submittal: Ensure all requirements are included. *Incomplete applications will not be put on hold*. Incomplete and partial applications will be returned to applicant.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Applicant Info:

Applicant Name: Howard Garber

Email: howie@wanderlustimages.com Phone: (801) 450-3770

Primary Contact (if not applicant): _____

Appeal/Request Info:

Topic of Final Decision: Request for reconsideration Sweetwater 44 hangar Request to open public comment.

Decision made by: ☐ PZC ☑ BoCC ☑ Planning Administrator ☐ Other County official

Short Summary of Appeal/Request: Please see attached pages

150 Courthouse Drive | Driggs, Idaho 83422 | T: 208-776-8240 | tetoncountyidaho.gov

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and reviewed by the Planning Administrator and scheduled for public hearing.

Applicant Signature: Howard I Garber Date: 3/20/2026

I, the undersigned, am the owner of the referenced property and do hereby give my permission to ~~to be my agent and represent me in the matters of this application.~~ I have read the attached information regarding the application and property to find it to be correct. NA

Owner Signature:_____ Date: _____

Checklist

All items need digital copies as well as paper copies.

☑ A notice of appeal or request for reconsideration must be filed on a complete application form provided by the Department.

☑ The application must include a narrative description of the basis for the appeal or request for reconsideration, including the specific deficiencies of the decision alleged by the applicant or affected person.

SECTION III: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Application is submitted on the _____ day of _____ , 20___.

Application is deemed complete and accepted on the _____ day of _____ , 20___.

APPEALS AND RECONSIDERATION — Supplemental Page

Applicant Name (continued): 519

		address	
Howard Garber	H Garber MD	1623 Mt MORAN Driggs	
Richard Gaudet		3211 Grand Teton Rd	
DAVID SUSONE		2410 FALCON CK DR	dkindsong@gmail.com
Kelly Milligan		2410 Falcon Crk Dr	milligankelly84@gmail.
Dan Salvucci		2135 Middle Teton	Salvucci@AOL.com
LISA SALVUCCI		2135 MIDDLE TETON	lisa_salvucci@yahoo.co
Rob Whipple		3246N 1500E	rdwhip56@gmail.com
Debra Whipple	Debra Whipple	3246N 1500E	dmwhipple@gmail.com
Dr. Erin Prissel		1470 Rivermeadows	jmaritacrin@icloud.c
Dirt Measure		685 BOOSTWAY	dleasure316@gmail

Frank M. Russo (see addenda) 2095 Falcon Cr. Drive Driggs

Short Summary of Appeal/Request (continued):

DAWN Fdchle D Fdchle 1450 Fall Line Dr Driggs, dawnfdchle@gmail.co

Please see attached: Several folks contributed to $500 application fee

P4

Board of County Commissioners,
3/18/26

3/18/26

I understand what Howard Garber has written on previous two pages regarding the request for reconsideration of Sweetwater Plat. I support the reopening of public comment on this issue because of my concern with FAA approval regarding residential through the fence agreements.(RTTF).

I am not a medical professional, **so I can't opine on the Medical or Lea[redacted]es** contained in the Petition. However, as a frequent user of Reed Memorial, [redacted]very aware of FAA regulations and Requirements regarding residential through[redacted]ence that relate to runway access. The FAA restricts RTTF to property owners. Th[redacted] has been clear that for security reasons it regulates the definition of [redacted] as well as the number of RTTF access points that it allows. The issue [redacted] Memorial approx 20 years ago. I believe (and you should have [redacted] confirm or refute my understanding) that the Sweetwater Develo[redacted] RTTF regulations and requirements to all potential buyers. Failure to [redacted] significant liability for the developer when the FAA disallows unre[redacted] access for rental properties as well as the number of runway access poi[redacted] the BOCC intends to approve Sweetwater based on adherence to the LDC, [redacted] protect County and taxpayer liability from any lawsuit that arise. An FAA disclos[redacted] uirement in the County approval requiring the Developer to inform all potential p[redacted] buyers of FAA requirements in a form County lawyers deem appropriate is the [redacted] or my request for reconsideration.

[phone redacted]

[phone redacted]

Frank M Russo
2095 Falcon Creek Dr, Driggs, ID

ık Russo

Request for Reconsideration of the Sweetwater Ranch Subdivision Phase 1 Substantial Plat Amendment approval: We, the petitioners, as impacted residents of Teton County, hereby request reconsideration of the approval of the Sweetwater Ranch Subdivision Phase 1 Substantial Plat Amendment and request a re-opening of the Public Hearing to allow for further Public Comment and County Commissioner deliberation. As grounds for this request, the Petitioners state the following:

1. Teton County, Idaho County Commissioners and Planning D[redacted]ent failed to adequately hear evidence and address the **health and safet[redacted]idents when they approved the preliminary plat.** This includes air pollut[redacted]acts to residents living near the airport and children attending the fo[redacted]ols within a half mile of airport runway. There is a strong likelihood that childr[redacted]g near Driggs Airport are experiencing elevated and possibly toxic blood le[redacted]ls which lowers IQ and kills brain cells due to the existing flight traffic. Lead a[redacted]lates in the body and there is no safe level of lead in the human body. While c[redacted]anning department met the letter of the law and **noticed affected p[redacted]y owners within 300 feet, the negative health effects of the airport on the c[redacted]unity are widespread.** The county is making an **unprecedented decis[redacted]**nflict harm on residents living close to the airport in the city of Driggs.

2. Increasing the density of hanger homes in Sweetwater Ranch Subdivision will contribute to additional flight traffic, air pollution, and health risks. Before any decisions are made that would increase number of regular flights by Sweetwater Ranch residents, **there should be data collected on air quality near the Driggs airport and blood lead levels in children. Emissions from frequent flights add to the air pollution of the state highway nearby.** It has been well documented that small airplanes are the greatest source of air-borne lead emissions and that children living near some general aviation airports have toxic blood lead levels. Teton County Commissioners should be looking for ways to mitigate these health risks rather than unknowingly exacerbating the potential harm to a vulnerable population.

3. Hundreds of Teton County residents are impacted by noise from low flying aircraft in and around Driggs. The City of Driggs elected officials have been hearing complaints for years about this issue, including a proposed ballot measure to prevent more growth at the airport. Teton County Commissioners should do more careful research before increasing air traffic with negative impacts on residents. County Commissioners and Planners are missing key information on this proposed project from medical experts and from constituents regarding the **health and safety**

impacts of this subdivision plat amendment. Has the **FAA or Driggs Airport Board** given a recommendation regarding safety for 44 additional pilots accessing taxiways and runways at an airport with no tower?

4. Given that the FAA has not granted through the fence agreements to potential Sweetwater Ranch residents, **could Teton County experience legal liability** by approving these 44 hanger homes prior to thro[redacted] fence approval? People will be paying a lot of money for the lots you appro[redacted] will expect that the Teton County did their due diligence on the though the fence access before approving development of hanger homes.

5. At the County C[redacted]hissi[redacted]aring on March 9, there were two physicians, a PHD epidemiologist, [redacted] a sc[redacted]oard member who expressed concern for issues above. They we[redacted]d th[redacted]r opinions would not be considered in any county decision makin[redacted]caus[redacted]ic comment was closed. **These professionals were scolded by the [redacted]lica[redacted]torney and told that their communication with the Teton County C[redacted]miss[redacted]s was "ex-parte" and "illegal" and that they should not be commu[redacted]ting [redacted]heir elected officials.** Yet, it has been documented that one of the [redacted] Co[redacted]ommissioners has been similarly "guilty" of frequent ex-parte comm[redacted]ation[redacted]uding some communications that involved this very plat amendmen[redacted]plica[redacted]

6. This major plat amendment more than doubles the [redacted] of development and is a discretionary decision by the BoCC. Putting hange[redacted] in the AOI on individual septic systems and wells makes no sense. The nev[redacted]e 1 to 1.5 acres. It is irresponsible not to require the developer to conne[redacted]e City of Driggs sewer system. Upon annexation, homeowners will be rec[redacted] tie into the sewer system. The county might as well require a main li[redacted]efore it gets developed. If the developer is unwilling to do that, that is fine, he[redacted]velop using the currently approved plat layout.

7. The updated CCR's were not available for review b[redacted]blic prior to the public hearing Feb 23. Mayor August Christensen pointed[redacted] the letter from the Airport Advisory Board dated Feb 11, 2026, was als[redacted] the BoCC packet for the public hearing on February 23rd. Not having a[redacted] this critical information warrants reopening public comments for the [redacted]ary plat hearing, at a minimum.

Conclusion:

We, the undersigned, are residents of Teton County. We would be harmed by more frequent flights at Driggs Airport resulting from the increased density in the Sweetwater Ranch subdivision. The county appears to be making a decision that is negligent and would cause harm to airport neighbors and children without a legal requirement to approve this plat amendment. It could also create a lot of legal problems for the county in the future. Also neither the County Commissioners nor the public had critical information from the Driggs Airport Board (dated Feb 11, 2026) when the decision was made to close public comment.

We respectfully request reconsideration of your preliminary plat approval and a reopening of the public hearing. Aside from the Board's failure to adequately address health risks, **we have documented proof that ex-parte communication occurred by Commissioner James on March 3, prior to the BoCC meeting on March 9,** and it was not disclosed. Therefore, you should re-advertise and re-open the public hearing to cure these violations, and to take additional information on the health effects of increasing airport flights.

Thank you,

Howard Garber [address redacted] [address redacted] [address redacted] [address redacted]d, Driggs

H Garber MD

Please see signatures below.