

# City of Thompson Falls



## **Public Hearing**

Monday, May 13, 2024, at 5:45 p.m. in the City Hall, 108 Fulton Street, Thompson Falls, MT

Agenda: Zoning Variance Request for Mosher Transportation building at 3 locations:  
425 Washington Street, 418 Washington Street, and 323 Greenwood Street

1. 11-12 electric vehicle charging stations for electric buses,
2. 20-25 Buses (11 Electric Route Buses and 14 Diesel Buses)
3. 3. Bus Cover/Barns

Published in the Sanders County Ledger: April 22, 2024 & May 2, 2024

## **Board of Adjustment Meeting**

Monday, May 13, 2024, at 5:55 p.m. in the City Hall, 108 Fulton Street, Thompson Falls, MT

Agenda: Zoning Variance Request for Mosher Transportation building at 3 locations:  
425 Washington Street, 418 Washington Street, and 323 Greenwood Street

1. 11-12 electric vehicle charging stations for electric buses,
2. 20-25 Buses (11 Electric Route Buses and 14 Diesel Buses)
3. Bus Cover/Barns

## **Regular City Council Meeting**

in the City Hall, 108 Fulton Street, Thompson Falls, MT

Monday, May 13, 2024 @ 6:00 P.M.

# AGENDA

OPEN MEETING

ROLL CALL OF THE COUNCIL

PLEDGE OF ALLEGIANCE

SET THE AGENDA

CONSENT AGENDA: Claims, Minutes, Financial Reports, Court Report, Water Shut-off List/Arrangements

STANDING COMMITTEE REPORTS

INFORMATIONAL: The Montana Department of Transportation (MDT) will update on current or upcoming projects in the city/county.

ACTION ITEMS

UNFINISHED BUSINESS: NONE

NEW BUSINESS: Mayor Rusti Leivestad will present the Agenda Item unless otherwise listed.

1. Zoning Variance Request for Mosher Transportation building at 3 locations:  
425 Washington Street, 418 Washington Street, and 323 Greenwood Street
  - A. 11-12 electric vehicle charging stations for electric buses,
  - B. 20-25 Buses (11 Electric Route Buses and 14 Diesel Buses)
  - C. Bus Cover/Barns

Public Comment

UNSCHEDULED PUBLIC COMMENT – The public may speak for up to 3 minutes one time about anything, not on the agenda.

MAYOR'S REPORT

ADJOURN

\*\*There may be issues discussed during the meeting which may not be listed on the agenda. If a decision is required on items of significant interest, it will be scheduled for another date/time and posted within the required 48-hour notice. This schedule is subject to change without notice but will be posted within the required 48-hour notice. If you have any questions, please contact 406-827-3557.

**REQUEST FOR ITEM TO BE PLACED ON AGENDA  
THOMPSON FALLS CITY COUNCIL**

I, Joan Redeen Phone # \_\_\_\_\_

request the following item be placed on the agenda for  
the 4-8 2024, City Council Meeting:

Please give a brief description of the item to be discussed,  
approximate time you need and the results you would like to see.

Information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Time: \_\_\_\_\_

Action: MDT - Information on  
MDT related projects that are  
occurring or upcoming

**All agenda requests must be submitted by Noon on  
Wednesday before the Council Meeting.**

**From:** Redeen, Joan <jredeen@mt.gov>  
**Sent:** Wednesday, March 27, 2024 10:10 AM  
**To:** tfl3557@blackfoot.net  
**Cc:** Redeen, Joan  
**Subject:** Thompson Falls City Council meeting

Good morning,

We'd like to see if we can schedule time for staff from the Montana Department of Transportation (MDT) to be on a City Council meeting agenda. Staff would be informing the Council of MDT related projects that are occurring or upcoming for your city/county.

MDT's goal, with attending the City Council meeting, is to keep the local government informed and create an open channel for communication, while also providing an open forum for the public to be kept up to date. Bob, or another representative of MDT, would provide a brief update on projects and be available to answer any questions. Our estimate is that this presentation will take approximately 15-20 minutes of the Council's time.

We would like to be put on an upcoming agenda. Would you be able to provide a few options for dates/times that might work best for the Council?

Thank you for your assistance in making this visit with the City Council happen.

**Thank you,**



**Joan Redeen**

*Executive Assistant - Communications* | District 1 Missoula  
Montana Department of Transportation  
2100 W Broadway  
Missoula MT59808  
406-396-1978 | [jredeen@mt.gov](mailto:jredeen@mt.gov)

**Follow Us:** [mdt.mt.gov](https://www.mdt.mt.gov)



[How are we doing?](#)

**REQUEST FOR ITEM TO BE PLACED ON AGENDA  
THOMPSON FALLS CITY COUNCIL**

I, John Mosher Phone # \_\_\_\_\_

request the following item be placed on the agenda for  
the 4-8 2024, City Council Meeting:

Please give a brief description of the item to be discussed,  
approximate time you need and the results you would like to see.

Information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Time: \_\_\_\_\_

Action: Electric Bus Station on  
~~Spruce Street~~ -  
\_\_\_\_\_

**All agenda requests must be submitted by Noon on  
Wednesday before the Council Meeting.**

# **Mosher Transportation**

## **Tentative Plan of Action**

### **1. 20-25 Buses**

**A.) 11 Electric Route Buses**

**B.) 14 Diesel Buses**

**1. Back-up Route Buses**

**2. Extracurricular Trip Buses**

### **2. 11-12 Charging Stations**

### **3. Bus Cover/ Barn**

**A.) Will be built on Surveyed  
Property**

**B.) It will be placed using the  
Guidelines as stated in City  
Ordinance.**

**BOARD OF ADJUSTMENTS FINDINGS AND CONCLUSIONS  
MOSHER VARIANCE REQUESTS FOR ELECTRIC BUS CHARGERS**

**FINDINGS:**

- Mosher Transportation has operated a bus barn at 425 Washington St. with the bus barn at this location
- 419 & 418 Washington and 323 Greenwood have been used for bus parking with electric plugins
- 502 4<sup>th</sup> Ave. E. for bus parking
- The City Of Thompson Falls passed and adopted Ordinance #352 August 8, 2022
- Mosher Transportation was identified as a non-conforming uses of land for said properties and nonconforming structures per 10-1-17(3) & (4) Ordinance #352 as the property is zoned Residential A
- City received a Variance Request Application on August, 2023 from Moshers for Electric Charging Stations as they were applying for a grant for electric buses. As there was not enough time to notice a Public Hearing the Board of Adjustments supported Moshers proceeding with their grant application and suggested they come back to the Council if approved for final Variance Request process.
- Moshers did receive a grant to assist is obtaining 11 electric buses at and approximate value of \$400,000 and the required charging stations valuing \$50,000 each. It is also required to upgrade the power to these properties and Northwestern Energy will provide the needed infrastructure.
- The City of Thompson Falls received 4 Variance Request Applications from John Mosher.
  - 419 Greenwood – bus parking and charging stations
  - 425 Washington – bus parking and electric charging stations
  - 323 Greenwood - bus parking, hay-straw overflow storage, parking of lawn care equipment and bus charging.
  - 502 4<sup>th</sup> Ave. E. - bus parking
- The City posted a Board of Adjustments Meeting March 28, 2024 for site visit to 425 Washington, 418 Washington, & 323 Greenwood..
- Two Board of Adjustments members went on site March 27 due to scheduling conflict (report attached)
- The remaining members went on site March 28 as noticed (report attached)
- The City posted a hearing for April 8, 2024 to hear public comment on the variance requests
- The hearing was canceled due to incomplete site maps and pins not located at properties
- The City received an Application for Improvements Placement, Tiny Home and Mobile Home Permit from the Mosher's for 425, 418, & 419 Washington & 323 Greenwood for charging stations for electric buses, covering for electric buses and reworking parking lot
- The City posted for site visits to said properties for April 10, 2024
- The Board of Adjustments met on site April 10 as noticed (report attached)
- Board of Adjustments met on May 1, 2024 as posted. At this meeting Moshers requested that placement of structures also be considered as the buses are a expense and it would be a hardship to the business and to the children of the communities if the buses are damaged. Moshers were asked to provide a plan for decommissioning the diesel buses; a plan to clean up the 4 properties and submit a placement permit plan with detail measurements to ensure setbacks are met.
- The city did receive comment from an adjacent landowner of the Greenwood property expressing disfavor with the storage of the diesel trip buses next to this residence.

- A Board of Adjustments meeting was held May 6 as noticed (report attached) As Mosher's failed to provide the requested information, it was requested to be submitted to the Clerk in time to be included in the City Council packet that goes out to members on Friday.
- A public hearing is noticed for 5:45 pm before the May 13<sup>th</sup> Council Meeting, with the Board of Adjustments meeting at 5:55 pm.

**A. Determination that the proposed variances will not amount to a change in the use of the properties:**

*The 4 properties have historically used for Mosher Transportation school bus business. The property, 225 Washington has the bus barn, 219 & 218 Washington and 323 Greenwood have no structures. All have had buses parked on for many years and the historic use of the properties is not changing. 323 Greenwood has also been used for their landscaping business.*

**B. That granting the variances requested will not extend a special privilege to subject properties that is denied other lands in the same district:**

*To date this is the only variance request that the city has processed. No special privilege has been extended that were denied other lands in the same district.*

**C. That granting the variances will not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject properties are located:**

*Granting the variance will not be detrimental to public welfare or injurious to the property or improvements in the vicinity and zone in which subject properties are located. The added infrastructure of bus chargers are fully contained within Washington 425, 419 & 418. All setbacks will be met. It will improve the public welfare as buses will no longer be encroaching on city street and alley right-of-ways and USFS properties, impeding emergency service vehicles. The visual look of the neighborhood will be improved, noise levels will decrease, and there should be no adverse effect on local property values.*

**D. That the reasons set forth in the applications justify the granting of the variances and that the variances are the minimum variance that will make possible the reasonable use of the land:**

*The city recognizes the service Mosher Transportation provides to the communities by providing a reliable bus service that ensures children are transported to and from school and to sporting and extra curricular events. Being able to continue to operate Mosher Transportation at its present location justifies granting the variances. Granting the variance will support adding 11 electric buses and decommissioning 11 diesel buses and is dependent on the installation of the chargers. It will allow better use of the land and will decrease the disturbance to the adjacent properties but it is not the minimum required for the intended use.*

**E. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.**

*Granting the variance will clean up the surplus diesel buses that are encroaching on adjacent property and city right of ways. This will result in lessening the congestion at the north end of Washington St. It will improve general welfare of adjacent properties as it will support decommissioning 11 diesel buses, replacing them with electric that do not produce noise, vibrations and emissions. In addition all the surplus buses encroaching on city rights-of-way and USFS property will be removed improving the physical environment and maintain the property values. The cleanup of surplus parts buses and improvements to the properties will support the efforts of the city's decay ordinance. And lastly, the welfare of the neighbors will be improved by addressing the occasional occupation of buses by*

*transient homeless persons, feral cats and rodents. It is difficult to determine if the plan to store the travel buses on the Greenwood property will be an increase impact to adjacent properties than it historically has been. As the buses will be on the northern portion of the property the existing landscaping business and storage building will provide a buffer. Those properties will also benefit from the disabled RV being removed and other debris being cleaned up.*

**F. The fact that property may be utilized more profitably will not be the sole element of consideration.**

*It is not profit but lessening impact while honoring the historic business that the Moshers have operated.*

**CITED ORDINANCE:**

***Per 10-1-17 3. Nonconforming uses of land***

*A. No use is being enlarged, increased or extended to occupy a greater area of land than was occupied at the effective date of adoption of the ordinance.*

*-Use continues as it has not occupying a greater area.*

***Per 10-1-17 4. Non-conforming Structures***

*D. Any structure may be altered if necessary to adapt a nonconforming building to new technologies or equipment pertaining to uses housed in such building,*

*-Allowing the electric buses/installation of chargers allows for new technologies,*

***Per 10-1-19 Variances***

*C. Construction of buildings or structures in harmony with their fundamental purpose and intend so that public health, safety and welfare may be conserved, and substantial justice done.*

*-Contain the buses and chargers within the structure improved the public health, especially adjacent landowners that currently are subject to noise, vibrations and emissions.*

*Decommission and remove all diesel buses eliminating environments that support transient homeless persons, rodents and critters that create unhealthy and possibly unsafe conditions.*

*D. Granted showing that unnecessary hardship or practical difficulty exists and the records of such board shall clearly indicate in what particular and specific respects an unnecessary hardship or practical difficulty would be created.*

*-hardship to the Moshers if buses are destroyed or ruined and the schools that rely upon the bus service to get the children to and from school and activities.*

**CONCLUSION:**

Based on information provided to date and in the event that no new information is presented at the public hearing that would not be in compliance with the findings and conclusions presented, the Board of Adjustments advises the Council to grant the requested variance for electric chargers and future structures to house the electric buses. There is no granting of variance for placement of chargers or structures at the Greenwood property. In addition the Board would request the Council condition the variance that the Moshers do the following:

- The piles of brush, grass and other garbage or unsightly materials be removed from all Washington, Greenwood and 4<sup>th</sup> Ave. properties prior to the start of the 2025 school year.
- Bus parking and charging areas leveled, terraced, graveled in such a way to not have a runoff



effect adjacent properties or city streets and alleys.

- All usable buses and vehicles removed from the properties, city street and alley rights-of-way and USFS property.
- Any buildings constructed to provide cover for the buses must meet the setback requirements, not discharge stormwater onto adjacent properties or rights-of-way, be fully enclosed and meet the approval of the City Council.

CITY OF THOMPSON FALLS

Board of Adjustments COMMITTEE MEETING MINUTES

Month: MAY, Day: 6, 2024

Council Members Present:

Shawni Vaught MARK Sheets  
Katherine Mandrone  
Earlene Powell Tobias Leivestad  
Halley Blakney

City Officials Present:

Meeting opened at 4:30 P.m.

Others Present:

as attached

Action/Motion made:

Mosher transportation-variances for  
Washington and Greenwood Streets. Condition  
of properties clean up decay old buses left and  
Greenwood Street. No structures at Greenwood St.  
Decommissioning of buses (A plan)  
Placement permits, boundaries (Building locations).

Conditional  
Use  
Permit?

Meeting adjourned at 5:35 P.m.

Sign:

Print:

[Signature]  
Shawni Vaught, Board of Adjustments Committee Chair

ATTEST:

[Signature]  
Chelsea Peterson, City Clerk/Treasurer



John Mosher  
Bar Mosher  
J. Cudde  
DYNWICK & BIRTH  
1914

City of Thompson Falls  
Board of Adjustments Meeting  
Monday, May 6, 2024, at 4:30 p.m., in the City Hall,  
108 Fulton Street, Thompson Falls, MT 59873

Agenda: Zoning Variance Request for Mosher Transportation requesting to build electric vehicle charging stations for electric buses. The committee is requesting plans at all 3 locations 425 Washington Street, 418 Washington Street, and 323 Greenwood Street:

1. A plan for decommissioning the diesel buses
2. A plan to clean up the properties
3. A placement permit plan for the buildings in regard to dimensions so they meet the setback regulations

If you have any questions, please contact the City Hall at 406-827-3557.

City of Thompson Falls  
Public Hearing

Monday, May 13, 2024, at 5:45 p.m. in  
the City Hall, 108 Fulton Street, Thompson Falls, MT 59873

Agenda: Zoning Variance Request for Mosher Transportation requesting to build electric vehicle charging stations for electric buses and buildings at 3 locations:  
425 Washington Street, 418 Washington Street, and 323 Greenwood Street

If you have any questions, please contact the City Hall at 406-827-3557.

Published in the Sanders County Ledger: April 25, 2024 & May 2, 2024

CITY OF THOMPSON FALLS

Board of Adj-Zoning COMMITTEE MEETING MINUTES

Month: March, Day: 28, 20 24

Council Members Present:

Haley A-B  
\_\_\_\_\_  
\_\_\_\_\_

City Officials Present:

Rusti L. - Mayor, Mark Sheets - Citizen on Committee  
Taba L. - Citizen on Committee

Meeting opened at 4 p.m.

Others Present:

John Mosher, Barb Mosher  
\_\_\_\_\_  
\_\_\_\_\_

Action/Motion made:

11 Charging stations Haley -  
Approve charging station 419 - ~~425~~ 425 Washington  
dependent on property corner pins. will discuss w/ Shawn +  
Catherine

( \_\_\_\_\_ )

Meeting adjourned at 508 p.m.

Sign: \_\_\_\_\_

Print: \_\_\_\_\_, \_\_\_\_\_ Committee Chair

ATTEST:

\_\_\_\_\_  
Chelsea Peterson, City Clerk/Treasurer



## City of Thompson Falls

### Public Hearing

Monday, April 8, 2024, at 5:00 p.m. in the City Hall, 108 Fulton Street, Thompson Falls, MT 59873

Agenda: Zoning Variance Request for Mosher Transportation building electrically vehicle charging stations for electric buses at 3 locations: 425 Washington Street, 418 Washington Street, and 323 Greenwood Street

If you have any questions, please contact the City Hall 406-827-3557.

Published in the Sanders County Ledger: March 28, 2024 & April 4, 2024

## City of Thompson Falls

### Board of Adjustments Meeting

Thursday, March 28, 2024, at 4 p.m. starting at 425 Washington Street then 418 Washington Street and then 323 Greenwood Street, Thompson Falls, MT 59873

Agenda: Zoning Variance Request for Mosher Transportation building electrically vehicle charging stations for electric buses at 3 locations: 425 Washington Street, 418 Washington Street, and 323 Greenwood Street

If you have any questions, please contact the City Hall 406-827-3557.

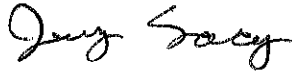
Jerry Lacy  
305 Greenwood Street  
PO Box 1408  
Thompson Falls, Montana 59873  
April 26, 2024

City of Thompson Falls  
108 Fulton Street  
PO Box 99  
Thompson Falls, Montana 59873

Mayor, City Council and Board of Adjustment:

I am writing in response to the public notice posted in the April 25, 2024 Sanders County Ledger about Mosher Transportation's zoning variance request for their property on Greenwood Street. I am opposed to the granting of their request. Their property is currently a mess, most likely in violation of the City's Community Decay Ordinance. There are junk vehicles, a large pile of yard and tree waste and assorted castoff equipment and waste from their other businesses scattered on the property. My understanding of their request for the zoning variance is so they can locate all of their diesel powered busses there, adding diesel exhaust stench to this unsightly mess. Your consideration of my concerns in making your decision on their request will be greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Jerry Lacy". The signature is written in a cursive, slightly slanted style.

Jerry Lacy

**CITY OF THOMPSON FALLS  
APPLICATION FOR IMPROVEMENTS PLACEMENT, TINY HOME,  
AND MOBILE HOME PERMIT**

Name: John-Barb Mosher

Mailing Address: PO Box 2

E-mail Address: bmo4911@yahoo.com

Street Address: 425, 418, 419 Washington Street, 323 Greenwood

Phone Number: 406-360-5906, 406-360-5905

Residential A       Central Business       Commercial   
Residential B       Mixed Commercial Residential       Industrial

Fee: \$50.00

This permit shall be displayed in a visible place on the building site until the project is completed.

**Description of Improvements:**

*Charging stations for electric buses.  
Covering for electric buses.  
Reworking parking lot.*

**Mobile Home requirements:**

20 years old or newer and at least 400 square feet.  
The tongue, axles, transportation lights and removable towing apparatus shall be removed from any such home within 30 days of it being placed upon the premises and a weather resistant skirting, compatible with the exterior siding shall be installed around the perimeter of said home within 60 days.

Meets Requirements:  Yes  No *NA*

**Tiny Home requirements:**

Permanent, single family dwelling under 400 square feet on a foundation. No additions to a tiny house are allowed.

Meets requirements:  Yes  No *NA*

**Drawing of Placement of Improvements on Property:** (Include distances from the improvement to the property boundaries, street boundaries and buildings on the property.) It is the owner's responsibility to determine where property boundaries are located. All structures must meet setback line, no building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and adjoining property lines and 15 feet on corner lots. For all new builds, there shall be no less than two off-street parking spaces per unit, 10' wide by 20' deep per vehicle. "B" Residential there shall be a maximum limit of 2 tiny houses per lot separated by 10" each connected individually to water, sewer and power.

Meets setback requirements:  Yes  No

*Pins were marked on property.*



§53

Refer to Zoning Ordinance No. 352 regarding all restrictions/requirements in each district. Available at City Hall 108 Fulton St. or online at Cityofthompsonfalls.com

I certify that all information provided is true and correct and hereby make application to the City of Thompson Falls to place improvements on the property described herein.

John D. [Signature] \_\_\_\_\_  
Signature of Applicant Date 2-2-24

Approval of application: \_\_\_\_\_ DATE: \_\_\_\_\_

Mayor approval of application: \_\_\_\_\_ DATE: \_\_\_\_\_

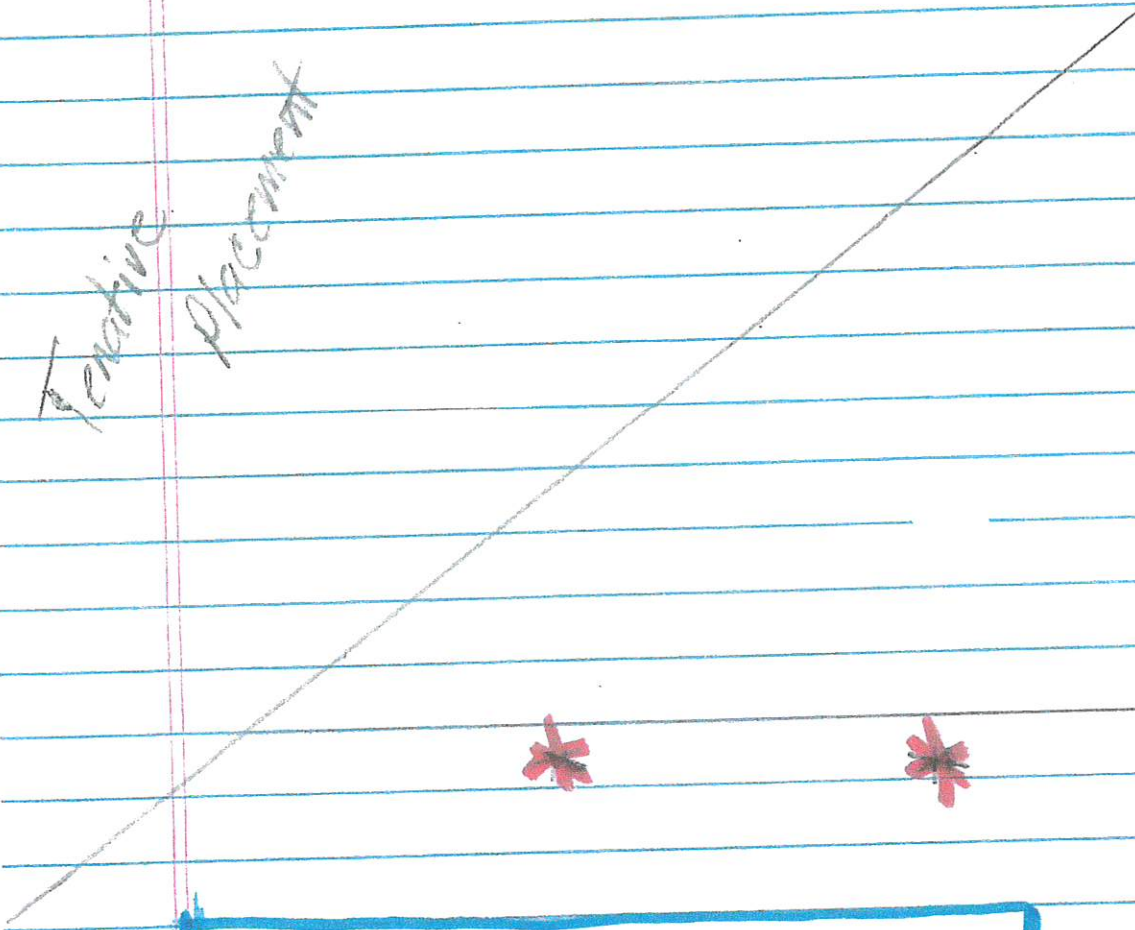
TOTAL PERMIT FEE PAID: \$ 50.<sup>00</sup>

CHECK # 1976 CASH \_\_\_\_\_  
OTHER \_\_\_\_\_

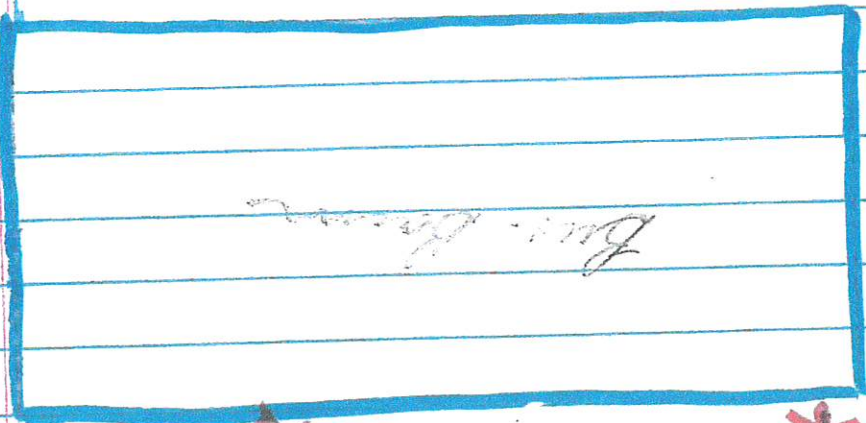
Comments/Follow up: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Tentative  
Placement



Electric  
Station



Bus-Station

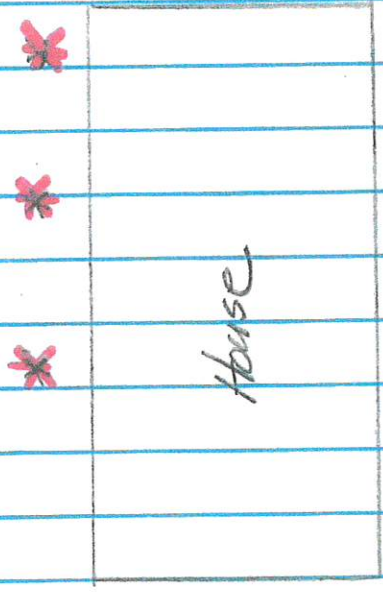


Road Entrance

425 Washington St

5274

Alley



419 Washington Street

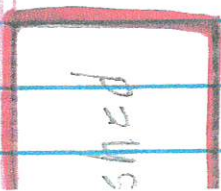
Road Between



Blairmont

Fernside  
Place west

Alley



\* = charge stations for Electric Buses

418

Washington Street

Street



Handwritten notes in the top right corner, including the words "Empty", "Direct", and "Steps".

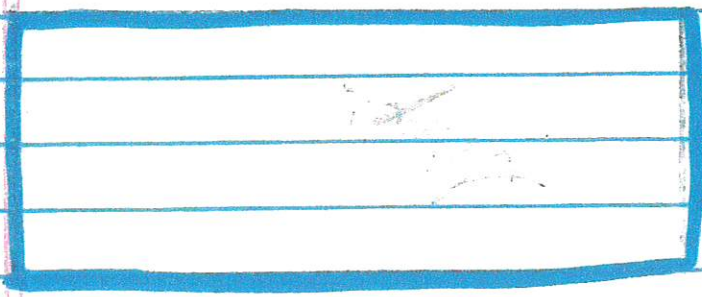


Faint handwritten text in the middle of the page, possibly including the words "look" and "steps".

Handwritten text on the right side of the page, possibly "Direct".

Handwritten text on the right side of the page, possibly "Steps".

Handwritten number "323" on the right side of the page.



**CITY OF THOMPSON FALLS  
APPLICATION FOR IMPROVEMENTS PLACEMENT, TINY HOME,  
AND MOBILE HOME PERMIT**

Name: John-BARD Masher

Mailing Address: PO Box 2

E-mail Address: bmo4911@yahoo.com

Street Address: 425, 418, 419 Washington Street, 323 Greenwood

Phone Number: 406-360-5906, 406-360-5705

Residential A       Central Business \_\_\_\_\_      Commercial \_\_\_\_\_  
Residential B \_\_\_\_\_      Mixed Commercial Residential \_\_\_\_\_      Industrial \_\_\_\_\_

Fee: \$50.00

This permit shall be displayed in a visible place on the building site until the project is completed.

**Description of Improvements:**

*Charging stations for electric buses.  
Covering for electric buses.  
Reworking parking lot.*

**Mobile Home requirements:**

20 years old or newer and at least 400 square feet.  
The tongue, axles, transportation lights and removable towing apparatus shall be removed from any such home within 30 days of it being placed upon the premises and a weather resistant skirting, compatible with the exterior siding shall be installed around the perimeter of said home within 60 days.

Meets Requirements: \_\_\_\_\_ Yes \_\_\_\_\_ No NA

**Tiny Home requirements:**

Permanent, single family dwelling under 400 square feet on a foundation. No additions to a tiny house are allowed.

Meets requirements: \_\_\_\_\_ Yes \_\_\_\_\_ No NA

**Drawing of Placement of Improvements on Property:** (Include distances from the improvement to the property boundaries, street boundaries and buildings on the property.) It is the owner's responsibility to determine where property boundaries are located. All structures must meet setback line, no building shall be erected or altered so as to place its street wall nearer than 10 feet from the street line and adjoining property lines and 15 feet on corner lots. For all new builds, there shall be no less than two off-street parking spaces per unit, 10' wide by 20' deep per vehicle. "B" Residential there shall be a maximum limit of 2 tiny houses per lot separated by 10" each connected individually to water, sewer and power.

Meets setback requirements: \_\_\_\_\_ Yes \_\_\_\_\_ No

*Pins were marked on property.*

353

Refer to Zoning Ordinance No. 352 regarding all restrictions/requirements in each district. Available at City Hall 108 Fulton St. or online at Cityofthompsonfalls.com

I certify that all information provided is true and correct and hereby make application to the City of Thompson Falls to place improvements on the property described herein.

John W. Baker 2-7-24  
Signature of Applicant Date

Approval of application: \_\_\_\_\_ DATE: \_\_\_\_\_

Mayor approval of application: \_\_\_\_\_ DATE: \_\_\_\_\_

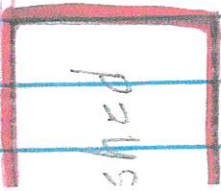
TOTAL PERMIT FEE PAID: \$ 50.<sup>00</sup>

CHECK # 1976 CASH \_\_\_\_\_  
OTHER \_\_\_\_\_

Comments/Follow up: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Female  
Placement

Alley



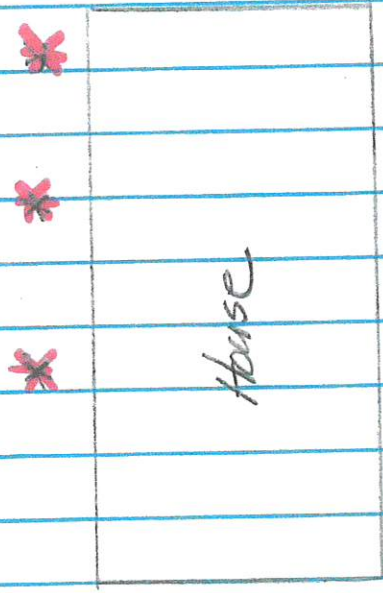
\* = charge station for electric buses

Street

Washington

418





Washington  
X

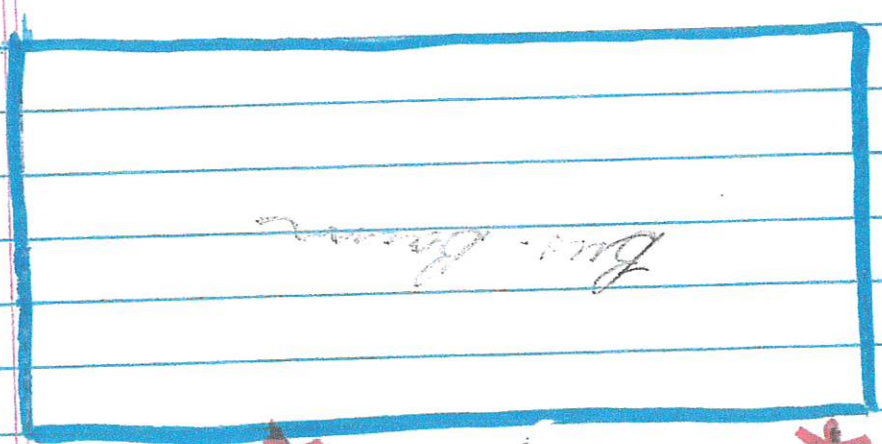
Street

419 Washington

Tentative  
Placement



Electric  
Substation

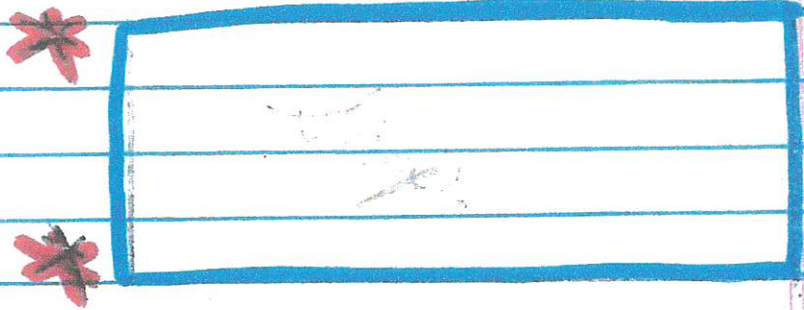


Bus-Bar



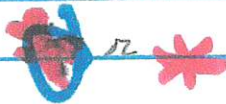
Road Barrier

42.5 Washington St



323

200 Jahre 100 Jahre



Elektrische  
 Diesel  
 Engine  
 Anlagen



To: 'tfl3557@blackfoot.net' <[tfl3557@blackfoot.net](mailto:tfl3557@blackfoot.net)>  
Cc: Rusti Leivestad <[tfallsmayor@blackfoot.net](mailto:tfallsmayor@blackfoot.net)>; [tfpworks@blackfoot.net](mailto:tfpworks@blackfoot.net)  
Subject: RE: Mosher electric buses

Hi all – I have been on work travel for a couple of weeks so it is difficult getting caught up with everything. I am adding your city attorney to this email, as you should always follow their advice.

My reading of your ordinance is that this commercial use is not allowed in Residential A, the existing use is considered a legal non-conforming use, but such legal non-conforming use “may not be enlarged to occupy a greater area of land.” Your Conditional Use section allows for a commercial use to be allowed in a residential zone through the CUP process, so I do think that is the only route they could take other than requesting a rezone. The latter would likely be controversial and also likely at risk for a illegal spot zoning challenge.

Note that per your ordinance the CUP is temporary with an end date and if granted, that use would not be part of the legal non-conforming use but subject to current development standards and conditions and could be revoked if those are not met. Hope that helps! -k

**Kelly A. Lynch, JD, AICP**  
Executive Director  
Montana League of Cities and Towns  
406-465-5711 cell



*Thank you to our Diamond Partner of the Month, Jacobs.*



From: [tfl3557@blackfoot.net](mailto:tfl3557@blackfoot.net) <[tfl3557@blackfoot.net](mailto:tfl3557@blackfoot.net)>  
Sent: Monday, March 18, 2024 5:23 PM  
To: Kelly Lynch <[kelly.lynch@mtleague.org](mailto:kelly.lynch@mtleague.org)>  
Cc: Rusti Leivestad <[tfallsmayor@blackfoot.net](mailto:tfallsmayor@blackfoot.net)>; [tfpworks@blackfoot.net](mailto:tfpworks@blackfoot.net)  
Subject: FW: Mosher electric buses

This email comes from an external sender.  
Do not open unexpected links or attachments.

Kelly,  
Hello!!! Below in blue is the Mosher property. They have a bus business and received a grant to buy electric buses. They want to put the electrical hookups across the street from

their bus barn. We had a few properties on the hill in Residential "A" that had businesses. We grandfathered in the existing business and if they sell they can be sold as a business. The Moshers had their bus barn across the street and from what I have been told they parked a few on the empty lot across the street. They want to put the electrical hookups there..... would that be an existing business or a new one? Trying to figure out if they need to ask for a Conditional Use referred to in 10-1-20 in our zoning ordinance. I just want to make sure that the neighbors are ok with it and it complies with our Zoning Ordinance.  
Thanks! Chelsea







**From:** TIMOTHY GOEN <[nwmtlaw@blackfoot.net](mailto:nwmtlaw@blackfoot.net)>  
**Sent:** Friday, March 8, 2024 3:34 PM  
**To:** Rusti Leivestad <[tfallsmayor@blackfoot.net](mailto:tfallsmayor@blackfoot.net)>  
**Cc:** Chelsea Peterson <[tfl3557@blackfoot.net](mailto:tfl3557@blackfoot.net)>  
**Subject:** Mosher electric buses

John Mosher stopped in my office to ask about installing the charging stations for his e-buses. He said he was told he needed a variance. Looking at the non-conforming section of the city zoning ordinance, it appears his use of the land would be a legal nonconforming use. The business was in existence at the time the ordinance passed. His use of the property is not being enlarged or increased. His plan is to have fewer buses, and there will be less noise with electric over diesel and gas.

Tim

Variance Request Application

Physical address of property 425 & 418 Washington

Tax ID # 3661/3354 GEO Code \_\_\_\_\_

Owner of Record Barbara & John Mosher

Business name and type Mosher Transportation

Status of business in August 8, 2022: operational

Zoning designation for property:

Central Business

Residential A

Industrial

Mixed Commercial Residential

Residential B

Commercial

In compliance with current zoning? \_\_\_\_\_ Yes  No

\_\_\_\_\_ Nonconforming Lot of Record

\_\_\_\_\_ Nonconforming Use of Land

Nonconforming Structure(s)

What is the variance being requested and reason it is needed? Attach a site map to scale that details all current development and the proposed changes requiring the variance.

4 charging stations @ 425 Washington  
1 charging station @ 418 Washington  
applying for grant for 11 electric school buses  
will have to decommission diesel buses for electric buses

Person requesting determination: John & Barb Mosher

Signature: John Mosher

Email address: bmo4911@yahoo.com Phone #: 406-360-5906

Date received: 8-10-23 Date of public <sup>mtg</sup> hearing: 8-10-23

Public Comment:

Public in favor



Details of Determination (finding of facts by Board of Adjustments):

A. Determine that the proposed variance will not amount to a change in the use of the property. *Use will be the same. bus barn*

B. That granting the variance requested will not extend a special privilege to subject property that is denied other lands in the same district. *No*

C. That granting the variance will not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is located. *No change - just installing charging stations*

D. That the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land. *yes - will improve use of the land.*

E. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. *Should improve it.*

F. The fact that property may be utilized more profitably will not be the sole element of consideration. *For the good of the community - School*

variance denied                       variance granted with conditions

Conditions:

*Conditional variance for this grant only*  
*due 8-12-23*  
*Return move, Gussie 2nd Unanimous approval*

Signature of Chair of Zoning Committee: *[Signature]* 8-10-23

Variance Request Application

Physical address of property 315 Greenwood 921 / 323 Greenwood

Tax ID # 3524 / 3523 GEO Code \_\_\_\_\_

Owner of Record Barbara: John Mosher

Business name and type Mosher Transportation

Status of business in August 8, 2022: \_\_\_\_\_

Zoning designation for property:

Central Business Residential A Industrial  
Mixed Commercial Residential Residential B Commercial

In compliance with current zoning? \_\_\_\_\_ Yes  No

Nonconforming Lot of Record

Nonconforming Use of Land

\_\_\_\_\_ Nonconforming Structure(s)

What is the variance being requested and reason it is needed? Attach a site map to scale that details all current development and the proposed changes requiring the variance.

1 charging station @ 315 Greenwood  
1 charging station @ 323 Greenwood  
Applying for grant for 11 electric vehicles school buses  
will have to decommission diesel buses - for electric

Person requesting determination: John: Barb Mosher

Signature: John Mosher

Email address: bmo4911@yahoo.com Phone #: 406-360-5906

Date received: 8-10-23 Date of public <sup>mtg</sup> hearing: 8-10-23

Public Comment:

- Done in favor  
Barbara Mosher - all in favor.

Details of Determination (finding of facts by Board of Adjustments):

A. Determine that the proposed variance will not amount to a change in the use of the property. *Slight change - just bus storage now*

B. That granting the variance requested will not extend a special privilege to subject property that is denied other lands in the same district. *No*

C. That granting the variance will not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is located. *No - stores buses now - good access*

D. That the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land. *yes -*

E. That the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. *will not create a hazard - plenty of access.*

F. The fact that property may be utilized more profitably will not be the sole element of consideration. *For the good of the school - community*

variance denied                       variance granted with conditions

Conditions:  
*Conditional variance for this specific grant -*  
*due 8-12-23*  
*Katzenma move, Gussie rd Unanimous vote*

Signature of Chair of Zoning Committee: *[Signature]* 8-10-23



5302 4th Ave. East  
47.66688, -115.34509  
1.

Variance Request Application

Physical address of property 502 4<sup>th</sup> Ave East

Tax ID # 3905 GEO Code 47.60008 - 115.34509

Owner of Record John - Barb Mosher

Business name and type Mosher Transportation

Status of business in August 8, 2022: active

Zoning designation for property:

Central Business

Residential A

Industrial

Mixed Commercial Residential

Residential B

Commercial

In compliance with current zoning?  Yes  No

Nonconforming Lot of Record

Nonconforming Use of Land

Nonconforming Structure(s)

What is the variance being requested and reason it is needed? Attach a site map to scale that details all current development and the proposed changes requiring the variance.

Bus Parking

Person requesting determination: John Mosher

Signature: John Mosher

Email address: bmo4911@yahoo.com Phone #: 406-360-5906

Date received: \_\_\_\_\_ Date of public hearing: \_\_\_\_\_

Public Comment:

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419 Washington  
47.591975, -155.34623  
3.

Variance Request Application

Physical address of property 419 Washington Street

Tax ID # 3782 GEO Code 47.599975, -153.34623

Owner of Record John & Barb Mosher

Business name and type Mosher Transportation

Status of business in August 8, 2022: active

Zoning designation for property:

Central Business

Residential A

Industrial

Mixed Commercial Residential

Residential B

Commercial

In compliance with current zoning?  Yes  No

Nonconforming Lot of Record

Nonconforming Use of Land

Nonconforming Structure(s)

What is the variance being requested and reason it is needed? Attach a site map to scale that details all current development and the proposed changes requiring the variance.

Bus Parking & Charching stations

Person requesting determination: John Mosher

Signature: \_\_\_\_\_

Email address: dmo4911@yahoo.com Phone #: 406-360-5966

Date received: \_\_\_\_\_ Date of public hearing: \_\_\_\_\_

Public Comment:

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Greenwood St



47.594del, -115.3389  
41.59413, -115.33818

323 Greenwood

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Offline Maps



My Content

Tools



Variance Request Application

Physical address of property 373 Greenwood  
Tax ID # 3528 / 3524 GEO Code 47.59661-115.3389 / 47.59693-115.33871  
Owner of Record John / Barb Mosher  
Business name and type Conoco 7 Mosher Transportation  
Status of business in August 8, 2022: Active

Zoning designation for property:

- Central Business
- Mixed Commercial Residential
- Residential A
- Residential B
- Industrial
- Commercial

In compliance with current zoning?  Yes  No

- Nonconforming Lot of Record
- Nonconforming Use of Land
- Nonconforming Structure(s)

What is the variance being requested and reason it is needed? Attach a site map to scale that details all current development and the proposed changes requiring the variance.

Are requesting bus parking & key-straw, and flow of fuel, assembly of idwms case, equipment & Bus charging.

Person requesting determination: John Mosher

Signature: John Mosher

Email address: bmo4911@yahoo.com Phone #: 406-360-5906

Date received: \_\_\_\_\_ Date of public hearing: \_\_\_\_\_

Public Comment:  
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435 Washington  
47.59998, -115.34509  
5.

Variance Request Application

Physical address of property 475 Washington Street

Tax ID # 3611 GEO Code 47.5998 - 115.39509

Owner of Record John-Barb Mosher Mosher Transportation

Business name and type Bus Parking - Mechanic Shop

Status of business in August 8, 2022: active

Zoning designation for property:

Central Business

Residential A

Industrial

Mixed Commercial Residential

Residential B

Commercial

In compliance with current zoning?  Yes  No

Nonconforming Lot of Record

Nonconforming Use of Land

Nonconforming Structure(s)

What is the variance being requested and reason it is needed? Attach a site map to scale that details all current development and the proposed changes requiring the variance.

Being able to install electric charging units  
Bus Parking

Person requesting determination: John Mosher

Signature: John Mosher

Email address: bmo4911@yahoo.com Phone #: 406-300-5906

Date received: \_\_\_\_\_ Date of public hearing: \_\_\_\_\_

Public Comment:  
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435 Washington

47.59998, -115.34509

5

Variance Request Application

Physical address of property 475 Washington Street

Tax ID # 3611 GEO Code 47.5998 - 115.34509

Owner of Record John-Barb Mosher Mosher Transportation

Business name and type Bus Parking - Mechanic Shop

Status of business in August 8, 2022: active

Zoning designation for property:

- Central Business
- Mixed Commercial Residential
- Residential A
- Residential B
- Industrial
- Commercial

In compliance with current zoning?  Yes  No

Nonconforming Lot of Record

Nonconforming Use of Land

Nonconforming Structure(s)

What is the variance being requested and reason it is needed? Attach a site map to scale that details all current development and the proposed changes requiring the variance.

Being able to install electric charging units  
Bus Parking

Person requesting determination: John Mosher

Signature: John Mosher

Email address: dm04911@johnd.com Phone #: 406-360-5906

Date received: \_\_\_\_\_ Date of public hearing: \_\_\_\_\_

Public Comment:  
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### 3 Product Parts Presentation

The charging system is composed of DC charging cabinet and DC charging connector. The System can be installed outdoors.

The ICE-60/120/180 series fast DC Charger has various possible output combinations as shown in section 2.3 Model description:



Figure 7: External View of ICE-60/120/180

# DC Fast charger

① -25-6-TC  
Blue slide

ver 1.4



ICE-60 DC Fast charger



Optimize fleet operations and maximize savings with InCharge's proprietary EV fleet charge management software.

# ICE-30 30kW DC Fast Charger

ver 1.5



ICE-30 Dual CCS

**InControl**  
Optimize fleet operations and maximize savings with InCharge's proprietary EV fleet charge management software.

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