

Brandon E. Dewey

From: Marilyn Wolff <wolffmarilyn@gmail.com>
Sent: Thursday, August 27, 2020 10:10 AM
To: Public Comment
Subject: [EXTERNAL] Hearings on Burnt Fork Estate's Subdivision Application
Attachments: Planning and Zoning Meeting September 3 2020.docx

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Dear Town Clerk: ***This email is for the Planning & Zoning Board and the Town Council. Please forward to all members.***

Dear Planning & Zoning Board Members and Town Council,
Yesterday I sent the attached email to the Planning & Zoning Board. I feel it is important for my email to be in the public record for Stevensville citizens. Let me now add that ***the DNRC has determined there are NO WATER RIGHTS for the Burnt Fork Estates (BFE) proposed subdivision and surprising to Creekside Meadows*** (CM), an existing Stevensville development since 2004 of 60 owners with 57 homes already built. Both areas are not in the municipal water service area of the town of Stevensville per Jim Nave, Regional Water Bureau Manager, MT DNRC, Missoula. We, who live in CM were totally shocked to learn this information. Having all paid big fees receive Town water and sewer services when our homes were built and then all these years paying the monthly bills, why are we now in limbo as to what to expect and when we will rightfully have our water rights approved? How in the world could this blunder regarding CM be hidden for so many of years? Who in Town Hall is responsible for dropping the ball on the DNRC application to expand the water service area and was CM even included in the application? How could Mayor Dewey write a letter for the BFE developers in the application saying "that it is likely the Town has adequate rights currently to serve the development." Without this issue settled the application should never have been submitted. The application needs to be shelved until the water rights issues are settled for both developments.

Additionally no CM residents were notified by certified mail of the Planning & Zoning Board 9/3/2020 hearing date. This mistake should cancel the meeting as well as the 9/10/2020 Town Council meeting regarding BFE until we are properly notified per the 2016 Stevensville Growth Policy procedures for subdivision hearings page 37 & 38.

Marilyn Wolff

VP, Creekside Meadows HOA Board



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August 26, 2020

Greg Chilcott, Vice Chair, Stevensville Planning and Zoning Board

Scott Owens, Legal Counsel, Town of Stevensville

CC: Bob Michalson, Meghan Hanson, Dan Ritter, John Kellogg (recused Chair of Planning and Zoning Committee and PCI Consultant for BFE Developers), Mayor Brandon Dewey

RE: Burnt Fork Estate (BFE) Planning and Zoning Publication Notice for 9/3/2020 Hearing

Dear Commissioner Chilcott and Attorney Owens,

To all of you listed please explain why the public hearing requirements as stated in the Stevensville 2016 Growth Policy has not been followed as stated on page 37. The requirements apply to both the Planning and Zoning Board and Town Council.

A 15 day published notice prior to the hearing has been ignored.

No homeowners in Creekside Meadows along the north boundary with BFE have received notice by certified mail as of this date.

As regards these hearings, MCA 2-3-203 requires public meetings. The Montana Supreme Court concurs. Zoom hearings seem entirely inappropriate for a major new subdivision decision. Page 38, item 7, states "... a public hearing may be closed and continued at a later date." Limiting public comments of those who are impacted by the subdivision is of concern.

Serious water concerns have been found with the BFE subdivision per the DNRC. You will all receive a letter from William Vancanagan, Creekside Meadows legal counsel, regarding the issues. You may also want to read a half page ad in the 8/26/2020 Bitterroot Star that will give insight on the situation. The 9/3/2020 hearing date should be cancelled immediately.

Please feel free to contact Jim Kalkofen, 406-356-5676, Creekside Meadows HOA President, or myself at 406-529-3018.

Sincerely,

Marilyn Wolff

Creekside Meadows HOA Vice President