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March 2, 2021

Stevensville Town Council
206 Buck Street
Stevensville, MT 59870

Dear Members of the Town Council,

Due to the Covid I can not attend the March 4th hearing on the Burnt Fork Estates Subdivision, nor do I have access to the Internet. I therefore ask that this letter be read aloud at the hearing.

I have not spoken out before as I felt from what I have read that individuals living in Stevensville were asking the right questions. But now I understand that their concerns are being dismissed simply as neighbors who “not in my back yard”.

Living about 4 miles east of this proposed development I will address several issues that also affect me: Water availability, sewage, road, and commercial development. **Any and all mitigation costs associated with resolutions to unresolved problems resulting from this development should be born by the developer, not the citizens of Stevensville or Ravalli County.**

WATER

Approval of a subdivision requires that the developer provide proof of a proven water supply to meet its water demand. I will show that the Burnt Fork Estates proposal has failed to do so. **Therefore, as designed, this subdivision must be denied.**

What is the water demand of Burnt Fork Estates? On the website on March 1, 2021 the developer states a peak water demand of **239.6 gpm** for

121 lots. Looking at the assumptions used in the program this is lots not residences. This is inaccurate, as a multi-family lot may have more than one residence. The 239.6 gpm does not include water for lawns or commercial development, including potential laundramats and car washes. On March 2, 2021 I read the proposal at city hall and Section 10 Site Evaluation and Design now allocates water for:

78 Single family at 2.5 baths for	127.5 gpm
142 multi family at 1.5 baths for	150 gpm
Irrigation of 28.2 acres	300 gpm
Commercial office space	<u>33.3 gpm</u>
Total	600 gpm

A far cry from 239 gpm. Why the discrepancies between the two documents?

But in speaking with the staff at Town Hall on March 2nd I learned that this may be even higher. Once a lot has been purchased there is nothing dictating what is built. A home may be 2-story with 4 bathrooms. An assumed duplex may become a 4-plex. The only limitation would be based on height and setback requirements. Commercial lots could have laundromats, hair dressers, car washes, instead of accountants or attorneys. This demand could just keep going up and up and up....700 gpm? 800 gpm?

Burnt Fork Estates has no limits on water demand. The plat map must specify the exact type of “multi-family unit” that is allowed on each lot.

When the Town of Stevensville adds in the water demand for unbuilt lots and structures built but not yet hooked up, do the existing well fields have the capacity to meet this kind of demand?

It is a known fact that there is an interaction between surface water (irrigation water) and groundwater (wells). This is true in the Burnt Fork Drainage. The Burnt Fork Drainage is a closed basin. That means that there can be no development of new water. Where will the water come from to meet the demand of the Burnt Fork Estates? Any increased usage from this

subdivision could affect every water right holder in the Burnt Fork Drainage, not just the citizens of Stevensville. This includes myself, my neighbors, my friends. Don't dismiss us.

In Section 8 of the Burnt Fork Estates proposal is a discussion of the water needs of the original Creekside development. It stated that there was the "need for a new water well to meet the needs of the new subdivision" and that there "should be sufficient bonding if needed, to complete the sewer and water system." However, that developer would not agree to pay the cost of the well and suggested the town use infrastructure fees. The developer agreed to provide a well site by a dedication of land. The Town Council "placed a condition of approval of the final plat to insure water and sewer systems are adequate...to insure no adverse impact, shortages of water or sewer systems in the Town of Stevensville." Was any condition of approval met? To all of you who live in Stevensville and pay for water, I think that you may have picked up the bill. Do you want to do it again? According to the Creekside approval, all water systems had to be completed by 2013. So the Burnt Fork Estates must stand on its own merit.

If a well is not already permitted to meet the demands of a new subdivision it is not unusual for a developer to transfer surface water rights to a groundwater right to avoid the cost of hydrologic studies required to permit a new well and mitigate impacts to existing water rights. There was an October 24, 2019 letter (Section 11 of the proposal) from Mayor Dewey to developer Hooley suggesting he make such a water transfer. Such water rights appear in the appendix:

WR 2081	Burnt Fork Creek	24 th right	112.2 gpm
WR 2082	North Swamp Creek	2 nd right	<u>98.17 gpm</u>
			Total 210.37 gpm

Most importantly, both water rights 2081 and 2082 are only available from April 15 to October 15 each year. For 5 month of the year **NO WATER** is available to meet the subdivisions water demand. Further, the

24th right is not a fantastic right. It often “runs out” by July or August and would not even be available to meet the high demand of summer watering. In Section 2, the developer expects the Town of Stevensville to supply the water for Burnt Fork Estates.

How does the ZERO to 210 gpm supply compare to the proposed demand? A drop in the bucket. The water rights provided by Burnt Fork Estates will provide virtually no contribution to their demand. Even though the “intent” of the Burnt Fork Estates is to transfer all rights to the town, they only want to transfer a percent of the water right at a time related to the percentage of the land developed. (Proposal Section 1) Come on...really?

If the town well field cannot meet the current and committed demand, it is apparent that a new well will be needed to ensure there is water to meet the demands of the Burnt Fork Estates. Where will it be located? Has a permit for it been applied for? Been approved? Have hydrologic studies been completed? Do you the citizens of Stevensville want to pick up all these costs? You better speak out now.

Is it true the Town of Stevensville has not yet resolved their old water rights with a 1973 priority date for their current water supply?

Until all water questions are resolved this proposal is premature and must be denied.

SEWAGE

Has it been shown that the city sewage treatment facility can handle the additional load of this development on top of all current buildings and undeveloped plotted lots that have yet to be hooked up? Any increased load on the Bitterroot River would impact all citizens of Ravalli County who

recreate on and love the river, not just the Town of Stevensville. The **developer must bear the cost** of any sewage treatment facility upgrades. Until that time this proposal should be denied.

On the plat maps it was not clear if the retention or detention ponds are covered. If open what will be done for mosquito abatement in a world of West Nile virus and Zica virus? How will they be contained to prevent child access?

ROAD

I must pass the Logan Road Intersection with Middle Burnt Fork Road each time I go to town. A friend was extracted from her car at this intersection after a car running the Logan stop sign T-boned her.

Between 1996 and 2000 a road report was completed for a proposed subdivision about 8 miles east of this intersection. At that time “Logan Crossing” was one of the 10 most dangerous intersections in Ravalli County. That subdivision was denied. In the last 25 years all that I can see that has been done to resolve that problem was the addition of a couple of warning signs.

In Section 2 of their proposal their analysis shows there is still an above average crash rate of 3.1 compared to an average of .5 to 1.5 at this intersection. That is 3-6 times the average. Between 2015 and 2019 there were 8 crashes. And now they want to add more cars. Not only that, their numbers are off. They state there will be up to 1,675 new trips per day (VPD) due to the subdivision with:

77 single family lots with	727 VPD
48 multi family lots with	351 VPD
Commercial lots with	<u>597 VPD</u>
<u>Total</u>	<u>1,675</u>

It appears the traffic analysis assumes **multi** family units make fewer trips per day than single households (Jan 2020 Platt diagram). How could this be possible? This is the same error they made on water demand **using lots instead of households**. The actual number of trips per day will be considerably more. In 2019 according to their report there were 1,475 VPD on the Middle Burnt Fork Road. Now What? What is the proposed solution for the dangerous Logan –Mid Burnt Fork intersection? I don't think their idea of a visual detector that notifies drivers of approaching cars is sufficient.

The Road Impact Study is Flawed.

COMMERCIAL

I have already stated that a commercial development could significantly increase the water and sewage demand. Has this been addressed?

But more than that, I feel it does not belong in this development. I shop local, not Missoula because I value the wonderful community. I pay more---its okay. I love shopping Main Street...First Friday events. We don't need this proposed commercial development. The Cloths Closet was originally on Main Street but had to relocate when the building was torn down. Both it and Pantry Partner are Not For Profit....they are to help the community in need. They do not set a precedent for commercial development.

CONCLUSION

This proposed subdivision with **undefined** multi-family and commercial development far exceeds the vision of the original Creekside Subdivision. **You do not have to accommodate the new developer's plan. SCALE IT BACK!** Not all R-2 lots must be built to their maximum capacity. Are there other possibilities that have yet to be examined? Could the commercial zone be the area for the well that could tie into the pumping station? Until the production capacity of a new well is proven by a test well, there is no way to know if a specified demand can be met.

Until which time all questions are answered, miscalculations are corrected, types of buildings are specified, and the developer exhibits how he will develop and bear the costs of the water supply, the **BURNT FORK ESTATES SHOULD BE DENIED! THERE SHOULD BE NO CONDITIONAL APPROVAL.**

Thank you for your time,

Sincerely,



Susan Brown

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Stevensville, MT 59870