

July 11, 2011

To Dave Hensel, Ryan Colyer, Jennifer Dustin, Shawn Hill, Matthew Eagens, Bruce Arnold, and Darryl Johnson  
Re: Canyon Creek Ranch PUD

Hello,

We're the Wayne and Joyce Nelson family, the neighbors who would be surrounded by the highest density of population on both the Madison and Teton County sides of the Canyon Creek Ranch PUD. Our land abuts the PUD in Madison County. Attached is a statement signed by seven of the eight trustees of the Wayne and Joyce Nelson Family Trust at our family reunion in Clementsville on Sunday, July 10, and faxed to the P & Z office. We neglected to collect signatures from other family members there, but if we had, you would have 26 more signatures of adults (their names are listed below.) There are also family members in many places who could not attend the reunion who are in support of the statement whose names are listed below.

This Concept Review needs to be examined closely—the staff report brings up many concerns, which we share. Although it is good that Idaho Ranch Subdivision LLC wants to reduce the density of the development, all of our original objections remain. Building homes in this remote location at this time seems counter-intuitive, given the fact that Teton County has a high vacancy rate in existing homes and lots. (see 2010 Census which places it at 60 percent) Home-sites aren't even selling in River Rim, which has plentiful water and excellent access to Highway 33. We urge you, the Teton County Planning and Zoning Commissioners, to vote against giving the developer five years to complete just the first phase of a project that was ill-advised to begin with.

If we assume a household size of three persons per home, (census data suggests 3.7 is average in Idaho) the 280 homes in this PUD would house 840 people. Tetonia has around 250 residents, so this proposal would put more than three Tetonias in an area with no improved roads, questionable water quantity and a 20-30 mile distance from any kind of services! And what impact would those homes and people have on wildlife?

Please consider:

#### ROADS:

Unless someone has changed the plans, Pony Creek Road, a gravel road on the west side of the subdivision in Madison County, will provide the ONLY exit and entrance access for all units. If a range fire engulfed Pony Creek Road, residents would have to evacuate on a Forest Service road through the mountains, a serious threat to public safety. Even if developers pave Pony Creek Road, we don't believe it would be adequate for that many residents.

Pony Creek Road feeds onto Canyon Creek Road, which presents drivers with problems due to its construction and frost heaves. Phil Neibaur, whose family has owned Green Canyon Hot Springs for 56 years, has written the story of how his family fought

for years to get that road paved. Historically, maintenance of Canyon Creek Road has not been high on Madison County's priority list. If this subdivision is approved, hundreds of Teton County residents will rely on a road that does not get adequate maintenance.

If some residents live in the subdivision year-round, who will plow Pony Creek Road for children to be bused to school? Perhaps Idaho Ranch Subdivision LLC. But does Teton County want to rely on Madison County for the safety of these Teton County children, as that county is responsible to plow Canyon Creek Road and Highway 33 to the Teton County line?

#### EMERGENCY SERVICES:

Our family had the misfortune of losing a child in the only drowning we are aware of at Green Canyon Hot Springs. It took at least half an hour for the ambulance to arrive from Rexburg. It would take the same amount of time to get emergency service to residents of this PUD, as Green Canyon Hot Springs is very near to it. We are also deeply concerned about crime and fire safety. For 69 years, this area has not been policed. Our family home has experienced much vandalism even though there are no neighbors near us at present. Will Teton County provide police, ambulance and fire protection to this remote area?

#### WILDLIFE:

The area where developers want to cluster homes—the small wooded canyon—is a prime elk calving area; it is also sharp-tail grouse habitat. Bruce Nelson saw a cow moose with twin calves there last week. If this subdivision is approved, these and other species will be affected. It doesn't take a biologist to see this—one only has to drive through the Echo Ranch Development near Milk Creek to see that development chases off wildlife. At the Teton County hearing when the original PUD was presented, Kim Ragotski, a biologist with Idaho Fish and Game, presented figures which strongly illustrated the biological sensitivity of this area.

#### WATER:

Our family dry farmed in this area—"dry" is the key word here. According to Department of Environmental Quality figures, which say an average home uses 400 gallons of water a day, the proposed 280 Teton County homes would use 112,000 gallons daily. We have grave concerns about the aquifer from which this water would be drawn. Can this traditionally dry area supply enough water for such a subdivision? What water rights will the developers acquire? What other water rights will be compromised if water is provided for this development? Does the developer provide specific and sufficient data to answer these questions? If new wells are to be dug to provide for the development, how will the owners of culinary wells with senior water rights be protected if their wells go dry or the flow is impacted? Are there provisions in the proposed plan? Farmers and homeowners, as well as wildlife, rely on spring flow in the area. How will spring flow be impacted by water usage of the proposed development?

#### UTILITIES

Teton County required Western Heritage LLC to put in a community sewer system in the original PUD agreement, which would require tearing up the land. Septic

issues are very important and must be addressed. Installation of electricity and phone lines, and all other utilities, will also become issues. Is there adequate electrical infrastructure to provide electricity to these units?

We do not believe it would be wise to give the developer five more years to start Phase One of a project that would bring 732 residents into this remote area, for the reasons stated above.

We understand that the job of a Planning and Zoning Commissioner is difficult and under-compensated. Thank you so much for your time and consideration.

Sincerely,

Bruce Nelson, Trustee Representing the Wayne and Joyce Nelson Family Trust  
Rex Nelson, Trustee  
Judy Nelson Scoble, Trustee  
Ellen Nelson Frazier, Trustee  
Jeanne Nelson Jeppesen, Trustee  
Debra Nelson Holm, Trustee  
Andrea Nelson Clark, Trustee (unable to sign statement, in Ohio)  
Shanan Nelson Cameron, Trustee

*Other adult family members in support of this letter (underlined were at the reunion in Clementsville on July 8-10, 2011):*

Glenn Scoble, Michael Hidalgo, Tim and Rachelle Hidalgo, Dan and Kara Hidalgo, Anita and Warrior Appenay, Nic Nelson, Mariel Nelson, Kerry Frazier, Lance and Monique Frazier, Jennifer and Steve Morrell, Patricia Frazier, Derek and Janet Frazier, Shane and Elise Frazier, Aaron and Amy Frazier, Alan Jeppesen, Becky and Bruce Christensen, Amelia and Alex Casares, Kevin and Sara Jeppesen, Erik and Danni Jeppesen, Kristen and Basil Anderson, Sherrell and Pauline Anderson, Marie and Spencer Walker, Nathan and Shawn Anderson, Vonnie Anderson, Bryan and Melanie Anderson, Alison and Aaron Robinson, Meggan and Ontario Britton, Evan Anderson, Rachael Anderson, Robbie Anderson, SuLin Nelson, Nisha Nelson, Nicolette and Aaron Hardinger, Wayne and Claire Nelson, Bryce and Julise Nelson, Isaac Nelson, Norman Holm, Lara and Marco Roetto, Janson and Lynn Holm, Emily and James Murdock, Spencer Holm, Alissa Holm, Ross Clark, Joseph and April Clark, Matthew Clark, Elizabeth Clark, Kelly Cameron, Adam Cameron, Joshua Cameron

Please send mail for the Wayne and Joyce Nelson Family Trust to:

Wayne and Joyce Nelson Family Trust  
c/o Bruce Nelson, trustee  
822 E 900 N  
Shelley ID 83274

Bruce's phone is 208-390-8091

Emails may be sent to: [debraholm@gmail.com](mailto:debraholm@gmail.com)

We, the Trustees of the Wayne and Joyce Nelson Family Trust, oppose passage of a Concept Review granting five more years to begin Phase One of the Canyon Creek PUD.

There are not adequate roads, water, safety provisions, and etc., for development in the proposed area.

July 10, 2011

Delora Nelson Huem

Nickala E. (Nelson) Frasier

Jeanne N. Jeppesen

Judith Scott

Nola Shannon Cameron

Reg Nelson

Bruce Nelson

Andrea Nelson Clark was not able to sign as she is in Ohio but verbally states she is in support of this statement.

## Curt Moore

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**From:** Angie Rutherford  
**Sent:** Monday, July 11, 2011 4:41 PM  
**To:** Curt Moore  
**Subject:** FW: Concept Review for Canyon Creek Ranch

**Angie Rutherford**  
Planner, Teton County, Idaho  
208 354-2593

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**From:** Lara & Marco Roetto [<mailto:mlroetto@gmail.com>]  
**Sent:** Monday, July 11, 2011 4:37 PM  
**To:** Angie Rutherford  
**Subject:** Concept Review for Canyon Creek Ranch

To: Dave Hensel, Ryan Colyer, Jennifer Dustin, Shawn Hill, Matthew Eagens, Bruce Arnold, and Darryl Johnson

Re: Canyon Creek Ranch PUD

In reference to this week's concept review for the proposed plat amendment of Canyon Creek Ranch we would like to state that the Developers of Canyon Creek Ranch have already had many years to commence phase 1. We do not agree with giving them five more years to start something they have already had ample time to do.

Whether they are allowed to build 350 or 280 homes, our concerns remain the same:

- What will Teton County do to provide road access and maintenance for so many homes?*
- Is there adequate county funding for police, fire, and paramedic services?*
- What about emergency access and evacuation with only option being the Pony Creek Road?*
- What about school busing for all of the subdivision's children?*
- Is Madison County hospital adequately prepared for an increase of population needing their services?*
- We love to see the elk and grouse, and other wildlife in the area. Who will make sure their habitats are protected?*
- We believe that the developer should have to do a ground water impact analysis BEFORE any decision is made by the county!*
- With so many vacant homes already in Teton County, would this subdivision simply amplify the problem creating even more of a "Ghost Town" feeling?*

Although we live across the state, we spend a lot of time camping and enjoying the outdoors at our family farm located nearest to both the Teton and Madison County lines of the proposed subdivision. We have many concerns about a subdivision being constructed on this scenic landscape. We urge you to thoroughly review how this proposed subdivision will impact the area we all love so much.

Thanks for your time-  
Marco and Lara Roetto  
Nampa, Idaho

## Curt Moore

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**From:** Angie Rutherford  
**Sent:** Tuesday, July 12, 2011 8:24 AM  
**To:** Curt Moore  
**Subject:** FW: Canyon Creek PUD

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**From:** Janson Holm [jansonholm@gmail.com]  
**Sent:** Monday, July 11, 2011 11:56 PM  
**To:** Angie Rutherford  
**Subject:** Canyon Creek PUD

To whom it may concern:

I am a descendant of Wayne and Joyce Nelson and a member of the family trust. While I am not a resident of Teton or Madison counties I am bound by blood to the land my grandfather and grandmother worked to extract a livelihood from as they devoted their lives towards both wise agricultural management and conservation of natural beauty of the land within their stewardship. I find solace in the ability to return to this land on occasion and revive myself with the beauty and peace it affords. Along with the rest of my very large family who are members of the trust, I add my voice of opposition to further efforts to develop the land under the Canyon Creek PUD.

This Concept Review needs to be examined closely—the staff report brings up many concerns. Although it is good that Idaho Ranch Subdivision LLC wants to reduce the density of the development, all of my original objections remain. Allowing speculative development in this remote location at this time seems counter-intuitive, given the fact that Teton County has a high vacancy rate in existing homes and lots. (see 2010 Census which places it at 60 percent) Home-sites aren't even selling in River Rim, which has plentiful water and excellent access to Highway 33. I urge the Teton County Planning and Zoning Commissioners, to vote against giving the developer five years to complete just the first phase of a project that was ill-advised to begin with.

If one assumes a household size of three persons per home, (census data suggests 3.7 is average in Idaho) the 280 homes in this PUD would house 840 people. Teton has around 250 residents, so this proposal would put more than three Tetonias in an area with no improved roads, questionable water quantity and a 20-30 mile distance from any kind of services! And what impact would those homes and people have on wildlife?

Please consider:

### ROADS:

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For all these reasons, I do not believe it would be wise to give the developer five more years to start Phase One of a project that would bring 732 residents into this area.

Please take all these issues onto your careful consideration.

Dr. Janson L. Holm  
Foot and Ankle Surgeon  
Portland, OR  
[jansonholm@gmail.com](mailto:jansonholm@gmail.com)

## Wendy Danielson

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**From:** Angie Rutherford  
**Sent:** Tuesday, July 12, 2011 2:05 PM  
**To:** Curt Moore; Wendy Danielson  
**Subject:** FW: Canyon Creek Ranch Concept Plan Replat Application

**Angie Rutherford**  
Planner, Teton County, Idaho  
208 354-2593

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**From:** Norm Holm [<mailto:holmn@cityofnampa.us>]  
**Sent:** Tuesday, July 12, 2011 9:08 AM  
**To:** Angie Rutherford  
**Cc:** 'debraholm@gmail.com'; 'holmfam@gmail.com'  
**Subject:** Canyon Creek Ranch Concept Plan Replat Application

To: Teton County Planning & Zoning Commissioners Dave Hensel, Ryan Colyer, Jennifer Dustin, Shawn Hill, Matthew Eagens, Bruce Arnold, and Darryl Johnson

Re: Canyon Creek Ranch PUD

My name is Norman Holm and I am husband of Debra Nelson Holm a Trustee of the Wayne and Joyce Nelson Family Trust who own lands that abut the Proposed Canyon Creek Ranch PUD in Madison County. I am a native of eastern Idaho and have been the Planning & Zoning Director for the City of Nampa for the past 34 years, so it is interesting to me to review what is done in other areas of Idaho.

I have looked over the staff report for the Concept Review on the Canyon Creek Ranch PUD and concur with your staff's analysis and background information concerning this proposal, and agree that the original approval of the development does not meet many of the policies articulated in your Comprehensive Plan, and that the area is a delicate habitat and a large-scale development is inappropriate for the site.

The aspect of this PUD that is of most concern is the distance from urban services that are available in nearby cities of Madison and Teton counties. Good land use planning policy stipulates that counties should only approve planned unit developments at locations within adopted areas of city impact, and not to allow such developments to occur outside such areas for at least two reasons: 1) Developing within impact areas place the people near the services they require and avoids the disfigurement of natural resources caused by "leap-frog" development, where building homes creates a demand for businesses and infrastructure, which often follows such development in a haphazard way; and 2) Developing within city impact areas allows agricultural and wildlife habitat lands situated outside of city impact areas to be preserved for those important uses.

I could understand placing a PUD at this location if it were located in close proximity to a major recreation area such as a ski resort (within at least 5 miles). This area is so far away from anything like that, and from an established city (or city impact area), that in my opinion sufficient market demand does not exist for the development to be successful, especially in the current state of the local economy.

It is obvious that the developer is reducing the number of homes with the hope that it will sweeten the prospect of giving him another five years to start Phase One. But I believe that it is the developers attempt to get "a foot in the door" to vest subsequent phases of the development to the detriment of agricultural uses, wildlife

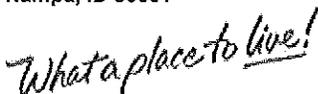
and county services. For these reasons, I do not believe it would be wise to give the developer five more years to start Phase One of a project that would bring 732 residents into this area. Thank you for the opportunity to comment.

Sincerely,



Norman L. Holm, Director  
Planning & Zoning Department

City of Nampa  
411 Third Street South  
Nampa, ID 83651



208.468.5446 phone 208.465.2261 fax  
[holm@cityofnampa.us](mailto:holm@cityofnampa.us)  
<http://www.cityofnampa.us/planning>

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