

James E. Eden
2590 Teton Pines Drive
Wilson, Wyoming 83014

September 23, 2011

Teton County, Idaho Planning and Building Department
105 Courthouse Drive
Room 107
Driggs, ID 83422

Re: Solicitation for comments from property owners within Teton Springs Planned Unit Development.

Dear Sir or Madam:

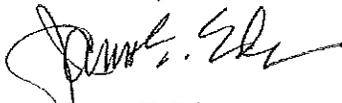
Thank you for the opportunity to provide comments regarding the proposal to allow High Mountain Helicopter Skiing to take off, land, and base from Lot 8C in association with Teton Springs Lodge & Spa.

I represent the ownership of four undeveloped lots described as Lot 14, Block 2, Unit 1, Block 4, Unit 10, Block 4, and Lot 13, Block 22, Phase 6; three cabins located at 8 Bannock Circle, 12 Bannock Circle, and 16 Bannock circle; and seven fractions in the Residence Club at Teton Springs cabins on Warm Creek Drive.

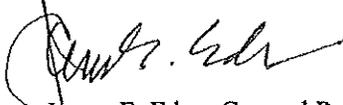
The ownership of these aforementioned properties unanimously supports the Applicants request to expand the original Teton Springs Planned Unit development agreement limitations as described in your letter of September 19, 2011.

The activities imitated by Teton Springs Lodge & Spa have added substantial opportunities for residents and guests during the winter months, all of which provides additional life and vigor to the Teton Springs and Teton County communities. Please feel free to contact me at 307 739-8828 if you have any questions or need any additional information from us in support of the subject application.

Sincerely,



James E. Eden
Manager
Eden Teton, LLC
Eden Teton Residence Club, LLC
EZ Investments, LLC
Prestige Management, LLC



James E. Eden, General Partner
Eden Teton Limited Partnership

Teton County, Idaho Planning & Building Department
150 Courthouse Drive, Room 107; Driggs, ID 83422
208-354-2593 ph. 208-354-8778 fax
www.tetoncountyidaho.gov cmoore@co.teton.id.us



September 19, 2011

Re: Re-Notification of Public Hearing and Solicitation for Comments from property owners within the Teton Springs Planned Unit Development

Dear Property Owners:

This letter is to notify you that an application has been submitted to the Teton County Planning Department by Teton Springs Golf and Casting Club, LLC. A previous letter dated August 15, 2011 was sent concerning this property and a conditional use proposal to permit commercial heli-skiing take-offs and landings.

Project Description: The helicopter operation described in the previous letter has not changed, but the type of zoning application has been changed in order to reflect the need to amend the type of permitted helicopter flights that were originally defined and allowed within Teton Springs, and specifically on Lot 8C Heliopad. The present proposal would modify the Teton Springs development agreement to allow a winter time-only commercial heli-ski operation, High Mountain Helicopter Skiing, to take off, land, and base from Lot 8C. The heli-skiing operation is in association with the Teton Springs Lodge & Spa.

The written notice previously mailed to you described this same basic proposal as a conditional use permit. After further review, it has been found that the more appropriate type of application at Teton Springs involves expanding the original development agreement limitations placed on the type of helicopter flights originally allowed on Lot 8C. The Teton Springs Planned Unit Development documents did not specifically authorize commercial helicopter flights from this lot. This proposal would allow the winter time-only heli-skiing related flights.

The planning staff is soliciting comments from people in the vicinity of the applicant's property so that we can be aware of neighborhood issues and then incorporate your comments into the staff report to the Planning & Zoning Commission and later to the Board of County Commissioners. If you previously sent us comments, those comments were passed on to the Planning & Zoning Commission and they will be passed on to the Board of County Commissioners. You do not need to send another copy of your previous comment letter; however, if you have new or revised comments about the proposal to modify the Teton Springs development agreement, then you may pass on your comments via email, a telephone call, or to the address listed above. Two public hearings will be held to consider this application. The details below provide more information on the proposal.

Applicant: Jeff Naylor **Landowner:** Teton Springs Golf & Casting, LLC
Legal Description: Teton Springs Golf & Casting Tract 8C- see attached map

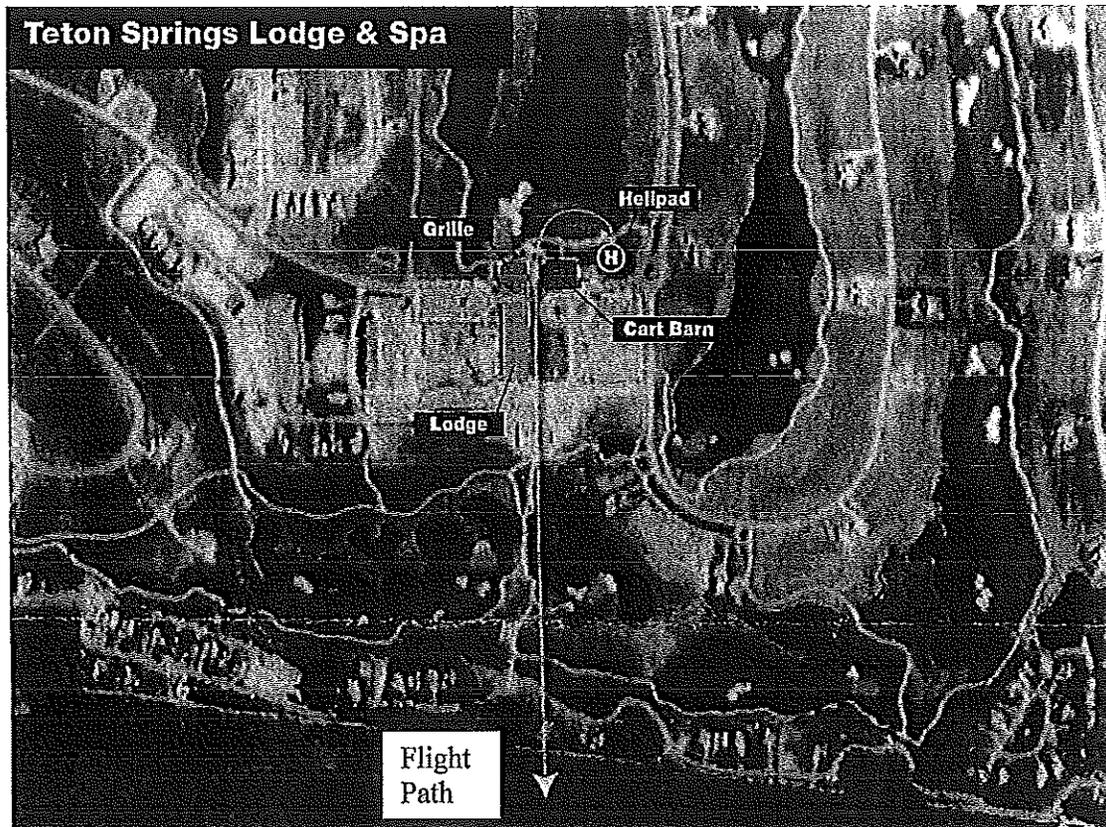
PUBLIC HEARING

The Teton County Planning and Zoning Commission will hold a hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **October 11, 2011** on this matter. This application is scheduled as the second item on the agenda and the hearing begins at 5:00 p.m. The Board of County Commissioners is scheduled to hold their public hearing on this application on **December 15th**, beginning at 5:30 PM.

Information on the above application is available for public viewing in the Teton County Planning and Zoning Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the Calendar or Upcoming Events and select the Planning & Zoning Commission Public Hearing of 1 October 11, 2011. Then select the agenda item in the Additional Information Side Bar. Written comments will be analyzed by staff and can be incorporated into the staff's recommendations if they are received in the Planning and Zoning Department no later than 5:00 pm on September 28th, 2011. Comments received after that date will also be passed along to the Commissioners. Written comments may be e-mailed to cmoore@co.teton.id.us or mailed to the address above or faxed. You may also present your comments in person at the hearing.

The public shall not contact members of the Planning and Zoning Commission or Board of County Commissioners concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

If you have any further questions, please do not hesitate to call Curt Moore at the Teton County Planning and Zoning Department at 208-354-2593, ext 200.



Curt Moore

From: fmnachman@q.com
Sent: Wednesday, September 28, 2011 4:06 PM
To: Curt Moore
Subject: Teton Springs Commercial Helicopter Application

This email serves to express our strong opposition to the proposed modification of the PUD for Teton Springs to permit regular commercial helicopter flights for skiing from Lot 8C in Teton Springs. The additional noise pollution that will be created by the helicopters will have severe negative impact on the quality of life of nearby residents, causing regular disruptions to their daily activities and further contribute to the decline in property values which are already very depressed. Given the proximity of a commercial airport facility, it is not reasonable or appropriate to inflict such significant monetary and non monetary costs on those who purchased their homes or residential lots on the basis of promises that the development, with its specific PUD zoning and as a covenant protected community would assure its residents of an environment harmonious with its natural surroundings in which they would be able to "listen to the whispers of nearby waters."

Those who have written in support of the proposed use argue that without the change in zoning, there will be a loss of jobs or revenue to the area. However, the prior use of the helicopter pad for the commercial flights was not permitted and, accordingly, any reliance on the past unlawful activities to justify why they should continue would only serve to reward the prior wrongdoing. Further, these arguments do not recognize that there are other locations from which the commercial flights and related collateral commercial activities could be conducted.

In addition to the loud noises created by helicopters, which will constitute a nuisance, be offensive to nearby residents and disturb wildlife, there will be additional pollution from the related automobile traffic. The speculative economic benefits from the flights, should not outweigh the legitimate interests of the residents of the community, particularly when the past operations were illegal and there are alternative locations that have not been adequately considered.

The limited number of complaints to the past operations should not be considered a silent endorsement of the proposed change in use. We, as have others, bought our lot with the expectation that we would be able to build a home in a community that honored and respected its residents and nature. The fact that recent economic events have delayed our plans does not mean that our reasonable goals and the promises made should be abrogated or that we care less about the community. Had we been aware of the prior illegal flights we would have vigorously protested them. We regret that due to economic circumstances we are not able to attend the meeting in person. We very much hope that the arguments made by the few who claim that the denial of the application will have an adverse financial impact on them will not outweigh the severe cumulative adverse effects, both financial and otherwise that will be inflicted on the community (including the value of properties for tax purposes) if the application is approved.

We ask that each of you honestly reflects on how you would be affected if commercial helicopter operations were to be regularly conducted in the immediate vicinity of your home and that in recognition of the negative effects you deny the application that would permit such operations to be inflicted on those in the community whom you should both serve and protect.

Sincerely,
Martha and Frank Nachman (Nachman Family Trust)
Block 8 Lot 10

Curt Moore

From: Tracy Everett
Sent: Thursday, September 29, 2011 3:01 PM
To: Curt Moore
Cc: Jon Wilson; Chuck lossi; Tina Korpi; DeNesha; Pamela Colby
Subject: Re: Helipad Letter of Support

Hello Curt,

In regards to my letter of support on August 30th, 2011 for the Helipad located in Teton Springs, I would like to clarify that it reflected my opinion and my opinion only. It was by **no** means any formal statement from the Teton Springs Mountain Meadows Home Owners Association.

At this time, I would like to say that the Mountain Meadows HOA chooses to **not** take a formal position in this heated debate.

And due to the changing status of Teton Spring's application, I would like to retract my personal letter of support until I feel more educated on the particulars of the new application.

Thank you for your time.

Kindly,
Tracy

On Tue, Aug 30, 2011 at 9:53 AM, Tracy Everett wrote:
Hi Curt,

I am the President of the Teton Springs Mountain Meadows HOA subassociation and I would like to voice my support of the helipad located in Teton Springs. I think it is the right step to encourage business at the Lodge and perhaps more property sales.

Kindly,
Tracy

Curt Moore

From: Anna Trentadue [anna@tetonvalleyadvocates.org]
Sent: Thursday, September 29, 2011 3:09 PM
To: Curt Moore
Subject: Comments

Dear Commissioners-

My comment letter dated September 2, 2011 references the Teton Springs Helipad CUP application, which has now been converted to an application for amending the planned unit development (PUD). The substance of the comments in my earlier letter are still relevant for purposes of considering the PUD amendment, so please consider them for the upcoming PUD hearing as well.

Thank you.

Anna Trentadue

--

Anna Trentadue
Program Director and Staff Attorney
Valley Advocates for Responsible Development (VARD)



Valley Advocates for
Responsible Development

P.O. Box 1164

Driggs, ID 83422

(208) 354-1707

Fax: (208) 354-1709

anna@tetonvalleyadvocates.org

<http://www.tetonvalleyadvocates.org>

Date: September 30, 2011

To: Planning and Zoning Commissioners, Teton County, Idaho

Re: Proposed Heli Skiing, Teton Springs

We are writing in strong opposition to the proposed CUP allowing commercial Helicopter skiing based out of Teton Springs.

One of many reasons we moved to Teton Valley was for the quiet surroundings. Allowing this operation, and the subsequent noise from the helicopters, will disturb not only the residents of Teton Springs, but also residents in close proximity to the launch pad and surrounding areas in the flight path and beyond.

We know this because we have spent several weeks in Sedona, AZ over the last two years. Sedona, known for its beauty, is constantly disturbed by the helicopter sightseeing operations out of the airport. Helicopters fly over the entire city and surrounding areas all day long. The noise is constant and aggravating; it makes it seem more like a big city with constant air traffic. I spoke with local residents in Sedona and many commented on the ever present noise and their disillusionment at not being able to amend the process. Helicopters buzz all day over the Red Rocks disturbing both residents and wildlife.

I urge the P and Z Commissioners to examine all the issues surrounding this CUP and not to be pressured to make decisions that may have short term business gains for a very select few, but long term effects for all residents of this Valley. Once started, it is hard to change or slow down the expectations for growth and demand in this business.

Thank you.

Debra Taylor and Patrick Fortino

Victor

To: Teton County Planning & Zoning Commission

RE: Teton Springs Heli-Ski Amendment
Comments for the Oct. 11 Public Hearing

Dear Commissioners:

It is especially troubling to me that this application is an attempt to acquire legitimacy for a heli-ski operation that has been occurring off and on for many years, despite the fact that commercial use of the heli-pad at Teton Springs was expressly and contractually prohibited during the final plat approval for the Teton Springs PUD on June 12, 2000.

When I served as a Teton County Commissioner, there were far too many times when the BCC was faced with a CUP application for a commercial activity that had already been occurring illegally. Some members of the public would speak in favor of approval, citing economic concerns (e.g. supporting small businesses) or commenting as satisfied customers/clients, or sympathizing with the applicant who had sometimes been assured by a third party that what the applicant was doing was OK. Of course others spoke in opposition, often being concerned about encouraging an "act first, ask later" mentality which seemed to be prevalent in Teton County. A great deal of pressure was applied to the BCC from both sides.

I do realize this is not a CUP application, but the principles are the same, and I am sure you will hear many similar arguments.

One of the advantages of PUDs—both for the developer and for the county—is that variations to a standard subdivision can be negotiated. I would like to emphasize that those negotiations should result in benefits to both sides. I do not see how amending the Teton Springs PUD to allow heli-skiing will be of any benefit to Teton County. What is the trade-off? What does the County gain? I only see gains for High Mountain (the heli-ski operator) and Teton Springs (more business for the restaurant, etc.)

From the County's perspective, major concerns should be noise and the effects on wildlife, as well as how helicopter use at Teton Springs could expand in the future if heli-skiing is allowed.

Aside from any other arguments, I think it is time for Teton County to stop approving uses retroactively. I believe that is the only way to put a stop to "act first, ask later." There are already far too many illegal uses in Teton County that are being ignored, which only encourages more people to do the same. In this case, High Mountain apparently has the option of operating out of the Driggs airport. Denying this application would uphold the County's integrity, protect the wildlife and serenity in the Teton Springs area, and yet not put High Mountain out of business.

Thank you for considering these comments. I know that P & Z decisions can be very hard, and I appreciate your efforts.

Sincerely,
Alice Stevenson
September 30, 2011

Wendy Danielson

From: Curt Moore
Sent: Friday, September 30, 2011 4:21 PM
To: Wendy Danielson
Subject: FW: Re; Helipad

From: Carol
Sent: Friday, September 30, 2011 8:38 AM
To: Curt Moore
Subject: Re; Helipad

My name is Carol Robinson and I own a cabin at 2 Riparian Way. I am trying to rent my place when I can....and it is difficult. I cannot imagine a worst scenario than having someone at my place wakeup to the GOD AWFUL sounds of a helicopter taking off.....and the helipad would be right next to me. Please do NOT allow this to take place right in the middle of a home development. It should be put somewhere else where it will not disturb the neighborhood. I cannot believe that you could legally allow this.

Carol Robinson

Carol

Curt Moore

From: Leonard Ong [leonard@me.com]
Sent: Monday, October 03, 2011 1:15 AM
To: Curt Moore
Subject: Heli Skiing from Teton Spring

Dear Mr. Moore,

My name is Leonard Ong. My wife and I are the owners of the house at 35 Springs Parkway (Block 8 Lot 17) directly across from the proposed Helipad location. We purchased the house as a second home for our family late last year and had recently completed furnishing and landscaping the house. We plan to visit our house every 2 months or so including during the winter season. In fact, we just returned from Teton Springs when I found this proposal. We fell in love with Teton Spring for its quiet, serene and beautiful atmosphere. Our house is a place to refresh, relax and meditate.

We are very concerned about this proposal and the huge noise impact it will have inside our house when we stay there. It will destroy the reason why we bought this house in the first place.

Please kindly include our concerns to the hearing.

Thank you and best regards,

Leonard Ong
Trustee, Ong Family Trust

Wendy Danielson

From: Angie Rutherford
Sent: Thursday, October 06, 2011 9:02 AM
To: Curt Moore; Wendy Danielson
Subject: FW: Helicopter permit Teton Springs

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

From: Richard Grundler [<mailto:dickfish4fun2@gmail.com>]
Sent: Thursday, October 06, 2011 8:17 AM
To: Angie Rutherford
Subject: Helicopter permit Teton Springs

This is a VERY important permit that in no way should be granted. Once again we should learn from Jackson just how disturbing this will be to the entire south end of the valley. The noise of landing 2 times a day or more will be much more than people who moved here for peace and quiet will be willing to put up with. Our valley reps. are charged with protecting our quality of life and this matter is a flagrant violation of this concept. Our airport is so close, why is it necessary to add yet another location for excessive noise related to air travel? I would hope that we are finished bending to the wants of developers at the expense of the rest of the valley population. This will not add one dime to the economics of the valley and may very well drive some to move to more quiet places. NO DON'T EVEN CONSIDER THIS!!!! Richard Grundler

_____ Information from ESET NOD32 Antivirus, version of virus signature database 6522 (20111006)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

_____ Information from ESET NOD32 Antivirus, version of virus signature database 6522 (20111006)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Planning and Zoning Committee

I am a resident of Teton Valley and own a local business, Spoons Bistro, and I am writing in regards to High mountain heli and the PUD Amendment Application. I am in favor of allowing High mountain heli continue operating, they have brought the valley a ton of business. Spoons Bistro has benefited from having this operation and we have gained business and believe that these are guests might take their business to another destination if this activity were not available.

High Mountain heli runs a quality operation and they are an asset to the valley. I am in favor of this business continuing their operation and want to voice my support. Spoons Bistro is hosting a private function this evening and we are unable to attend this meeting but would like for you to take our endorsement under advisement.

Thanks for your consideration and please feel free to contact me.

Warm regards,

Nicole and Travis Brittingham

Wendy Danielson

From: Angie Rutherford
Sent: Tuesday, October 11, 2011 1:25 PM
To: Wendy Danielson; Curt Moore
Subject: FW: Teton Springs Application for Commercial Air Operations

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

From: Culman, Tina [<mailto:tina.culman@cengage.com>]
Sent: Tuesday, October 11, 2011 11:51 AM
To: Chuck Iossi; Angie Rutherford
Subject: RE: Teton Springs Application for Commercial Air Operations

Dear Sir/Madam-

I agree with my husband and also oppose the helipad operation. The noise factor is extremely disruptive, as I work out of my house and am often on conference calls. I don't believe the jobs created (seems minimal for our valley) would compensate for the environmental disruption.

Sincerely,

Tina Culman

54 Targhee Trail Lane
Teton Springs Golf and Casting Club
Mailing address: Post Office Box 940
Victor, ID 83455

From: Chuck Iossi [<mailto:chuck.iossi@gmail.com>]
Sent: Tuesday, October 11, 2011 11:45 AM
To: pzadmin@co.teton.id.us
Subject: Teton Springs Application for Commercial Air Operations

Dear Sir/Madam,

My wife and I purchased a home at 54 Targhee Trail (block 3, lot 11) in June. Our property is in the direct line of sight of the proposed helipad. While it is commendable to propose job creation in the Valley, I am opposed due to the noise and other environmental pollution this operation would create.

Thank you for your consideration,

Chuck Iossi
54 Targhee Trail
Teton Springs Golf and Casting Club
Victor, ID 83455