

April 12, 2007

Bridger Canyon Planning and Zoning Commission  
Public Hearing: Bridger Mountain Village Planned Unit Development &  
Phase One Conditional Use Permit  
Testimony of: Deborah Stratford  
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Hello and good day to all of you. My name is Deborah Stratford. I have owned the property at 16628 Bridger Canyon Rd since 1997 and am a permanent year round resident of the canyon. I am an avid outdoor enthusiast, a Bridger Bowl Ski Association member and season pass holder. I believe it is our most important responsibility to preserve, protect and respectfully use our natural resources, with a special consideration given to trees. That is why so many years ago, I felt “at home”, instantly on my first visit to Bozeman and the surrounding areas. The area was rich with culture, diversity, and warm friendly persons, who also shared my passions. It didn't take many visits to Bridger Canyon to known in my heart it was where I belonged. The resident's years before me had taken steps to protect the canyons natural beauty, resources, rural character, and to my surprise, the night skies. It was a working canyon, void of commercial retail, and home to some of the best alpine and back-county skiing anywhere; My kind of place. I spent nearly 10 years looking for the right place. I had only one shot, because there was no going back, it had to be the perfect fit. Today I can still say, without a doubt, it was the right decision. Thanks to the efforts of many canyon residents and county planning officials, such as yourself, the canyon remains the place I fell in love with 20 years ago. It is my hope that those individuals will be honored today by requiring Bridger Canyon Partners to submit a PUD and subsequent CUPs that are consistent with the intent of Bridger Canyon's General and Base Area plans and, in full compliance, to the letter, with the Bridger Canyon Zoning Regulation.

### **Insufficient Benefit to the Community**

Bridger Canyon Partners mailed out brochures and letters to Bridger Canyon residents and Bridger Bowl Ski Association members (I received both) describing the benefits of the proposed Bridger Mountain Village development. The brochure mentions benefits including lodging, food and beverage service, and an ice skating rink, pool. Spa, retail shops, restaurants, services, central check-in, and a public chairlift tied to Bridger Bowl. In addition, the letters mention public Nordic, alpine, and biking trails. Development practices were listed; some were implied benefits as well.

The base area zoning provides extraordinary density through the planned unit development (pud) process. This density is **not** a matter of right, it is *intended to provide for alternative forms of development which may include a density bonus in exchange for development quality that is of significant community benefit*. Therefore it fair to ask how real are these benefits to the Bridger Canyon Community? Further, A PUD is approved under the provision of Conditional Use Permits (BCZR, sec 17.3.2, pg 46) which states *such permit may be granted only if it is found that the establishment...applied for will not under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort and general welfare of the Bridger Canyon Zoning District*. Upon examination, many of the stated benefits are illusory, many benefit only the residents of the development, or serve merely to mitigate its potential environmental degradation, or are speculative in nature.

- Construct a state of the art waste treatment facility that will eliminate the need for septic systems
  - **The need for this facility is driven purely by the development** and is not what residents and visiting recreationalist would expect to come upon while hiking or biking on Forestry trails.

- Will discharge approximately 143,000 gallons per day of treated sewage water into the ground. De-watered dry solids (sludge) is expected to be truck transported to the Logan Landfill, the landfill does not currently accept this type of waste material.
- The facility with accompanying drain fields is located on the bluff, south of the Bridger Bowl access road, above Bridger Creek, an all ready impaired stream.
- Is an experimental system by Department of Environmental Quality standards
- The proposed drain fields are located in a vicinity that has been geologically interpreted by John Whittingham in 1993, as a mass wasting area, which are soils deposited by earth flows, debris flows or landslides
- Donate land and construct a fire sub-station for BCRFD
  - **Need is driven by the development**, in that the residential density poses a severe threat in the event of a wildland urban fire.
  - The developers have had to be coaxed into providing a fully equipped fire sub-station with living quarters, initially they proposed only donating a acre site.
  - While upper canyon residents might benefit from shorter response time, this is predominately a mitigation requirement because the development adds 525 recreational homes and overnight accommodations, more than doubling the number of homes in the canyon; potentially generating twice as many responses by volunteers; it could ultimately increase the tax base requirements in the canyon
- Restrictions on the size of single family homes
  - The developers have indicated that they anticipate the 75 recreational homes will average 7,000 sq ft. (Pete Stephen, conversation week of April 1) Nearly 8 times the number of homes allowed by the underlying zoning of one in 40
- Cluster layouts to preserve open space
  - The cluster layout in phase one places 104 units on approximately 22 acres of open meadows, in and around wetland areas, and is not in accordance with Bridger Canyons Zoning ordinance which provides special protections to wetland areas and suggests building clusters be under cover of trees and hidden from view.
- Help support a public transportation system on mountain and to/from Bozeman
  - This will occur with or without the development
- Community recycling program
  - No commitment to make this available to Canyon residents
- Planting of native trees and plants
  - In exchange for covering or removing the meadow's existing grasses, aspen groves, and other native trees
- Construction of energy efficient buildings
  - Will fireplaces or wood heating sources be restricted to avoid doubling the existing air quality issues under inversion conditions?
- Enforce restrictive covenants and architectural guidelines
  - Covenants and architectural guidelines do not follow their own wildlife study recommendations.
- Limit use of landscape irrigation
  - Need is driven purely by the development
- Encourage use by community groups and local non-profits
  - There are no modest or group-lodging accommodations planned. Increased year-round activities will increase the traffic on Bridger Canyon Road and adversely affect the wildlife population in the area.
- Use bio-swales to treat stormwater run-off
  - Designed to mitigate damage caused by pollutants in runoff from road and buildings, with potential to draw natural watershed away from existing streams and wetlands.

- Bury existing and future utility lines
  - Need is driven purely by the development
- Provide affordable on-mountain employee housing
  - Planned in phase 3, if the phase is developed.
- Establish connections to and through surrounding land with Bridger Bowl, Bohart Ranch, Gallatin Valley Land Trust, and the US Forest Service
  - Connections currently exist through out the canyon area all ready. These connections provide access to trails in and around the development. Claiming the connection to Bohart Cross County co-operative trail system was speculative. Bohart was unable to accept the proposed agreement establishing the connection with Bridger Mountain Village
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- New US Forest Service back country trail head access and related parking
  - The trail head is currently accessible, BCP would *improve* the access by providing a paved road and parking area
- Continue to battle noxious weeds on site and aggressively follow plan submitted to Gallatin County Noxious Weed Office
  - Required by law regardless of development
- Lodging, food and beverage service, an ice skating rink, pool, spa, retail shops, restaurants, services, central check in
  - Phase 1 is inclusive of a food & beverage service with in the lodge, there is no lodging in the lodge; other amenities are in Phase 2, if it occurs
- Public chairlift tied to Bridger Bowl
  - Purported to be public, but impractical to use, due to lack of parking at the base area located 1 ½ miles from Bridger Bowl's base area
  - Additionally, conditions of approval of the PUD don require the proposed ski lifts and runs to be available to the public, as are Nordic and hiking trails.
- Nordic, alpine, and biking trails
  - Already available from Bridger Bowl, Bohart Ranch and existing Forest Service access
- Full support of Bridger Bowl Ski Area
  - I am a Bridger Bowl Ski Association member and season pass holder; they do not have my support.

The most important benefit is the one that is missing from the plan – traffic mitigation.

After careful scrutiny it is apparent that this development provides minimal benefits in comparison to innumerable negative impacts to the rural character and pristine environment the Bridger Canyon Zoning District – first of its kind in Montana - was created by its residents to preserve.

Certainly Bridger Canyon residents are concerned about the greater good for Gallatin County, and in particular the health of Bridger Bowl, but to approve a project that benefits the greater county without also benefiting residents of the zoning district would mock the very intent of creating zoning districts by petition.

In that BCP cannot demonstrate a more significant benefit to the community of Bridger Canyon than the underlying zoning, this PUD should not be approved as presented.

## **Incomplete Application**

I have had trouble grasping the concept of this application process. I have spent an inordinate amount of time familiarizing myself with my districts zoning documents, the BCP's application, and this PUD process. I have had a difficult time distinguishing the difference between a PUD application and a CUP application. At some point I recalled that the primary motive for annexing the North Slope property into the base area, was to avoid multiple PUD's and allow for a more unified development of contiguous properties. So, before us today we have a single PUD application that is applied for under a Conditional Use Permit. However, during BCPOA's review, in which I participated, we determined that numerous aspects of the PUD requirements were not provided. The explanation was that they were proposing staged construction and therefore BCP's PUD application need only pertain to that portion of the staged development. I strongly disagree. Staged development is an allowable sequence of construction of a portion of the Planned Unit Development, provided it is done proportionally. Specifically it says:

*If the sequence of construction of various portions of the development is to occur in stages, then the open spaces and the recreational facilities proposed for the entire development shall be developed, or committed thereto, in proportion to the number of dwelling units constructed. At no time during the construction of the project shall the number or constructed dwelling units exceed the overall density per acre established by the Land Use Intensity Factor.*

It does not provide for a separate PUD within the existing PUD, nor does it relieve the developer from fulfilling all the conditions required under a PUD for the other portions of the development. Actually this makes perfect sense, this interpretation obligates the developer to provide all details of the entire PUD. The developer is made accountable for his design plans, has a greater financial investment and therefore is less likely to fall short of completion. It reduces the possibility of under permitting by regulatory agencies and most important of all, provides the appropriate level of information needed to make an informed decision as to a projects feasibility and appropriateness by all parties involved, public and private.

Therefore, given the above, I assert that the applicant has submitted an incomplete application, and the commission is obligated to deny the PUD

## **Could have been Good**

I was first introduced to Pete Stephen, several of his associates and Randy Johnson of the planning department, when they attended a Bridger Canyon Property owners Association general meeting in the spring of 06 to share the vision for the base area and inquire as to what the canyon residents would like to have included in the project. . He talked about the overall design to the liking of European resorts rather than a Big Sky type scenario. He said he understood how important it was to retain the canyons beauty, that he was going to be a resident of the canyon himself and knew how important the zoning regulations were to Bridger Canyon, and to the residents, and that he would work within their constraints; he saw it as his legacy. I went home pretty excited. I thought wow, this sounds like a good fit, restoring the Cross Cut Ranch with a lodge and Trapper cabins, an old time general store, a European resort flavor, unobtrusive, a village with small shops, restaurants and a lodge around a second base area. Could be good, I won't have to run into town every time I run out of milk, I could walk or ride over with friends have a beer, glass of wine and dinner without having to drive. Non-local skiers would have a place and a reason, to stay on the hill and off Bridger Canyon Road. Unfortunately, that is not the project that was presented to day. This plan has insufficient amenities even if all phases are completed to achieve the goal of decreasing traffic on Bridger Canyon Road and has no greater benefit to the community than the underlying zoning, it does however, present tremendous negative impacts to the canyons character, scenic vistas and natural resources, the streams and wetlands, it's water, the wildlife, our pocketbook, our way of life!

**Approval of this PUD application and accompanying CUP, inclusive of Bridger Canyon Partner's eleventh hour concessions, and the planners recommended conditions of approval, would be the single most egregious interpretation of the Bridger Canyon Zoning Districts General Plan, Base Area Plan and Zoning Regulations ever.** For these reasons, as a resident of the canyon, a citizen of Gallatin County and an officer of BCPOA, I respectfully request that you decline this PUD and accompanying CUP. *Please, exercise patience, and wait for that "best fit"; someone will do it; BCP could.*

Thank you for your time and consideration of my comments.

I would like to submit my written testimony and exhibits into the record.

Deborah Stratford,  
Bridger Canyon Resident