

**Bridger Canyon Property Owners' Association (BCPOA) Board Member  
Ken Danhof's April 17, 2007 testimony before the Bridger Canyon  
Planning and Zoning Commission**

My name is Ken Danhof, and I live at 6570 Jackson Creek Road in Bridger Canyon. I am a member of the board of directors and former President of the Bridger Canyon Property Owners' Association.

To determine whether or not to approve the Planned Unit Development (PUD) application proposed by Bridger Canyon Partners (BCP), I wish to direct your attention to Section 13 of the Bridger Canyon Zoning Regulation located on page 28. The section covers how planned unit developments are to be implemented in Bridger Canyon. The first topic defines a PUD's purpose and states that "the planned unit development designation 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.*"

I would like to look at the phrase **significant community benefit**:

I think the meaning of the word significant is clear: dictionaries suggest synonyms that include meaningful, noteworthy and influential.

For further clarification about which *community* the phrase refers to, I again consulted the Bridger Canyon Zoning Regulations, and in section 17.3.2 on Conditional Use Permits. we find interesting direction from the section's last sentence. It states, "Such permit may be granted only if it is found that the establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare or the ***Bridger Canyon Zoning District.***" The Zoning Regulation is one of the district's governing land use documents, and its above statement concludes rather definitively that the Zoning District is decidedly the community referred to in the phrase *significant community benefit*.

Every regulation and item in the *Zoning Regulation* refers to Bridger Canyon. The three documents, the *Bridger Canyon General Plan and Development Guide*, *Bridger Bowl Base Area Plan*, and *Bridger Canyon Zoning Regulation* were written to apply to the zoning district only. The direction these documents provide applies only to the district and has no jurisdiction over other areas of Gallatin County; therefore, every term and item can be interpreted as referencing the district—and only the district.

Now onto the third word of the phrase: benefits. Again, dictionaries suggest that a benefit is “something that is advantageous or good.”

A “significant community benefit,” then, means an important, meaningful advantage to the Bridger Canyon Zoning District. In order to earn the requested density bonus, Bridger Canyon Partners must prove that they will provide important, meaningful advantages to our district.

Who gets to determine what is of significant benefit to the district? Only those who reside in the district can decide what is meaningful to them. In Kate Vargas’ presentation last week, we heard a detailed history of the district’s residents’ tireless, and informed, commitment to upholding the zoning district’s regulations. This commitment has always been legally based on the three documents that I just referred to. That is why I now turn back to our Zoning Regulation to answer my earlier question, “What benefits would be significant and meaningful to the district?”

The first significant benefit sought by the district is a solution to the problem for which the high-density allotment in the base area was allowed. On page 3 of the *Bridger Bowl Base Area Plan*, it states, “the rationale for this high density allocation with overnight qualification...was to allow for the expansion of the Bridger Bowl Ski Area to its ultimate capacity without exceeding the vehicular capacity of the two-lane Bridger Canyon Road.” High-density development in the base area is supposed to solve an anticipated traffic problem as Bridger Bowl expands. We have no evidence that Bridger Mountain Village will solve this problem. In fact, you only have to read Tom Fiddaman’s analysis with traffic engineer Bob Marvin’s attached peer review of the Abelin traffic report submitted on behalf of the developers to discover that there exists much evidence to the contrary—that Bridger Mountain Village will exacerbate the problem of traffic on Bridger Canyon Road.

Other benefits considered meaningful to the district are stated at the very beginning of the PUD section of the Bridger Canyon Zoning Regulation. Meaningful benefits would support and enhance the purposes of the district as defined in section 13.1 of the zoning document.

“The purposes of this district include the following:

- a. Enhance and preserve open space and unique natural features.
- b. Preserve to the maximum extent possible the natural characteristics of the land, including topography, vegetation, streams, and tree cover.
- c. Protect areas of important wildlife habitat.
- d. Prevent soil erosion by permitting development according to the nature of the terrain.
- e. Encourage the development of more attractive site design.
- f. Reduce the cost and physical impact of public and private services
- g. Lessen the visual impact of development and preserve the scenic vistas and rural atmosphere.
- h. Preserve agricultural lands.
- i. Provide economies in the provision of public services.”

We are not satisfied with the Partners’ attempt to support and enhance these purposes. Their development would begin in an important, environmentally sensitive, and fragile location in the base area. Their first phase would begin in an open meadow visible from Bridger Canyon Road; surround wetlands and important wildlife habitat with paved roads and private houses or clusters of cabins and four-plexes; consume agricultural lands; and endanger an already impaired Bridger Creek.

Last week, Bridger Canyon Partner’s presenter said, “there is just not enough room on this property to do a real quality job without building higher. By the time you ... take out the wetlands, stream corridors, steep slopes, [and] aspen groves, ... there is very little land left.” Curtis Kruer, a wetlands biologist, stated before this group last week that “the development exceeds the natural carrying capacity of the property.”

The development’s representative also alluded to the fact that the phasing of their project allowed them to “prove” themselves in the meadow before building further. Even water sufficiency for phases II and III has not been established. This brings up another ugly possibility. What if this project terminates after phase I? None of us would have any legal recourse. We would essentially be left with a high density subdivision .

I conclude that not only does BCP’s development **not** provide significant or meaningful benefits to the district, but also, if built as proposed, Bridger Mountain Village may be detrimental to the health, safety, peace ... comfort and general welfare of the Bridger Canyon Zoning District. Harmful, in effect, to the very district it is supposed to benefit in an important and meaning way.

Instead of beneficial, this project will be detrimental to the purposes of the district. I stand by the Bridger Canyon Property Owners' Association and Bridger Canyon residents in opposing this PUD. When I have asked neighbors in the canyon what benefits they see for our community, the answer is always the same: "*none.*" Amenities needed for the development are not the same as significant benefits to the canyon. I ask that you reject this PUD.

Thank you for your consideration.