

*The Meadows at Melody Ranch
Homeowner's Association*

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February 21, 2012

Teton County Commissioners
PO Box 3594
Jackson, WY 83001

RE: Comprehensive Plan – Correcting Unclear Language on Interconnectivity for Melody Ranch in Character District Maps

Dear Commissioners;

Unclear and Problematic Character Map Language for District 10 – South Park:

In the introduction of the character district maps for area 10 (South Park) the following phrase occurs:

- *“Future character will also include improved interconnectivity and internal connection to the commercial amenities along the highway.”*

In the written description for sub-area 10.1 – Southern South Park - the following phrase occurs:

- *“Residents will be able to travel between existing subdivisions and access nonresidential amenities on the highway without using the highway or South Park Loop Road.”*

On the map for this district a very large circle in Southern South Park is placed – the legend indicates this circle to represent:

- *“Increased Interconnectivity”*

Melody HOA Request for Change:

The Melody Ranch HOA board, on behalf of its membership, once again requests that these three sections be clarified so that interconnectivity clearly is identified as non-motorized pathway, and not vehicular road, interconnectivity.

Rationale for Change Request:

Our board submitted verbal and written comments in June 2011 to change the language to clarify that pathways are more suitable than roads to achieve interconnection between the various neighborhoods in Southern South Park. In addition last June two members of our HOA legal sub-committee, Marv Heileson and Andy Salter, also delivered public comment on this issue.

Our HOA board supports the premise from a design standpoint, of having new subdivision roadways interconnected. A premise of the plan though was to respect existing private property rights. Our concern is from a legal perspective - does the County intend to put as a policy goal a contemplated action that would require eminent domain takings and condemnation?

The Melody Ranch HOA has opposed in the past any takings to achieve road connectivity going back to Teton Meadows Ranch. In reality connectivity would require the use of eminent domain by the taking of dedicated open space, scenic trust preserve properties, wetlands, several home lots and homes - as well as the purchase and taking of the entirety of the private roads within the Melody subdivision. Not only is that financially unachievable – is it clearly legally challengeable.

Interconnectivity Opportunities Already Exist:

Non-motorized pathway easements already exist both north and south in Rafter J and Melody Ranch subdivisions.

Our HOA has already conveyed a non-vehicle access easement to our pathway system to the County with connections both on the north and south for any future connectivity. That easement does NOT allow for any vehicle traffic except as related to pathway maintenance. We do not want the County to consider changing that easement, through a takings process, into a vehicle easement – even if it was for transit.

In addition we do not want any of our recreational open space, scenic trust preserve lands, wet lands, private lots and narrow private roads to be taken for what would become through traffic from South Park Loop road to Rafter J.


You cannot force a taking of private property after the fact. The reality is there is no way to interconnect our Melody Ranch roads without taking both private homes and crossing permanently protected recreational and scenic trust preserve open space lands and the filling of wetlands (eastern section) - while dumping traffic onto a narrow private road system.

Meanwhile an opportunity already exists in both Rafter J and Melody Ranch with connections both north and south for future connectivity to their public non-motorized pathways systems.

In closing we request that you clarify the maps for district 10 so that interconnectivity unmistakably is identified as non-motorized pathway, and not road, interconnectivity.

Respectfully,


Richard Bloom


Bob Hammond


David Kaufmann


Nancy Hoffman


Andy Salter

The Meadows at Melody Ranch HOA Board

CC: Town of Jackson – Mayor and Town Council
Town and County planners
Paul D’Amours – Melody Ranch HOA Attorney
Marv Heilesen – Melody HOA Legal Committee
Rafter J HOA Board