

Cynthia Wiley

From: Rich Bloom [rich.bloom@bresnan.net]
Sent: Thursday, June 09, 2011 11:44 AM
To: 'Andy Schwartz'
Cc: 'Nicole Krieger'; Bob.Hammond@dot.state.wy.us; Brett.M.Kroger@wellsfargo.com; David.Kaufman@dot.state.wy.us; quinn@melodyranch.com; 'Marv Heilesen'; Andy Salter; 'Paul D'Amours'; Kip MacMillan; 'Tina Korpi'; 'Dave Larson'; 'Cynthia Wiley'
Subject: Section 7.3.a - Interconnecting Melody Ranch and Rafter J
Attachments: Policy 7.3.a.pdf; Letter to Commissioners.Melody.pdf

Dear Commissioner Schwartz – thank you for agreeing to follow up with planning staff on Policy 7.3.a since I believe Melody Ranch and Rafter J were added in this section after some brief comments from you during one of the recent JIM reviews.

As we discussed briefly after the JIM meeting June 7 - I and our board support the premise from a new design standpoint, of having new subdivision roadways interconnected. But again I will ask that the direct reference to Melody Ranch be removed in policy section 7.3.a. So it is in the public record I will restate my remarks of June 7 as President of the Melody Ranch HOA below. I am also copying my board, two residents of Melody Ranch who compose our legal committee, Nicole Krieger, Rafter J HOA President Kip Macmillan and lastly our HOA attorney Paul D'Amours as well as the developer's attorney (the developer still technically owns the open space and roadways) Dave Larson. I have also attached a memo from March of 2008 on a similar issue that came up during the Teton Meadows Ranch project review. Attached for all is the relevant Comprehensive Plan policy section highlighted.

I would mention that the HOA did convey a non-vehicle access easement to our pathway system already 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. Section 7.3.a is a little confusing – so I want to be clear we support – and already have granted public non-motorized pathway access easements to the county that meets one of the goals in this policy section. What we do not want is for 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, private lots and narrow private roads to be taken for what would become through traffic from South Park Loop road to Rafter J.

A premise of the plan, as Commissioner Hank Phibbs continually emphasized, was to respect existing private property rights. My concern is from a legal perspective - does the County intend to put as a policy goal a contemplated action that would require I believe eminent domain takings and condemnation? This policy statement is very provocative as written.

Another section in this sentence is also confusing as it implies before any character district work has been completed – that perhaps the intent is for there to be “*future development*” between Melody Ranch and Rafter J beyond the current rural zoning these properties are entitled with.

I hope all of this can be resolved before the next draft of the plan is released June 22.

Following are my verbal comments delivered during the June 7 meeting:

Policy 7.3.a: states in it that: “*Interconnecting existing neighborhoods (i.e. Rafter J and Melody Ranch), as well as future development, will maximize the efficiencies of the existing land-use pattern.*”

You cannot force this taking of private property after the fact. The reality is there is no way to connect Melody Ranch without taking both private homes and crossing permanently protected recreational open space - while dumping traffic onto a narrow private road system. Please simply remove the references to Melody Ranch and Rafter J. In addition you need to add a caveat in this section – basically “*where feasible and legally permissible.... consider interconnecting existing county neighborhoods*”.

Respectfully - Rich Bloom – President Melody Ranch HOA