

Boulder Town Council, Planning Commission & Attorney:

These are my concerns:

Can you please address them at your next meeting as listed:

1. How can wet land be used for housing & developing. This should have never been brought before the board, because building in wet lands is against all laws.
2. The town voted on 5 acre lots no smaller.
3. Was there a map showing wet lands before voting.
4. Was there a study to see how sewers will effect wet lands?
5. How will this subdivision effect our water in our town.
6. Will the water effect our water prices & will our cost go up?
7. Was there a study on how extra traffic will effect the area?
8. Our town members should be the only ones voting on this plan.
9. Will the town have to pay for the development cost in any way? If the town is the third party what will be our cost?

10. Who will be in charge of who lives in this low income subdivision?
11. If this is an affordable housing project, why will there be an association fee? Shouldn't the developer pay for these fees?
12. Does this project open up all farm land to change zoning to cluster-housing?
13. These large lots should not be for people with second homes & should not include high cost homes because of cheap lots.
14. You can't change zoning like this for 1 person because they have lots of money & not others.
15. What happens to Boulder as we know it? The reason why most people moved here, farmlands for farmers, beautiful mountain to view, hike, fish, hunt, etc. - wet lands to view

Birds, a real country living.

Not subdivision in all our farmlands

houses in our mountains.

16. So Please don't change all of our town into a city. Not something you look out at & see houses. Not wet lands with birds & fields with wildlife. Keep it Beautiful as it is.

Vote No on this project.

Jackie Winovitch

Boulder Town Mayor  
Town Council  
Towns Legal Council  
Planning Commission  
Boulder Town Residents and County Residents

We have been residents of Boulder for 41 years moved here because we love it as I am sure most of you do.

Our opinion as a registered voter of the town that the concerns of the actual residents of the town are not being addressed because of outside influence from the county residents. You started these years ago when you started letting the residents of the county to attend and voice their opinion and dictate the direction the town should go. And you as an elected official of this community continue to let this happen.

Example 1-. My sign application - you accepted letters from the county resident and any other person that they could get to write a letter in opposition for my sign application calling a billboard when the sign was only 15 square feet (3x5) Thanks for BJ being able to see through all the bullshit voted to a temporary sign. No need to worry about that anymore.

Example 2- Short Term Rentals Ordinance again letters from the county were used as to influence the direction even when actual resident concerns were ignored. You didn't even give all the board a chance to review additional comments and express any other concerns before pushing for the passage. A good leader would have waited until all concerns were addressed by the entire board and then and only then should a vote be taken or the matter should be tabled for further discussion. Has this created any more employee housing?

Example 3- Hoyt Subdivision Proposal Once again the town received letters from the county residents (Black Ledge - Deer Creek - Draw) all in favor of this proposal, and to show even more support you have the same household married couples write single letters each to make it look like there are even more in favor of the developer. Once again you are only interested in the voice outside the community, And if that doesn't top it off the Zoning administrator wife also writes a letter expressing her approval for the project that Our Town is very fortunate to have the Hoyts. Again this is not your Town you live in the county go attend their meeting to express your opinion where it should be.

So if this is not enough any emails sent to the PC Secretary or Zoning Administrator are all forwarded to developers from their own personal email account without any accountability as to any information received or sent on behalf of the Town. I would like to see all the emails that have been forwarded and received between the Hoyts and the PC secretary and Zoning administrator concerning this application seeing how this is all public information and you have nothing to hide.

All email for the Town should go through the town web site. Example boulderut.gov/ planning commission or boulderut.gov/ zoning administrator, this seems to be more ethical and more transparent for all concerned residents. Then once it is received through boulderut.gov does it become public knowledge not when received on their own personal email. Where is the transparency in Boulder Town as this looks like you have something to hide or the information is only for a privilege few?

When will you wake up as elected officials and represent the voters of the Town and start acknowledging your duties go to the town resident only and not for personal gain for yourself or your friends that live in the county.

Comments are made that they are part of the community that fine. They pick up their mail, use our town park, use our community centers that fine but let's clearly draw the line in the sand they are not Boulder Town Voters and should not be treated as so and why is this so hard to understand. If the county residents feel so strongly about Boulder, you should have purchased land in town and not in the county.

I feel that any elected or appointed individual that can't respect this should resign from their positions. Because you are negligent in your fiduciary duties to follow the General Plan, which is supposed to be the backbone for our community.

Thanks

Randy Catmull

A handwritten signature in black ink, appearing to read 'Randy Catmull', written over the printed name.

Brenda Catmull

To: Boulder Town Planning Commission, Boulder Town Council & Boulder Town Residents

Honorable Committee Chairwoman, Commissioners, Mayor, Council Members and Residents

8-18-2020

At the outset let me state, we are not against new homes nor new development within our town. The vibrancy of a town is most often associated with the mix of new residents working in harmony with legacy residents within a community of commonly shared goals. It is for that purpose that we address the application before the planning commission for a subdivision of high-density, clustered housing known as Burr Trail Meadows.

There are numerous members of this community, both present and past, who have labored, voluntarily, on Community Work Groups, committees, planning commissions and elected Town officials to develop policies, zoning and a General Plan consistent with the desires of the community. These are often thankless efforts, but we applaud their efforts. It is those volunteers that make this a great community. It is also in support of those efforts that we write this letter.

The General Plan for Boulder was updated on August 1, 2019. Therefore, it shows a 'freshness' to community desires and is made more significant because of the focus/study groups that proceeded it.

Allow us to draw our concerns from the aforementioned General Plan.

1. The General Plan states, "...requires that all land use decisions be found to be consistent with the provisions of the General Plan. As provided by the Act at Section 10-9a-406, "no street, park, or other public way, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, may be constructed or authorized until and unless it conforms to the General Plan, as adopted."
  - 1a. This application desires to amend the General Plan to create a high-density subdivision.
2. From the General Plan, "Previous surveys reflected the general opinion that most citizens desire to maintain the present custom and culture, a small-town feeling, open space and limited development."
  - 2a. This proposal does not reflect that.
3. From the General Plan, in the list of ongoing concerns, it states, "3. Impacts on private property within Boulder and protection of agricultural land."
  - 3a. The proposed project lauds itself as protecting agricultural ground while at the same time removing agricultural ground from production.
4. The Vision Statement of the general plan states, "The primary objectives of the community are (1) to preserve the ranching, small-scale agricultural, wilderness lifestyle of the place in keeping with the rural/frontier spirit of Boulder, (2) to protect the open space, clean air, clean water, dark skies, and quiet country-style atmosphere that currently exists."
  - 4a. The precedent that would be set by allowing this wholesale change in zoning should be evident. Why maintain agricultural land when you can more easily get it rezoned to high-density housing? The question is not theoretical. Farmers and ranchers are already considering such. How do you maintain dark sky vistas with 12 homes clustered together in the middle of an agricultural acreage? Even by any Dark-Sky-Code enforcement you would incur light pollution.
5. In section 5-2 the first 4 priorities are in conflict with the application before the planning committee:
  1. To preserve Boulder's rural agricultural atmosphere and cultural resources.
  2. To promote farming, ranching and the conservation of open land to support agricultural endeavors.
  3. To preserve the natural beauty, open space, clean air and water and quiet atmosphere.

4. To keep agricultural fields open, watered, and productive.
- 5a. We would submit that 12 clustered homes do not promote a quiet atmosphere. Nor does the application "keep agricultural fields open."
6. We would posit that Section 6-4 may be one of the primary reasons to reject this application. In talking about the soils of Boulder it states, "Specifically, these soils provide poor drainage for the septic systems that all residents depend on." Also, on page 20 of the General Plan there is a Septic Tank Absorption guide and we would submit that the majority of this property is in a "very limited" area. How will this be mitigated with 12 additional homes and a water table that is very near the surface? The proposal is laudable in its efforts to maintain wetlands, yet how could it possibly prevent the contamination of those wetlands with that many septic systems in such a clustered setting.
7. The application uses the General Plans' clustering potentiality to submit their development plan yet pointedly ignores the ultimate portion of Section 7 which states, "As much as possible, future development should avoid permanently altering productive or historically productive agricultural land in preference for impacting other types of available space. This option is intended to promote a pattern of development that is most likely to be consistent with the underlying community values and to encourage the preservation of productive agricultural lands..."
8. In Section 7-4 of the General Plan it states that the goals of land use must conform, "...without denigration of the rural character and heritage of the Town."
- 5a. We would submit that this does not conform.
9. This area should remain in Low Density Residential. This is the "largest Zone in Town and should remain as such." "This should be maintained at the present five-acre minimum lot size and allow single family use only." Even high-density residential calls for a "one-acre minimum lot size" and yet the application allows for less than one-acre minimums. Additionally, this same section states that high density residential "should be buffered from the Highway and other developments by pinyon and juniper cover or other topographical features." This piece does not comply with this provision at all. The Burr Trail road runs directly on its southern border.
10. The General Plan also calls out in Section C, Page 22, "Critical/Sensitive/Agricultural Lands" and in the second bullet point it states, "Agriculture land capable of production—All of these lands are also in the Low Density Residential, five-acre minimum zone, and nothing herein is intended to change that status."

We would submit that particular item in bullet point 10 is sufficient to deny the application for Burr Trail Meadows, though all of the aforementioned items as well as the "flavor" of the General Plan would lead to the same conclusion.

Some additional items from the public Zoom meeting of August 13.

- 1) This is the first public scoping meeting concerning this application and yet we would submit that it was prejudicially premature to have stated that there were a significant majority of letters received by the commission in favor of the proposal. That is just good "homework" by the proposers and would not necessarily constitute the opinions of the residents without having heard anything concrete concerning the proposal until this meeting. Similarly, why would an inordinate amount of weight be given to letters from residents outside of Boulder Town boundaries? This is an issue for residents of Boulder – not those who have a vested interest elsewhere.



- 2) When a similar scoping meeting was held for the Ward Coombs property near the school with the intent to put multiple tourist units on that 5+ acre parcel it was immediately shut down and had to completely change the proposal to a single home on medium density zoning.
- 3) By approving the application as proposed you will open the floodgates for all other similar proposals. If members expect that it would be any different, we would submit that a flood of lawsuits would be entered against the town and their individual commissioners for having participated in 'spot-zoning,' preferential treatment, conflict of interest, or amending the General Plan without allowing the same for everyone. The property directly southeast of the proposed change might be the first to go, but it would only be the first in a long line of proposals for similar developments.
- 4) Allowing an additional 12 hookups to culinary water would put a tax on a system that already delivers lower pressure than should be expected.
- 5) In the August 13 meeting the applicants stated that the lots would sell for between \$40,000 and \$120,000. We are unable to see that this is economically feasible for the developers. Standard lot development throughout the State of Utah is approximately \$40,000 per lot. Costs are anything but standard in Boulder. Roadbase, asphalt, concrete, pipe, etc. all have to be shipped from distant locations and could not compete with prices in other areas of the State. Anyone who has built in the Boulder area in recent years can testify that a 50% **plus** premium accompanies the cost of any building development in the area.

With land cost and the State average of \$40,000 per lot for infrastructure development, (low for Boulder), you would be at \$1,355,000 and considering the number put forth by the applicants of \$40K-\$120K, with an average of \$80,000 per lot, you are at \$960,000 for the 12 newly developed lots.

**That does not work out. What is being withheld from public scrutiny?**

These lots could not be designed for local residents looking for an opportunity to own their own home in Boulder. Considering a very minimal return of 10% for such high-risk developments, each lot would need to sell for \$135,000, minimum. And we know of no developer that would take on that risk for only 10% return.

With a \$335-\$350,000 mortgage with today's historically low rates and an average credit score you would be between \$1,600 - \$2,000 per month depending on down payment and length of term mortgage.

Remember, that is considering you could put a \$200,000 structure on your \$135,000 lot to get to the extremely low mortgage. That does not seem possible and might, therefore, result in a proliferation of camp trailers and, possibly, less than desirable home stock. It is our misfortune, as well as our reality, that current employment opportunities would not provide salaries commensurate with that mortgage payment.

- 6) And, lest we forget, the applicants left a great deal of the policing of the wetlands, conservation easement and conformity to zoning standards in the hands of the Town both now and in the future. With no paid administrators in the Town, this could become a logistical nightmare. What does the Town do when the property goes into the hands of the second, third or tenth buyer in the future as they come to the commission for variances and complaints...
- 7) Without painting a pejorative on the towns that Boulder has not wanted to become like, we would submit that this is one of the slippery slopes that would inevitably lead us to the undesirable outcome we so laboriously have tried not to become.

In conclusion:

We realize, as well as you, that there is a gravity to this decision. Voting to deny this proposal will cause little harm to those who have put it before the community. Voting to approve this high-density clustered subdivision will do irreparable harm to the community. Why would we take that



chance? Picture Boulder 5-15 years from now, if we back away from our General Plan and zoning ordinances. Is there anyone who thinks it will look like the Boulder we love today...

There is a sentiment around Boulder that this is inevitable because we lack experience, sophistication or are overly naïve when pushed upon by outside developers. Chris and I **do not** buy into that sentiment. We are here because we have seen just the opposite from leaders of this community. The word "Affordable", has been used to draw our united attention away from the reality of this proposal. Even the developers have stated "relatively affordable": that should certainly frighten us from the stark reality. There are places where high density housing could be appropriate within the town of Boulder or on the nearby County land, but this proposed location and the future floodgates of disaster that it opens is a risk way too egregious to even contemplate.

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Scott Bigler

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Chris Bigler