

SUBFY2020-06: Preliminary Final Plat

Your Name ORA "ANN" HUTTON Date 6/2/20

Your Physical Address: 5989 W STERLING LN - GARDEN CITY, Id 83703

(Please select) I wish to be kept informed of any additional future meeting dates:

Yes No

(Please select) Regarding this application I:

Support the Application Am Neutral Oppose the Request

Comments:

Signature: Orla Ann Hutton

From: [Barbara Brown](#)
To: [building](#)
Subject: SUBFY2020 -06 Glass Island View Subdivision
Date: Monday, June 8, 2020 2:17:29 PM

June 7

To: Elizabeth Schenstrom
Garden City Planning
Re: June 17 Planning and Zoning Meeting
SUBFY2020-06 Glass Island View Subdivision

I am submitting this letter as written testimony for the June 17 meeting regarding the river Infill lots on which Glass Creek developers are proposing to build 3 homes. My house at 3710 Gramarcy Lane (Lot 52 Blk 1 Plantation 1) will be impacted by this development.

In 2019, I attended a meeting at Plantation Country Club where Glass Creek stood before club members and community and told us explicitly that no changes were going to be made to hole 16. They even placed a large map on the club house wall, and emailed a map that in black letters stated "No Change." Now hole 16 is where a road is to be built next to my home, along with a cart path connection and the tee boxes will be moved and the pond will be expanded. This does not seem like no change. The news regarding these changes came during the shelter in place phase of the corona virus pandemic. The congestion and safety issues caused by the Glass Creek proposal are alarming.

Gramarcy Lane is a cul de sac where people walk daily. Small children walk around the end of the cul de sac where the suggested road is to be built. If a road is built coming off the cul de sac, these children will be in danger. Delivery trucks come more often now that we are in a new normal. They drive fast and will turn off Gramarcy to go down this proposed road. Children walking will not be seen easily and drivers will be turning unexpectedly off the street. There will be congestion in front of homes as cars and trucks wait for vehicles coming down the proposed road.

In addition, Glass Creek states that Garden City has requested the fence be removed that prevents people from going from Plantation River Drive across the golf course and down Gramarcy Lane. Glass Creek wants to see the fence removed so that people can bike, jog and walk down Gramarcy Lane. They plan to put an extension to the golf cart path within feet of the suggested roadway. The congestion this will cause at the end of the Gramarcy Lane Cul de Sac is incredible. More people, close together with additional carbon monoxide is exactly what we should not be creating. My house is next to the cart path which is next to the the new roadway.

All these issues and then remember this is a golf course. The flying white ball can go anywhere! No matter where they move the tee box, houses will be closer to the ball. The ball will hit with greater velocity and be even more dangerous. But somehow people, dogs, bikes, cars, and trucks are expected to go by safely all day long.

School buses and emergency vehicles like fire engines can barely get down Gramarcy Lane as it exists. When cars and trucks back up while waiting for vehicles to get off the new road, it will be virtually impossible to get through. Ambulances would be delayed. If parking

increases due to the road not allowing for parking, it will be close to impossible to drive down Gramarcy Lane. Cars and trucks currently pull onto the sidewalk to make room for moving street vehicles.

Yes, Plantation has the right to build houses based on zoning, but the city needs to carefully consider whether this includes the right to build and connect a road that will disrupt and endanger the residents of a peaceful quiet cul de sac street.

Sincerely,
Barbara C. Brown, PhD
Lot 52 Blk 1 Plantation No 1
3710 N Gramarcy Lane
Garden City, Idaho 83703
1 (208) 284 2134

Sent from my

Total Control Panel

[Login](#)

To:
building@gardencityidaho.org
From:
brownbarbara@hotmail.com

Message Score: 30
My Spam Blocking Level: High

High (60): **Pass**
Medium (75): **Pass**
Low (90): **Pass**

[Block](#) this sender
[Block](#) hotmail.com

This message was delivered because the content filter score did not exceed your filter level.

Ronald E. Bush
3695 N. Gramarcy Lane
Garden City, ID 83703

City of Garden City
6050 Glenwood Street
Garden City, ID 83714
Sent by email to www.gardencityidaho.org and to cwadams@gardencityidaho.org
Original by U.S. Mail

Re: *SUBFY2020-06 Glass Island View Subdivision*
Request for continuance of public hearings and reasons supporting

Dear Sir or Madam:

I am one of many homeowners in the Plantation subdivision communities who are directly affected by the subdivision proposal identified above. Glass Creek LLC and its developer Mr. Taunton apparently have been planning for at least the last year or more to seek permission to develop home sites at this location, but the existing neighborhood communities were not informed of that until a notice of a neighborhood meeting was sent to a small number of neighbors in mid-April. That letter said that the developer was going to present the proposal to the Design Review Committee and that he was required by Garden City to conduct a neighborhood meeting. The month before, he had requested and participated in a “Pre-Application Meeting Discussion” on March 12, 2020 with city staff. As of the date of this letter, I do not know what was done, said, or made of record from that meeting, but will be requesting that information.

Mr. Taunton later withdrew his request to bring the application before the Design Review Committee. Later, another letter was sent, announcing another neighborhood meeting, again with some, but limited, information about the proposal. At that May 18, 2020 meeting, he said that he would be filing an application with the City and that the first step would be to present it before the Design Review Committee for its consideration, then to the Planning and Zoning Commission and then to the City Council. He did not offer to provide a copy of the application to the neighbors, even though he filed it with the city in electric form, two days later, on May 20, 2020.

I did not learn of the filing of the application until June 3, 2020, when notice was received from Garden City of an upcoming Planning and Zoning Commission meeting at which it was to be considered. The electronic version of the application was apparently posted to the Garden City website with the meeting calendar on that date, which was 14 days after Mr. Taunton filed it with Garden City and 16 days after he could have informed the neighbors that it had been filed so that they could contact the city to review it.

Remarkably, even though Mr. Taunton expressly represented to the neighbors that the subdivision proposal would first go before the Design Review Committee, the notice sent by

Garden City said it had been put on the Planning and Zoning Commission meeting agenda. Of course, there are differences between those two bodies and their powers and responsibilities, and the task of trying on very short notice to prepare for the Planning Zoning Commission meeting on June 17th, much less trying to get such information to the staff so they can completely fulfill their responsibilities, is simply impossible. Hence, I make this specific request that the City continue all the decision-making-body hearing dates and the dates for submitting materials in advance of such hearings for at least 45 days or to such later date that will allow for a full and fair opportunity to respond to the subdivision proposal. Any decision made upon the Glass Creek proposal without allowing sufficient additional time for interested persons to respond to the proposal (which Mr. Taunton and Glass Creek LLC have been working on for many months), would violate fundamental principles of fairness, would violate due process rights of the interested parties and would create grounds for challenging any such decision under Idaho's Administrative Procedures Act.

By way of example (but not a full list because I have not been able to even yet read the full 105 pages of the application), let me bring these things to your attention as examples of matters which the City's staff and which the City's decision-making-bodies will look at carefully in making any decision on this subdivision proposal.

1. When Glass Creek LLC and Mr. Taunton requested city approval of the removal of certain easements from what is now the location of the proposed subdivision, they made no mention of their intentions to file an application to place homes in that location. Hence, the City knew nothing of those intentions then, nor did the property owners who had to be notified of the proposed amendment to the plat.
2. The application is signed by Mr. Taunton as the applicant *and* as the owner. Unless he has an ownership interest in Glass Creek LLC that he has not disclosed to the City, he does not have a right to sign as owner. He says on the application that he is the "Appointed Designated Agent and Attorney for Glass Creek LLC and has full authority to sign the application on behalf of Glass Creek LLC." If Mr. Taunton is an attorney, he is not admitted to practice law in Idaho. Joann Butler, as you know, has been representing Glass Creek LLC. It is completely unclear what he means when he says he is an "Appointed Designated Agent." Remember that the application has important language appearing over the signature lines – *i.e.*, that the persons signing the application as the *applicant* and the *owner* are *certifying that the information in the application and the accompanying materials is correct* and that they agree to *hold harmless and indemnify* the City from any claims arising as a result of the permit being issued. Those are critically important details and right now the application is both ambiguous and materially incomplete because of how it has been signed. (The same problem exists as to the requirement for the "Affidavit of Legal Interest," which Mr. Taunton says is "not applicable" because he has full authority to sign the application. Importantly, the Affidavit of Legal Interest is required so that the City *knows* who is the party in interest – here, who are the owners of Glass Creek, LLC? I asked Mr. Taunton in the neighborhood meeting to tell the neighbors who were the member/owners of Glass Creek LLC, in addition to Mr. Gustafson? Mr. Taunton said he would not do so. Now we have a situation where the City does not know who the

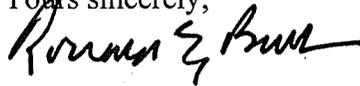
- owners are and whoever they are, none has signed the certification of correctness and the hold harmless and indemnity provision of the application.
3. Glass Creek and Mr. Taunton have proposed this subdivision as *not* in need of a Master Plan and have said that is inapplicable in their application. That is not consistent with other filings they have made with the City about Plantation Golf Course, and is also inconsistent with the filing that Mr. Taunton and Ms. Butler made with the City on May 29, 2020 (last week), requesting that the City make a wholesale revision of a particular section of the planning and zoning ordinances to create a separate type of zoning district for what they are calling a “Specific Area Plan” or “SAP.” Their description of the same in the ordinance they have crafted is “to create zoning regulations and a master plan for unique areas and developments where existing zoning districts may not achieve the desired results.” It would be relevant for the City to ask if the purpose of this proposal is to remove the Plantation Golf Course from the present zoning regulations so as “to achieve the desired results.” Yet, they ask the City in this application to not require a “master plan.” If they are going to push a wholesale revision of the zoning laws of the City to have special application for the Plantation Golf Course, then the City should require them to wait until they propose a master plan to include this portion of the Plantation Golf Course. I would also note that Mr. Taunton made no mention of this filing, which was obviously in the process of being prepared, during the neighborhood meetings.
 4. There are other significant questions that should be answered about the proposed subdivision which will require more time to analyze and comment upon. They include the flood plain boundaries, the drainage questions (the application notes that there are no natural drainage features, but does not disclose that there is *no* storm drain in the culdesac to which the proposed common driveway will connect, and water routinely pools in the gutters of the culdesac because there is no drain). The application also seems to acknowledge that the current location of the proposed building lots crosses into the high water mark/flood plain setbacks, where construction is prohibited. Mr. Taunton says that a “Letter of Map Amendment (LOMA)” will be processed through FEMA” to “formally remove the [flood plain building] restrictions.” But that has not occurred and there is no certainty that it can be done. It seems inappropriate to approve an application on that type of uncertain representation, particularly when the now-existing circumstances would not allow for what the developer wants to do with the site.
 5. The application requests the City to approve a public easement that would lead from Gramarcy Drive to Plantation River Drive. It has been described in written materials as to be created for the purpose of golf cart, bicycle and pedestrian travel between the two streets. *That request has nothing whatsoever to do with the subdivision proposal.* It potentially impacts every single homeowner in the Plantation subdivisions, because it apparently is intended to create new throughways for traffic in areas where none has existed of that nature or volume, in established neighborhoods where the streets and culdesacs do carry large volumes of traffic. This proposal is flawed in multiple ways, and it carries another red flag of no one taking responsibility for it. Mr. Taunton has said, and claimed in his written materials, that the City’s staff requested that he *add it* to this application. He would not say, when asked, who requested that he do so. The City staff says that no one requested that he add such a path to this

application. I can assure you that it is opposed by the residents of Gramarcy Lane, in addition to Plantation River Lane, and it should be dropped immediately, as Mr. Taunton said he would do if it were opposed by the Plantation River Lane homeowners which it has been.

For these reasons and others for which I have not had sufficient time to put forward, I respectfully request that the City continue any hearing on this proposal for at least 45 days, so that interested parties can fairly respond, with a similar period of time between such hearings as well. Doing so will also allow staff to have a fuller set of information that is material to their responsibilities, so that they are better able to advise the decision-making-bodies. Finally, such an additional time will assist the decision makers also.

Thank you for your careful consideration of this information, and I trust that you will recognize the request for fair treatment it contains.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Ronald E. Bush". The signature is written in a cursive style with a long horizontal stroke at the end.

Ronald E. Bush

REB/r

6. The decision makers may approve, deny, continue for additional deliberations or make a recommendation to City Council.

General Rules for Testimony:

1. No person shall be permitted to testify or speak before the hearing agency at a public hearing unless such person has signed his name and written his contact address on sign-up sheets to be provided by the city. This requirement shall not apply to staff or technical witnesses directed by the Chairperson/Mayor to give evidence or information to the hearing agency.
2. No person shall be permitted to speak before the Committee/Council/Commission at a public hearing until such person is recognized by the chairperson.
3. Testimony should directly address the subject at hand.
4. Testimony should not be repetitious with other entries into the record.
5. Testimony should not be personally derogatory.
6. Testimony should comply with time restrictions established by the hearing agency.
7. If oral testimony fails to comply with the aforementioned standards, the chairperson may declare such testimony out of order and require it to cease.
8. All public hearing proceedings shall be recorded electronically and all persons speaking at such public hearings shall speak before a microphone in such a manner as will assure that the recorded testimony or remarks will be complete.

Standards for Written Testimony:

Written testimony and exhibits from the public to be admitted at a public hearing shall comply with the following standards:

1. Written testimony and exhibits must be submitted at least seven (7) calendar days prior to the date of the pertinent public hearing. This provision may be varied through notice to potential hearing participants.
2. Written testimony should include the signature and address of the submitter.
3. Written testimony should address the issue at hand.
4. Written testimony should not be personally derogatory.
5. If written testimony or an exhibit fails to comply with the aforementioned standards, the Chairperson/Mayor or Committee/Council/Commission may declare such testimony inadmissible.

If you wish to give testimony and cannot attend the public hearings/meeting please submit the following form, or any additional written testimony containing the following information below to Garden City Development Services no later than **seven (7) days prior to the corresponding hearing date. You do not have to be physically present to have standing if you submit written testimony.**

Garden City Development Services, 6015 N. Glenwood St., Garden City, Idaho 83714

SUBFY2020-06: Preliminary Final Plat

Your Name Dwayne F. Ride Date 6/3/2020

Your Physical Address: 3991 N. Bayou In Boise 85703

(Please select) I wish to be kept informed of any additional future meeting dates:

Yes No

(Please select) Regarding this application I:

Support the Application Am Neutral Oppose the Request

Comments:

Signature: Dwayne F. Ride



DEVELOPMENT SERVICES DEPARTMENT

6015 Glenwood Street · Garden City, Idaho 83714
Phone 208/472-2921 · Fax 208/472-2996 · planning@gardencityidaho.org
www.gardencityidaho.org

June 1, 2020

Dear Property Owner:

This is an Official Notice of a Public Hearing regarding a property near your own. You are invited to attend a Design Review meeting on **July 06, 2020 at 3:00pm**, a Planning and Zoning Commission public hearing on **June 17, 2020 at 6:30pm**, and a subsequent City Council Hearing on **July 27, 2020 at 6:00pm** and offer your testimony for consideration the meeting will be held remotely to view the meeting, please follow the link below: <https://zoom.us/j/8188588340> or by calling 301-715-8592 then Enter Meeting ID (818 858 8340), then # to join TO CONSIDER A REQUEST FOR or if the stage of reopening allows for in-person meeting it will be held at 6015 Glenwood St, Garden City, ID. 83714. **Anyone who submits written or oral testimony has the right to appeal all or a portion of the decision.** Applicants or affected property owners shall have no more than fourteen (14) days after a final decision is rendered to request reconsideration by the final decision-maker. If you wish to offer testimony on this item and are unable to attend this meeting, you may submit your comments to the Garden City Development Services office and they will be entered in the public record on your behalf. *Due to sunshine laws we request that the applicant or public do not contact the decision makers directly. Please either submit your comments through staff or on the record at the public hearing. Auxiliary aids or services for persons with disabilities are available upon request. Please call Development Services three (3) or more days prior to this public meeting so that arrangements can be made.*

APPLICATION:

SUBFY2020 – 6: Bob Taunton with Glass Creek is proposing a four lot (three residential lots, one common lot) subdivision within a portion of the Plantation Golf Course. The property is located at 6515 W. State Street, Garden City, ID 83714; Ada County Parcel #R7100480125.

The application materials can be found online at www.gardencityidaho.org in the correlating date of the hearing in the 'Calendar/Agendas' link on the home page. A staff report and draft decision document will also be available one week prior to the hearing.

Public Hearing Written Testimony and Attendance

- 1. Please make sure to submit all written testimony 7 days or more in advance so that it can be included as part of the record. You do not have to be physically present to have standing if you submit written testimony.**
- 2. Attendance and testimony may be provided via internet. If you plan on attending via internet please make sure that you have a microphone and speakers. We have noticed that earphones seem to be the best option.**
- 3. Call in is available if you do not have access to internet.**
- 4. If you are interested in attending remotely please contact planning@gardencityidaho.org or call 472-2921 at least one working day prior to the meeting and we will get you further instructions.**

What to Expect at a Public Hearing:

Each application on the agenda will adhere to the following procedure:

1. The applicant will have the ability to represent the application (default 15 minute time limit).
2. A staff member will present the *Staff Report* (default 15 minute time limit).
3. The Chair will open the Public Hearing during which time you will have the ability to give testimony (default 3 minute time limit per person and up to 15 minutes time limit for spokesman in cases where spokesmen are pre-authorized by the chairman time limit).
4. The applicant will then be able to give rebuttal testimony.
5. Close of Public Hearing and discussion among decision making body.

From: [George Lake](#)
To: [building](#)
Cc: [Lucia Lake](#)
Subject: SUBFY2020-06 - Glass Island View Subdivision
Date: Wednesday, June 10, 2020 3:21:42 PM

We live at 6175 W Sterling Lane, directly across the golf course from Glass Creek's proposed new development, and we have concerns.

Until relatively recently, the developer had assured the local community that there were no plans to develop this area and yet this proposal has clearly been in the works for some time. Consequently, we feel a certain degree of skepticism in what we are being told and ask that more time (maybe 45 days?) be provided for review by the concerned parties and council.

A few specifics as we look through the proposal...

- Parking is extremely lacking which would push visitor and service parking out onto neighboring streets.
- The development is denser than the neighboring homes along Plantation River Drive And Gramarcy Lane and the situation is exasperated by the wedge-shaped lots which force the front property lines to be quite narrow. Perhaps three lots are too many.
- We were told that the development would be governed by the CC&Rs of the surrounding Associations but we do not see this in the proposal. Will this be the case?
- Though not part of the proposal per se, the development will require modifications to the golf course which raise some safety concerns. Specifically the relocated 16th hole tee box appears to put a number of homes, including ours, at much higher risk of being hit by stray golf balls. Also, changes to the ponds may add additional risk for neighboring houses.

Sincerely,
George and Lucia Lake

Total Control Panel

[Login](#)

To: [Remove](#) this sender from my allow list
building@gardencityidaho.org
From: george.lake@gmail.com

You received this message because the sender is on your allow list.

From: [Gretchen Massman](#)
To: [building](#)
Cc: [Gretchen Massman](#); [Parker Massman](#); [Henbest Margaret](#); [Doug Lambuth](#); [Candy Lambuth](#)
Subject: SUBFY2020-06 Glass Island View Subdivision
Date: Tuesday, June 9, 2020 12:23:54 PM

June 9, 2020

Dear Elizabeth Schenstrom,

Gretchen Massman
6460 W. Plantation Ln.
Boise, Idaho 83703

We live in The Plantation Subdivision and have for 33 years. We were attracted to this area due to the Open Space of the Golf Course and the beauty along the Boise River.

In 1987, we were raising 3 children and so we chose to buy a lot with a golf course view. At the time, the river view lots were priced much higher because of their uniqueness and expansiveness to open space, river, and animal habitat. We have always enjoyed those amenities of our neighbors. Their lot sizes are very generous with Open Space. Deer frequent through our yards from the golf course to the river.

Eagles nest in the tall trees along the river. Red tail hawk circle the river and because of Open Spaces adjoining our homes.

This new development should not be viewed as an in-fill project, but be aesthetically a continuation of the existing expansive river lots with deluxe homes. These existing river properties have commanded a higher sales price due to their premium quality of construction and unique Open Space setting.

I am OPPOSED to the LOT SIZE of the proposed 3 (three) lots SUBFY2020-06 Glass Island View Subdivision.

Sincerely,
Gretchen Massman

Total Control Panel

[Login](#)

To: building@gardencityidaho.org
From: massmang@cableone.net

Message Score: 10
My Spam Blocking Level: High

High (60): **Pass**
Medium (75): **Pass**
Low (90): **Pass**

[Block](#) this sender
[Block](#) cableone.net

This message was delivered because the content filter score did not exceed your filter level.

Karen Hauser
3695 N. Gramarcy Lane
Garden City, ID 83703

June 9, 2020

Jenah Thornborrow
Director, Development Services
Community Floodplain Administrator
6015 Glenwood Street
Garden City, ID 83714

Sent by email to jthorn@gardencityidaho.org and to
cwadams@gardencityidaho.org

Original sent by U. S. Mail

RE: SUBFY2020-06 Glass Island View Subdivision – Request for Delay in Public Hearings

Dear Jenah,

I am one of the homeowners directly impacted by the proposed Glass Island View Subdivision and am writing to request a delay in the public hearings for said proposed property development. This includes the upcoming June 17th Planning and Zoning Commission meeting, the July 6th Design Review Committee meeting, and the July 27th City Council meeting.

In short, the application is 105 pages long, includes many technical documents, references to City code, proposed changes to the immediate landscape, soil testing, floodplain and floodway implications, changes to the golf course, and a proposed *public* cart/bike/pedestrian path, just to highlight a few items. The public notice for the upcoming Planning and Zoning meeting was posted June 3rd. Two weeks' time is simply not enough to be able to print out the complete application *full size and to scale*, read and understand it, consult with appropriate professionals and neighbors, fully understand the ramifications of his proposal, and be ready to convey my concerns to the Planning and Zoning Commission, in a teleconference meeting no less. Glass Creek LLC and Mr. Taunton have had months to prepare this application. We affected neighbors, both within the 300 foot impact area, and beyond, have been given two weeks. We have a fundamental right to fairness in our ability to review the application. We simply need more time to adequately and thoroughly do so. Hence, my request for a delay in the upcoming meetings.

With Respect,



Karen Hauser

RECEIVED

JUN 01 2020

GARDEN CITY
DEVELOPMENT SERVICES

May 20th, 2020

To the Garden City Design Review Committee Members

Dear Committee Members:

The undersigned are members of the Investors Plantation on the River Subdivision Homeowners Association (IPOR-HOA). The purpose of this letter is to notify the Design Review Committee Members at the earliest possible time in the process of design and development of a proposal by Glass Creek LLC of our overwhelming disapproval of a certain aspect of the project.

Glass Creek proposes to extinguish the limitations on the use of our Homeowners Pedestrian Walkway, which crosses over the lot associated with the address of 3411 North Plantation River Drive.

Glass Creek, through its Project Manager Bob Taunton, has acknowledged that they cannot do so without the approval of the homeowners in the Investors Plantation on the River. They have represented to us that if we decline to give our approval they will abandon this aspect of the project.

There are only twenty (20) voting members of our HOA. We, the undersigned members have been fully advised and hereby disapprove of this aspect of the project. We may have additional comments concerning other aspects of the project in the future, and we reserve the right to notify you of such comments and concerns at a later time.

Sincerely,

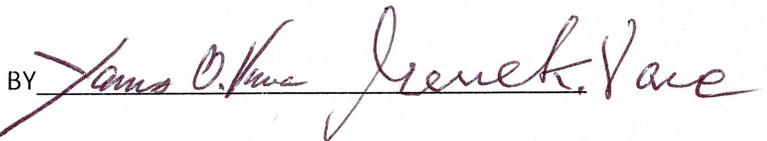
BOB AND CAROL HAMLIN

3491 N. Plantation River Drive

BY 

JIM AND IRENE VANCE

3481 N. Plantation River Drive

BY 

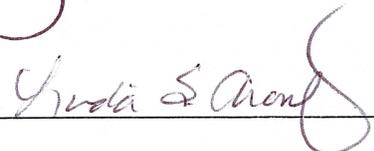
MIKE HOYNE

3471 N. Plantation River Drive



LINDA ARANT AND DAN LEWIS

3461 N. Plantation River Drive

BY 

TOM WATKINS AND SARAH MARTIN

3451 N. Plantation River Drive

BY Sarah Martin
TW

RANDY AND NAN MILLER

3441 N. Plantation River Drive

BY Tom Watkins
Randy & Nan

DALE AND BARBARA LEE

3431 N. Plantation River Drive

BY Dale Lee Barbara Lee

MITCH AND DEBBIE WILLIAMS

3491 N. Plantation River Drive

BY Mitch Williams

RON WILPER

3411 N. Plantation River Drive

Ron Wilper

PETER AND LINDA SNOWDEN

3400 N. Plantation River Drive

BY Peter Snowden

PHILIP GORDON

3420 N. Plantation River Drive

Philip Gordon

TINA ELLIS

3430 N. Plantation River Drive

Tina Ellis

STEVE AND LADAWAN JOHNSON

3440 N. Plantation River Drive

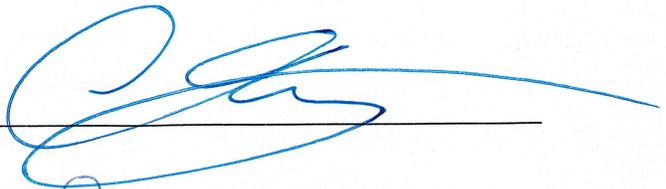
BY Steve Johnson

MIKE AND KAREN BOYD

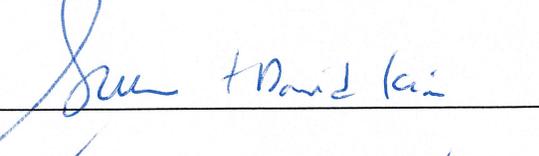
3450 N. Plantation River Drive

BY Mike Boyd

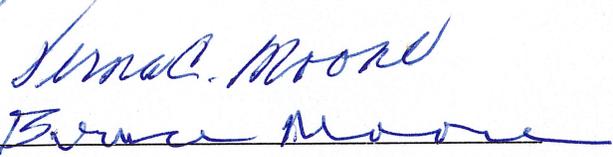
CALEB AND CHRISTI CHUNG
3460 N. Plantation River Drive

BY 

DAVE AND SUSAN KIM
3470 N. Plantation River Drive

BY 

BRUCE AND VERNA MOORE
3480 N. Plantation River Drive

BY 

KATHY KLOKKE
3490 N. Plantation River Drive



RON AND SHARON KIRKEMO
3501 N. Plantation River Drive

BY _____

DAN AND YING DONAGAN
3410 N. Plantation River Drive

BY _____

CC: Mayor John Evans; Members of the Garden City Council; Members of the Garden City Planning and Zoning Commission; Bob Taunton

May 20th, 2020

To the Garden City Design Review Committee Members

Dear Committee Members:

The undersigned are members of the Investors Plantation on the River Subdivision Homeowners Association (IPOR-HOA). The purpose of this letter is to notify the Design Review Committee Members at the earliest possible time in the process of design and development of a proposal by Glass Creek LLC of our overwhelming disapproval of a certain aspect of the project.

Glass Creek proposes to extinguish the limitations on the use of our Homeowners Pedestrian Walkway, which crosses over the lot associated with the address of 3411 North Plantation River Drive.

Glass Creek, through its Project Manager Bob Taunton, has acknowledged that they cannot do so without the approval of the homeowners in the Investors Plantation on the River. They have represented to us that if we decline to give our approval they will abandon this aspect of the project.

There are only twenty (20) voting members of our HOA. We, the undersigned members have been fully advised and hereby disapprove of this aspect of the project. We may have additional comments concerning other aspects of the project in the future, and we reserve the right to notify you of such comments and concerns at a later time.

Sincerely,

Sharon Kurkemo
Ronald B. Kurkemo

May 20th, 2020

To the Garden City Design Review Committee Members

Dear Committee Members:

The undersigned are members of the Investors Plantation on the River Subdivision Homeowners Association (IPOR-HOA). The purpose of this letter is to notify the Design Review Committee Members at the earliest possible time in the process of design and development of a proposal by Glass Creek LLC of our overwhelming disapproval of a certain aspect of the project.

Glass Creek proposes to extinguish the limitations on the use of our Homeowners Pedestrian Walkway, which crosses over the lot associated with the address of 3411 North Plantation River Drive.

Glass Creek, through its Project Manager Bob Taunton, has acknowledged that they cannot do so without the approval of the homeowners in the Investors Plantation on the River. They have represented to us that if we decline to give our approval they will abandon this aspect of the project.

There are only twenty (20) voting members of our HOA. We, the undersigned members have been fully advised and hereby disapprove of this aspect of the project. We may have additional comments concerning other aspects of the project in the future, and we reserve the right to notify you of such comments and concerns at a later time.

Sincerely,

Daniel A. Doneyan
3410 N. Plantation Riv Dr.

From: [Lindsey Stenshoel](#)
To: [building](#)
Subject: SUBFY2020-06 Glass Island View Subdivision
Date: Monday, June 8, 2020 8:35:47 PM

To: Elizabeth Schenstrom
Garden City Planning

Re: Glass Island View Subdivision Proposal Written Testimony for June 17, 2020 meeting

6/8/2020

We are concerned homeowners who live at 6163 W Sterling Ln, in close proximity to the proposed subdivision. We continue to have concerns regarding the development, and oppose the request as it is currently submitted. We ask that you would consider the following when determining your recommendations:

We were initially shocked by the announcement of this proposal, as we were of the understanding that last year the owner and developer announced that there was no proposed developments to the side of the course surrounding our home, and that the golf holes behind our house would remain the same.

The Statement of Intent submitted by Taunton Development Group on 5/20/2020 indicates the subdivision will be “compatible with existing residential development” and “will not adversely effect neighboring residents”. Although the proposal may be within Garden City’s acceptable code for R-2 low density residential zoning, the proposed 3 lots with 3 future home sites will be smaller both in acreage and square footage than the existing lots and homes along Plantation River Dr and Gramarcy Ln., and will be spaced much closer together than the existing homes. I would contest the enclosed picture of the view of the building site provides an angle that appears much more spacious than if a person were to view it in real time with the naked eye, and that 3 houses would be crowding that space, especially when considering the addition of a driveway, common lot, redirected cart path, additional landscaping, and a new tee box.

In the proposal, there are no allowed spaces for visitor or service provider parking, which will have an impact on neighboring residents, and could encourage parking in the emergency vehicle turnaround or the nearby cul-de-sac, creating traffic and safety issues for pedestrians.

Since there has not been CCRs submitted, the existing homeowners cannot be assured that the future owners will adhere to neighborhood building guidelines to remain compatible in their building styles, appearances, and layouts in preserving the integrity of the established neighborhood.

The letter that was sent out by the Taunton Group prior to the neighborhood meeting dated 4/9/2020 shows the conceptual redesign of the #15 and #16 holes that are intended for the future redevelopment of the course, but are not included in the submitted plans for this subdivision. This caused us significant concern because it expands and moves the ponds closer to our backyard, which is unfenced at this time (I addressed this concern with a detailed email to Mr Taunton with cc to Garden City Planning on 5/4/2020). We have small children, ages 4 and 17 months, and this presents a very dangerous and costly situation for us when it does come to fruition. Since there is no available information at this time regarding the definitive timeline or details of this part of the development, there is no way for us to know how much the approval of this subdivision will in fact adversely effect the safety and enjoyability of our property.

Without this information, we cannot determine the extent of the effect of the errant golf balls that present safety concerns and the potential for property damage with the temporary #16 tee box placement and eventual redesign of holes #15 and #16. With no comprehensive plan submitted, there is no guarantee for the surrounding homeowners that we won’t have major construction and excavation going on next to our backyards for an extended period of time, subjecting us all to noise, air pollution, and other safety hazards regarding an open construction zone.

We appreciate your consideration of the information above and the committee’s recognition of the concerns of the surrounding homeowners.

Sincerely,

Matthew and Lindsey Stenshoel
6163 W Sterling Ln
Garden City, Idaho 83703

Total Control Panel

[Login](#)

To:
building@gardencityidaho.org

Message Score: 10
My Spam Blocking Level: High

High (60): **Pass**
Medium (75): **Pass**
Low (90): **Pass**

From:
lindseybraun84@gmail.com

[Block](#) this sender
[Block](#) gmail.com

This message was delivered because the content filter score did not exceed your filter level.

June 8,2020

City of Garden City
Planning and Zoning
% Elizabeth Schenstrom
6015 N Glenwood St
Garden City, ID 83714

Re: Public Comment for Plantation Glass Creek Application

Dear Committee,

Thank you for your work on behalf of our community.

I believe that your committee is the only protection homeowners have against over zealous developers. I acknowledge that the developer (Glass Creek in this situation) has a right to maximize their profit but I do not think that right should be at the expense of present homeowners and our neighborhood.

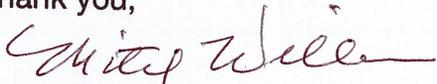
Specifically in this case the developer wants to build adjacent to and directly behind a homeowner who purchased a home on a quiet culdesac with the expectation of unobstructed views, and enjoyment 28 years ago. Should the developer be allowed to hinder that enjoyment to maximize his profit? I don't think so.

Additionally I would hope that a careful examination is made of other potential issues like looking at visitor and service provider parking and emergency vehicles access.

Please deny, reduce or greatly modify this developers application. I believe the developer ultimate goal is in a piece meal fashion create an additional greenbelt spur, connect the culdesacs and otherwise change our neighborhoods dramatically.

Most of us are retirees who have planned and saved for years to own these homes on a golf course and near the Boise River. Please don't let this developer take these retirement dreams away.

Thank you,



Mitch Williams
3421 N. Plantation River Dr
Boise Idaho 83703

RECEIVED

JUN 10 2020

GARDEN CITY
DEVELOPMENT SERVICES

10/10/20

Dear Mr. [Name],
I am writing to you regarding the [subject].
I have received your letter of the [date].
I am sorry that I cannot give you a more definite answer at this time.

I am sure that you will understand my position.
I will be in touch with you again as soon as I have more information.

Yours faithfully,
[Name]

I am sorry that I cannot give you a more definite answer at this time.
I am sure that you will understand my position.
I will be in touch with you again as soon as I have more information.

I am sure that you will understand my position.
I will be in touch with you again as soon as I have more information.

I am sorry that I cannot give you a more definite answer at this time.
I am sure that you will understand my position.

I am sure that you will understand my position.
I will be in touch with you again as soon as I have more information.

I am sorry that I cannot give you a more definite answer at this time.
I am sure that you will understand my position.

Yours faithfully,
[Name]

[Name]

[Address]

[City]

[Name]

[Address]

[City]

From: [B.Parker Massman](#)
To: [building](#)
Cc: [Gretchen Massman](#)
Subject: SUBFY2020-06 Glass Island View Subdivision
Date: Tuesday, June 9, 2020 4:40:58 PM

Dear Elizabeth Schenstrom,

Parker Massman
6460 W Plantation Ln.
Boise, Idaho 83703

The proposed new development does not respect the attributes of the existing Plantation residences.

Cramming three lots into this proposed development results in one of the lots, B1L1, being irregular in shape with a buildable footprint for a conventional house extremely limited; a two lot development would be more consistent with the adjacent properties. It appears that the proposal has identified buildable envelopes to within five feet of the front property line/ common drive. The requirement in Plantation was at least twenty feet, this which would substantially reduce the actual building envelopes, especially in the B1L1 lot. Without this setback, there is no space for visiting vehicles to park without significantly reducing the accessibility of the common drive and compromising the access of emergency vehicles.

I do not feel that SUBFY2020-06 should be approved as submitted.

Sincerely,
Parker Massman

Total Control Panel

[Login](#)

To: building@gardencityidaho.org
From: parkerm@cableone.net

Message Score: 1
My Spam Blocking Level: High

High (60): **Pass**
Medium (75): **Pass**
Low (90): **Pass**

[Block](#) this sender
[Block](#) cableone.net

This message was delivered because the content filter score did not exceed your filter level.

From: [Jenah Thornborrow](#)
To: [building](#)
Subject: FW: Written Testimony re Application SUBFY2020-6--Glass Creek Project
Date: Wednesday, June 10, 2020 1:32:32 PM

Please and thank you.

From: PETER SNOWDEN <psrockvine@me.com>
Sent: Wednesday, June 10, 2020 1:05 PM
To: Jenah Thornborrow <jthorn@GARDENCITYIDAHO.ORG>; building <building@GARDENCITYIDAHO.ORG>; bobtaunton@tauntongroup.com; Charles Wadams <cwadams@GARDENCITYIDAHO.ORG>
Cc: Linda Snowden <omi12@me.com>; Jake Heusinkveld <jakeh@cableone.net>
Subject: Fwd: Written Testimony re Application SUBFY2020-6--Glass Creek Project

Sorry, first try got kicked back.

Begin forwarded message:

From: PETER SNOWDEN <psrockvine@me.com>
Subject: **Written Testimony re Application SUBFY2020-6--Glass Creek Project**
Date: June 10, 2020 at 10:59:43 AM PDT
To: building@gardencityidaho.org, jthorn@gardencityidaho.org, cwadams@gardencityidaho.org
Cc: bobtaunton@tauntongroup.com, Linda Snowden <omi12@me.com>, Jake Heusinkveld <jakeh@cableone.net>

To:
Jenah Thornborrow, Director, Garden City Development Services Department
Garden City Planning and Zoning Commission
Garden City Design Review Board
Garden City City Council

Hi, We, Peter and Linda Snowden, are the owners of 3400 N. Plantation River Drive, Garden City, ID 83703, a single family residence immediately adjacent to the East side of the proposed Glass Creek project. We recently acquired our property in October of 2019. Before presenting our written testimony we have three notes:

A. We will be residing about half time in Garden City and about half time in Santa Barbara, California. In order to make sure we get notices of meetings and information pertaining to the Glass Creek project, please send us the notices and information via email at psrockvine@me.com. We do not want to miss any notices.

B. We are requesting a one month delay in your proceedings to allow us to gather

more information to respond to the development proposal. We are not nimby's saying , "Oh no, you can't build next to us." Because this will be a permanent change to our neighborhood, we want to make sure it is done right, or, if it does not meet Garden City, or Idaho, or Federal requirements, that it is not done at all. During our due diligence period on our house purchase last year, we were told that Glass Creek intended to build two houses in the golf course area between our home and the Heusinkvelds' home to the west on Gramarcy Lane. Two houses are fine; three present the problems discussed below. We also learned there are multiple government agencies involved in protecting the Boise River as a functioning water delivery system, and as a unique environment supporting habitat, Greenbelt uses, and property values. We want to make sure those government agencies receive the information to be produced during the extension to make the best decision.

C. We reserve the right to testify in person at any of the Garden City public hearings on this project.

WRITTEN TESTIMONY:

1. DUMPED MATERIAL: We have observed Glass Creek employees regularly dumping material in the 70 foot Boise River setback area in the project area including earth material and grass clippings. I am separately providing photos of this area showing the loosely compacted material which appears to rise several feet above the natural surface next to the larger trees on the south edge of the project site. It appears the dumping has been going on for some time and has affected the property elevation in this area. We do not know if Glass Creek has permits for this activity. And we do not know if the loose soil would have a negative impact on the floodway integrity of the river.

This is one area where we need time for experts to conduct soil tests on site and examine this area of concern.

2. PRIVACY/SAFETY BUFFER: Our property is provided privacy and flying golf ball protection by a line of trees near our shared property line with the project site. It looks like some of the trees are on our property and some are on the Glass Creek property.

We see no information in the Glass Creek project description about plans about those trees. We request that Glass Creek agree to maintain this privacy/safety buffer to the extent located on their property.

3. THREE HOME PROBLEMS: Shoe horned three homes onto the site creates aesthetic, safety, and property value issues. Glass Creek declares that the three lot plan and building envelopes are on the same scale as adjoining properties. One look at their own exhibit showing an aerial rendering of the three houses squeezed between the two adjacent homes, ours and the Heusinkvelds', puts the lie to that declaration.

The three are clearly not on the same scale and look cheek to jowl, particularly on the angled property line of the Heusinkvelds' property. The impact will be to drop the value of adjoining properties, as well as those of other properties in the 300 foot range of the project site. The once river greenery view will be replaced with a line of garage

doors. We contend the property tax base of new homes plus existing homes in the 300 foot range will be lower with three homes versus the Glass Creek out of scale three homes crammed proposal, a loss for the City. Getting expert real estate expert testimony on this subject would be another reason for an extension.

4. HOA VOTED NO: Glass Creek floated the proposal that a multi-use pathway could be possible between Gramarcy Lane and Plantation River Drive, if approved by the Investors Plantation On The River HOA, a 20 owner HOA covering Plantation River Drive. Yesterday, the HOA held a properly noticed special meeting and the result was a unanimous vote by all members that the HOA would not consent to such use of its access easement to the Glass Creek golf course property. It was voted down on safety and privacy concerns. Both streets are very safe cut de sacs. With joining the two streets with public access, there would be an obvious increase in bicycles, scooters, and runners, and increased parking on our streets. All of these increase the risk of injury.

5. PARKING FOR THREE HOMES VERSUS TWO: The Glass Creek proposal for a narrow driveway serving the three lots means that service providers and visitors will need to park on the existing public streets, an imposition on current owners. With two lots, there should be sufficient room for onsite driveway parking for each house. Once again, another shoehorn impact.

6. MUST JOIN THE MASTER HOA: All surrounding residences are members of the Plantation master HOA and, for adjoining owners on Gramarcy Lane and Plantation River Drive, members in their "local" sub-association. The new lots should be required to become a part of the HOA's. This will help assure existing neighbors that all owners in the area are treated equally.

And now for some kissing up. I'm saying that because if I were in Glass Creek's shoes, that is what I would be saying about this comment. You have no idea how excited we are to be living in Garden City. We are in our 70's and have lived in six cities. We love what Garden City is doing. We are proud to be in a city that used to be called "Garbage City" with a colorful history to match. You guys are not messing around. I love riding my bike and seeing the "Taste- and Create-1.5 blocks that way" signs. And I follow the property use issues of every kind that you are dealing with as you make these big improvements in the quality of life of Garden City. In most of them, someone is getting pissed off. They are tough decisions and you are making a lot of them. Our hats off to you, and we will be asking someone in the City if there is some way we can help.

Sincerely,
Peter and Linda Snowden
707-287-4852
psrockvine@me.com

Total Control Panel

[Login](#)

To: jthorn@gardencityidaho.org

Message Score: 25

High (60): **Pass**

From: psrockvine@me.com

My Spam Blocking Level: High

Medium (75): **Pass**

Low (90): **Pass**

[Block](#) this sender

[Block](#) me.com

This message was delivered because the content filter score did not exceed your filter level.

TO: Jenah Thornborrow, Director, Garden City Development Services Department

Garden City Design Review Board Members

Garden City Planning and Zoning Commission Members

Mayor John Evans and Members of the Garden City Council

FROM: Philip Gordon, the owner and occupant of 3420 N. Plantation Rive Drive, a residence within 300 feet of the newly proposed Glass Creek Subdivision.

I am writing to express my thoughts and viewpoints regarding Glass Creek LLC's proposed subdivision, which contemplates the creation of 4 lots, three of which would be for single family residential purposes.

Before addressing the merits of this proposal, I strongly request, for several reasons, that you re-schedule the hearings which were outlined in your letter of June 1st.

First, these dates are different than those which Garden City Attorney Charles Waddams told me when I met personally with him and his two interns on the same day this letter was sent. Mr. Waddams informed me that the Design Review Committee meeting was scheduled for June 15th at 3:00 p.m.; that the P&Z would take up this proposal on July 17th, 2020 at 6 or 6:30 p.m.; and that matter would be brought before the City Council on August 24th at 6:00 p.m. I have acted in reliance on the dates and times related to me by Mr. Waddams, with whom I have enjoyed a long professional relationship, and made plans accordingly. I understand that I am not the only impacted property owner to whom the same representations were made. It seems clear to me that, while the dates for the P&Z and City Council hearings supplied by Mr. Waddams probably provide enough time for concerned neighbors to review, analyze and inform themselves regarding the accuracy of many of the representations contained in the extensive Glass Creek filings, the dates set out in the June 1st letter do not. Clearly this proposal has such serious consequences for so many existing Garden City homeowners that, rather than rushing to judgment on it, adequate time should be allowed for investigation (which has already been commenced), research (which, though begun, has proven to require far more time than was originally contemplated), and contact with other affected governmental agencies (which, like so much else in the age of the pandemic is taking much more time than pre-virus).

Secondly, the Glass Creek proposal is so extensive, detailed and laden with various scientific studies, that concerned homeowners, who for the most part are not familiar with the specialized techniques and jargon used throughout this proposal, need additional time to consult with and even hire their own experts in order to understand and intelligently respond to the Glass Creek experts.

Third, it is clear from a cursory layman's review of the Glass Creek submissions that there are some glaring problems which must be highlighted and corrected. A prime example of this is the

fact that, on its maps, Glass Creek located the mean high water mark of the Boise River where it passes the proposed subdivision, at a point far south of its actual, real placement. To accept their contentions would result in the ludicrous notion that the high water mark lies in the middle of the river. Additional time is needed in order that this critical error can be addressed.

In the unfortunate event that the City denies my request for a continuance, so that I and other impacted homeowners have adequate time to study and respond in full to the Glass Creek proposal, I want to make the following responses to certain specific aspects of the proposal that I have formulated.

1. **MISLOCATED HIGH WATER MARK ISSUE:** As noted above, the Glass Creek maps place the mean high water mark of the Boise River substantially south of its actual location. Given that a seventy (70) foot setback is required from the ACTUAL (as opposed to desired or fantasized) high water mark, it becomes clear that once the maps are corrected to depict the true high water mark, significant portions of one or more of Glass Creek's proposed lots become unbuildable.
2. **CONSEQUENCES OF THIS KEY MISREPRESENTATION:** If forty years of practicing law has taught me one thing, it is the truth of the old axiom *falsis in uno, falsis in omnibus* (*false in one, false in all!*) What this adage means is that when a witness knowingly engages in one lie, all of the rest of their testimony is suspect. In the present context, the inclusion of a blatant misrepresentation about the crucial fact of where the high water mark is located should cause Garden City's design review board, planning and zoning commission, and City Council to apply a greater than usual level of scrutiny to the whole of this proposal. I certainly will look at other representations made by Glass Creek with a particular eye to what is being said, what it is based on, and whether or not it comports with reality.
3. **GLASS CREEK'S HISTORY OF DUMPING IN THE AREA BETWEEN THE PROPOSED LOTS AND THE BOISE RIVER:** I have been shown photographs taken by one of my neighbors depicting Plantation Golf Course employees (i.e. Glass Creek Employees) dumping grass cuttings in the area between the proposed lots and the river. I wonder first if Glass Creek ever obtained a permit for these actions. If they have not, it calls their overall commitment to following the law in their projects into question. Further, one wonders if the decision to dump these materials in this location is an attempt to artificially manipulate the high water mark, by creating a built up area beyond which the river might not reach.
4. **NEED FOR A SETBACK FROM THE PROPOSED ROAD:** It is my understanding that Garden City's ordinances require a 20 foot set-back from a road of the type and character of that proposed. If indeed this is accurate, the buildable portion of each of these lots would be further reduced. When combined with the 70' set-back from the

actual high water mark, the buildable area will become so small as to result in building pads much smaller than those of the surrounding properties and consequently compel the building of homes so small as to be uncharacteristic of the neighborhood. This will result in driving down the value of adjacent and nearby existing homes.

5. **NEED TO PRESERVE TREES ON THESE LOTS:** It is my understanding that the Garden City ordinances favor the preservation of trees, especially older, more mature and larger trees, in the course of development. I have taken a cursory look at the existing trees in the area of this proposal, and have done some comparison with what trees are depicted on Glass Creek's maps, and it seems to me that the maps and proposals ignore the existence of many trees of significance. Unneeded and unwarranted removal of large old trees definitely affects the character of the neighborhood in a negative manner.
6. **ADEQUACY OF THE PROPOSED ROAD:** It appears from Glass Creek's maps that it is proposing to build a 20' wide road into the subdivision lots. It characterizes this road as being two lanes. No turnarounds appear to grace this road. There are several problems presented here. First, 20' is inadequate to accommodate two lanes of oncoming traffic, and critically inadequate to allow for fire trucks and associated vehicles to access the proposed homes, especially when one considers that, in the event of a house fire, it is probable that there will be traffic exiting the area. Secondly, to provide turnarounds on the proposed lots will further detract from the net buildable area, requiring still smaller building pads and still smaller homes. Third, the existence of homes mandates the need for service vehicles which also would require space to turn around. In order to accommodate these crucial needs, either the road would have to be expanded, further compromising the buildable area of the lots, or each approved lot would need to have an enlarged set-back to enable off road parking. Any suggestion that these issues could be solved by on-road parking needs to be categorically disregarded.
7. **MISLEADING GEOTECHNICAL SOIL SURVEY:** The Geotechnical survey which Glass Creek has appended to its application is, at best, highly misleading. First, this study bears no relationship to the ground which would underlie the proposed sub-division lots. The soils studied in the 2019 examination were taken from a different part of the gold course, and they bear no resemblance to the infill soil in the area of this proposal. The City of Garden City should reject this portion of the application in its entirety and require Glass Creek to commission a new Geotechnical survey based on the soils found in the proposed subdivision area. It is also my position that the applicant's reliance on this outdated and largely irrelevant report provides an independent basis for granting the postponements of the hearing that I have requested at the outset of this letter. In this instance, it should not be my responsibility or that of any other impacted homeowner, to bear the costs of a new Geotechnical survey. Rather, that burden properly belongs on the shoulders of the applicant who attempted to hoodwink Garden City by trying to rely on this report which lacks both relevancy and credibility.

8. **PROPOSED EXPANSION OF THE EXISTING EASEMENT ON THE PROPERTY LOCATED AT 3411 N. PLANTATION RIVER DRIVE:** At present there is a ten foot wide easement crossing a portion of the property located at 3411 N. Plantation River Drive, now owned by Ronald Wilper. This easement derives from its inclusion on the original plat of the subdivision. It is denominated as a pedestrian easement to benefit the homeowners of Investors' Plantation on the River, i.e. the sub-association in which my property is located. This association features a total of twenty lots, on 18 of which homes have been built. Two lots remain unbuilt.

The Glass Creek proposal seeks major changes to this easement. First, they seek to enlarge it so that, instead of solely benefitting the owners of the lots in Investors' Plantation on the River, they want to be denominated as a "Public Easement", which, of course could lead to hugely expanded usage. Secondly, they wish to eliminate the character of the easement as being "Pedestrian", which would open it up to a wide range of presently not allowable uses, both of the non-motorized (bicycles; skateboards) and motorized variety (golf carts; motorized scooters, etc.). Again so doing could only lead to greatly expanded usage.

On June 1st, 2020 I hand delivered a letter to the Garden City Development Offices, signed by the owners of all twenty lots, disapproving this aspect of the Glass Creek proposal. Last night, June 9th, 2020, the HOA of our sub-association held a meeting, attended by a lawful quorum of the homeowners. Those attending voted unanimously in favor of having the HOA oppose any change to the easement, either in terms of whom it benefits, and what are the permissible uses.

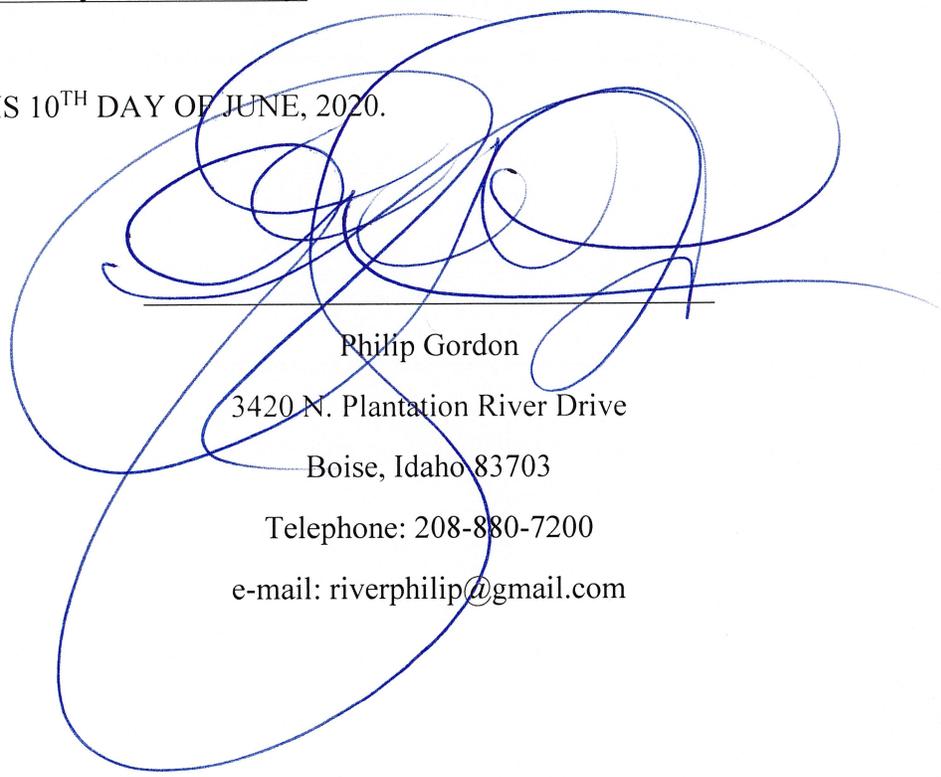
On a phone call moderated by Bob Taunton held with affected neighbors and others on the 18th of May, Mr. Taunton acknowledge that there could be no expansion of this easement without the consent of the homeowners of Investors' Plantation on the River, and he agreed that he would withdraw any attempt to so expand the easement if our approval was not granted. We now expect him to act in furtherance of the representations he made in the course of a phone call attended by many of our homeowners.

The need to withdraw this component of the subdivision proposal could have many ramifications and necessitate many changes to the overall plan. This possibility provides yet another reason to continue all hearings now scheduled. The City could and should require Glass Creek to acknowledge that there cannot and will not be any expansion of the easement, and to set forth how this fact impacts its overall subdivision proposal, and what changes need to be made in light of this new evidence.

9. **INCORPORATION BY REFERENCE:** I have read the letters submitted by Ronald E. Bush, Peter Snowden, Ronald J. Wilper and the Heusinkvelds and I concur in all of the points they have made, and I incorporate each and every one of their points by reference herein, and ask that each such allegation, claim and assertion made by them be

considered to be a part of my response to this proposal and as points which I may raise in my testimony before the Design Review Committee, Planning and Zoning Commission and City Council of Garden City, at any and all public hearings regarding the Glass Creek Proposal held by each such body.

DATED THIS 10TH DAY OF JUNE, 2020.



Philip Gordon

3420 N. Plantation River Drive

Boise, Idaho 83703

Telephone: 208-880-7200

e-mail: riverphilip@gmail.com

Rigby (Jake) Heusinkveld
3675 Gramarcy Lane
Garden City, ID 83703

Jenah Thornborrow
Director, Development Services
Community Floodplain Administrator
6015 Glenwood Street
Garden City, Idaho 83714
Sent by email to jthorn@gardencityidaho.org
Original via Hand Deliver to Garden City Development Services

Dear Jenah,

We live at 3675 Gramarcy Lane, immediately adjacent to the proposed Glass Island View Subdivision – SUBFY2020-06. We understand through conversations with Garden City Staff the application was submitted to the city on May 20, 2020 and was posted to the website on May 28, 2020. In the 13 elapsed days (9 working days) that we have been able to review the application, we have found what we believe to be serious, material errors in the application that we wanted to bring to the attention of Garden City Staff.

We are proponents of sound residential housing projects in Garden City, however a development along the river and within the Floodway, an extremely hazardous area, should be carefully designed with accurate facts and adhere to Garden City code and ordinances for the safety of the new and existing homes in the area. The application, as submitted, does not meet the expectation of sufficient materials for the Staff review related to protecting the public interest with respect to Floodway and Floodplain development and Regulations for this project.

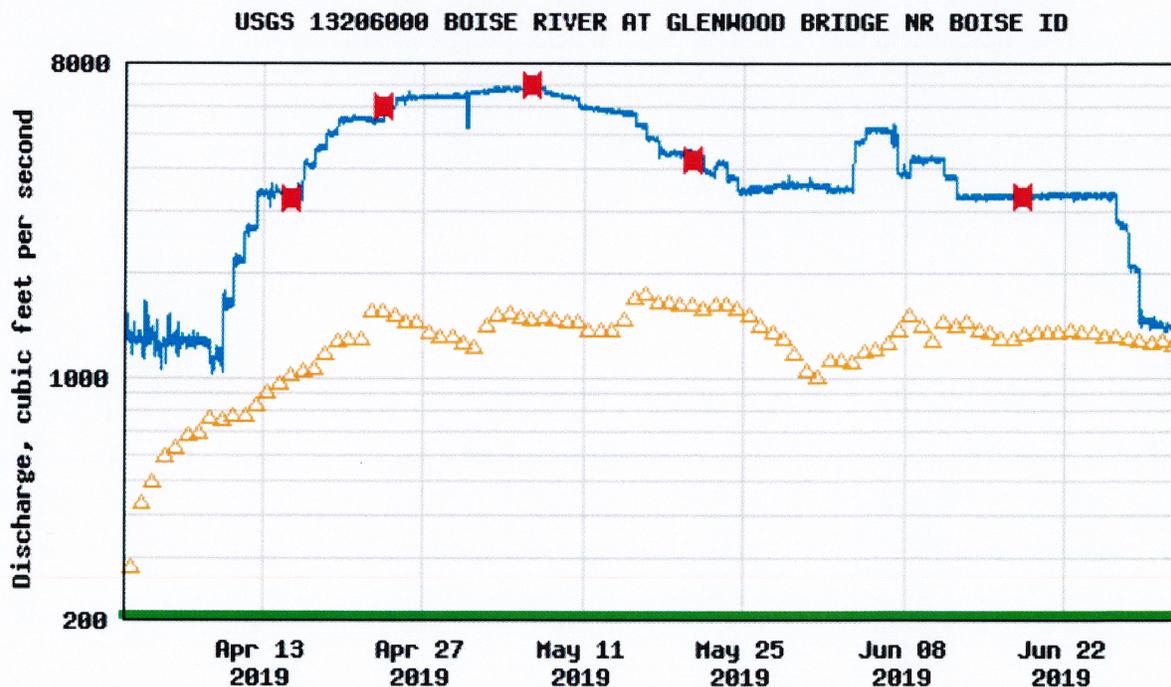
Through this letter and the attached exhibits, we are transmitting to the Garden City Development Services team the facts and information we have gathered, concerns expressed by ourselves or our neighbors and asking for denial of the application as submitted, or in the alternative, postponement of the upcoming scheduled hearings to allow ourselves, neighbors and the Staff adequate time to consider the following facts prior to making a recommendation to the Planning

and Zoning Committee, the Design Review Committee and ultimately the Garden City Council.

1. The 6500 cfs Line of the Boise River is Misrepresented in the Application

We have lived in our home and on the Boise River since July 1992, nearly 28 years. Upon review of the application it was immediately obvious to us, having watched the river for years, that the 6500 cfs line in the application was incorrect and misrepresented by up to 20 to 30 feet. Much of the site area that the application topographic survey incorrectly shows above the 6500 cfs line is actually underwater when river flows are that high.

We believe the applicant and their representatives used an aerial drone survey to determine the topography of the site. However, the riverbank portion of the site has a heavy tree canopy that likely interfered with accurate determination of the topography under the tree canopy. The survey contained in the application marks the 6500 cfs line and riverbank as a smooth arching bank to the south edge of the property line. However, a visual inspection of the debris accumulation line from the 2019 high water season, which peaked on May 3, 2019 at 6,750 cfs is materially farther to the north of the site than indicated on the application.



We retained Quadrant Consulting, Inc. to complete an elevation comparison between the 2019 LiDAR survey and the survey data provided in the development application. Attached as Exhibit 1 is the result of the comparison. The blue and purple regions define areas that show a significant variation of up to seven feet in elevation between the LiDAR and the topographic survey included in the application with the application survey showing elevations in these locations to be significantly higher than what is represented in the LiDAR data. This is not surprising as these areas of misrepresented elevations also correspond to the area with the heaviest tree cover, and an imagery-based survey from a drone will typically have limitations in this type of environment.

Finally, we have years of accumulated photographic evidence of where the water flows and where the riverbank is at flows near 6500 cfs. These photos will again demonstrate more of the proposed development site is underwater at 6500 cfs than is represented in the application. Some of this extensive photographic collection is included as Exhibit 2.

2. The Proposed Site Includes 1300 Cubic Yards of Fill Deposited in the Floodway

Residents of homes adjacent to the proposed development site have witnessed golf course Staff depositing fill material in the Floodway for years. We have also personally witnessed the dumping of fill in the Floodway for years. Following is correspondence from one of many residents ready to testify to the dumping of fill in the floodway.

To Whom it may concern,

I am Daniel Donegan. I lived at 3400 N Plantation River Dr since 1992 until the end of 2019. Over those years, I witnessed many instances of the golf course maintenance crew collecting the plugs from aerating the rest of the course and piling them up at the back of the 16th hole tee box along the Boise river, just to the west of my house. Over the years, the piles got quite high and the crew began plowing them toward the riverbank to level out the area. This action tended to bury smaller trees and brush toward the riverbank. The bank height (the back of the tee box area) ended up being raised up around 10 feet over time. The edge of the resulting bank was quite soft, being composed of golf turf plugs. This activity occurred every year that I can recall. It extended the bank quite a bit closer to the river over the years.

The dumping of fill in the floodway continues as recently as the spring months of 2020. The soft, sandy material made up of golf course plugs has been used to

raise the site elevation and significantly altered the riverbank over time. Pictures of the recently added fill, consisting of golf plugs are included in Exhibit 3.

We retained Quadrant Consulting, Inc. to estimate the amount of fill that has been placed in the floodway by golf course Staff. Exhibit 4 shows a comparison between the 2007 LiDAR and the 2019 LiDAR data sets. Quadrant Consulting notes the 2007 LiDAR data set has some issues, but it does generally provide a reasonable representation of ground elevations at the time it was acquired. This comparison demonstrates that between 2007 and 2019, there is a net difference of approximately 1,300 cubic yards of additional material within the floodway extents. This difference is too significant to be explained away through random error or data accuracy issues. A significant quantity of fill has been placed in this area over the 12 years between the two LiDAR flights. The most significant apparent elevation changes are also mostly localized to the area closest to the river raising the riverbank both within and at the very edge of the property boundary by up to 7 feet. Given the 6 to 7 feet of elevation rise on the property boundary, it also raises questions about the likelihood of golf course Staff dumping fill into the adjacent riverbed, property owned by the State of Idaho.

In addition to this information provided to Garden City, we plan to also inquire with the Idaho Department of Water Resources and with the Army Corps of Engineers, the agencies with jurisdiction over materials deposited in the Floodway, as to whether the appropriate permits were granted for placing fill within the Floodway boundaries.

3. Application Does Not Meet the Standard of the Relevant Garden City Ordinances

Below are the relevant Garden City Ordinances for development in the Floodway:

8-3B-5-4 FLOODWAYS:

Located within areas of special flood hazard established in section 8-3B-3-2 of this article are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in

accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section 8-3B-5, "Provisions For Flood Hazard Reduction". (Ord. 795, 12-10-2002; amd. Ord. 898-08, 9-8-2008)

The application does not include certification by a registered professional civil engineer that will satisfy subsection A above.

4. LOMA or Letter of Map Amendment Process Cannot be Used Under the Current Circumstances

The application includes a note on Page 3 that states "Existing ground elevations are above BFE and we believe the floodway portions of the property should be removed from the floodway by LOMA application." The statement "existing ground elevations are above BFE" is correct, however the ground elevations have apparently been materially impacted by the 1300 cubic yards of fill deposited in the floodway. The LOMA or Letter of Map Amendment process cannot be used to alter the floodway line under the current circumstances. It is our current understanding that the LOMA process typically relates to providing improved data to FEMA to prove that a subject property was inadvertently mapped as being in a floodplain, when said property should have been excluded as the property is actually higher in elevation than the base flood elevation or BFE.

Title 44, Chapter I, CFR Part 70 defines what is and is not allowable within the bounds of the LOMA process. Part 70 lists the various flood zones where a LOMA is applicable, and floodway is not on that list. However, the portions of this project that are within the AE special flood hazard area, or 100-year floodplain, would likely be eligible for removal using the LOMA process.

The instructions for the FEMA MT-1 application, which is the application used for the LOMA process, states under the Applicable Regulations section that the "Part 70 procedures shall not apply if the topography has been altered to raise the original ground to or above the BFE since the effective date of the first NFIP map." The earliest NFIP map on the Boise River available is dated 1979. Therefore, if any fill has been placed on the property since 1979, per the MT-1 application, the project would be ineligible for the LOMA process. Based on

the comparison of the 2007 versus 2019 LiDAR, it appears that a significant volume of fill has been placed on the property since 2007.

Per FEMA's Guide for Community Officials (Chapter 7, 2009), "Once adopted by the community, a particular regulatory floodway configuration becomes administratively established and the limits of the regulatory floodway are intended to remain unchanged." To modify the floodway, this same document goes on to state the following:

"A community must obtain a floodway revision or Conditional Letter of Map Revision from FEMA before permitting an encroachment into a regulatory floodway that would cause any increase in 1-percent annual-chance flood levels. Before FEMA can grant such a request, the community must apply to FEMA for conditional approval of the proposed project. The data the community must submit in support of such an application to revise the regulatory floodway, and the procedures FEMA will follow in reviewing and responding to the application, are discussed in Chapter 6. If the community has demonstrated through hydrologic and hydraulic analyses that the proposed encroachment will not cause any rise in flood levels, then a "no-rise" certification can be used to document the analyses, and no application to FEMA is required. A community may request a regulatory floodway revision in the following situations:

- When an appeal or a map revision results in changes to effective BFEs; and
- When, for good cause, the community wishes to shift the regulatory floodway or change its configuration in some way."

The guidance document goes on to state "Because the community selects and adopts the regulatory floodway, all requests for changes to regulatory floodways must be made or approved by community officials. FEMA will not revise a regulatory floodway without the approval of the community."

Based on the above, the developer would need to verify through detailed hydraulic analysis that the fill that has already apparently been placed on the property and the improvements associated with the proposed development have not or will not cause a rise in base flood levels, allowing for a no-rise certification. If, however, a detailed hydraulic analysis does not lead to a determination of no-rise, the alternative would be to modify the floodway location through the Conditional Letter of Map Revision (CLOMR) process with

support from the community. The CLOMR process is significantly more involved than the LOMA process as FEMA regulations demand rigor and analysis related floodway modifications.

5. Proposed Development Site Remains within the Floodway Based on Existing FEMA Flood Maps and FEMA Preliminary Flood Maps Dated June 2020.

At the June 8, 2020 Garden City Council meeting, the Council took action on an Ordinance related to Garden city adoption the preliminary flood maps. On Garden City's website at [https://gardencityidaho.org/vertical/Sites/%7BA16794C5-94AE-4C54-B8E9-ADC537012C3F%7D/uploads/2017FEMA_Floodway\(1\).pdf](https://gardencityidaho.org/vertical/Sites/%7BA16794C5-94AE-4C54-B8E9-ADC537012C3F%7D/uploads/2017FEMA_Floodway(1).pdf) is a document labeled FEMA 2017 Proposed Revisions: Floodway ONLY. This document seems to indicate portions of the proposed development site are deleted from the Floodway. Attached as Exhibit 5 is the current effective flood map from the FEMA website. Attached as Exhibit 6 is the proposed flood map from FEMA website dated June 2020. In both exhibits the proposed development site is within the Floodway including the building pads.

Unless Garden City has information that FEMA does not have on their website, it does not appear that a change from the current effective FEMA flood maps to the updated FEMA flood maps will change anything with respect to permitting requirements for the proposed subdivision.

6. Intent to "Reinforce the Riverbank"

During the neighborhood call on May 18, 2020, Mr. Taunton stated the planned lots would include work to reinforce the riverbank. Having lived next to the proposed development for nearly 28 years and walked up the dry Riverbank when flows are as low as they are currently, the bank would be very dangerous for homeowners, especially children in its current condition. In the area of the fill deposits there is nearly a 10-foot-tall vertical bank to the river consisting of soft sand from golf course plugs. During the high-water year of 2017 debris was deposited above the 6500 cfs line and remains there today, a dangerous tangle of large trees and limbs. The dangerous condition of the riverbank when viewed from the golf course is hidden due to a dense ring of blackberry bushes, however it is clearly visible from the dry portion of the Riverbed at current flows. Both of

the pictures below are from the dry riverbank looking directly toward the property line of the proposed development site.



There is no mention in the application of the amount, type of materials or construction plan for debris clearing, alteration of the dangerous riverbank slope or reinforcing the riverbank. Alteration of the riverbank and adding materials to the Floodway should be a part of the development plan that is presented for the Planning Services team and impacted neighbors to review, assess and consider. The placement of the additional fill in the form of riverbank reinforcement within the floodway would also require a detailed hydraulic analysis to demonstrate “no-rise” for permitting purposes, and most likely any sort of structure would require approval from the Army Corps of Engineers or other regulatory agency.

7. The Preliminary Plat Engineering Reports

The application contains a Soil Report and Hydrology Report. The report notes the “site is relatively flat and somewhat elevated to the golf course” and “the site is also elevated above the Boise River to the south”. However the report does not include mention that the higher elevation and leveling of the site is due to

materials hauled onto the site to build the tee boxes and added to the site through golf course employees hauling waste materials (grass plugs) from other areas on the golf course onto the proposed development site.

The geotechnical evaluation was completed in April 2019, at a time when the developer was contemplating the three-lot subdivision. In an email from John Starr, Colliers to Valerie Heusinkveld, dated March 25, 2019, Mr. Starr states:

“It turns out the engineers/consultants for the Owner were already working on a little subdivision of three lots at that location when this all came up.”

The geotechnical report notes soil samples were gathered at each of the boring sites and notes “the soil surface is a brown, dry to moist, non-plastic silty sand that is between 1.0 to 2.5 feet deep”. This characterization of soil depth conflicts with the elevation gain noted on the topographic survey where the building site (tee boxes) has been elevated 3 to 5 feet from other portions of the building site.

The nearest geotechnical boring site is over 750 yards from the proposed development site. None of the boring sites and soil sample collection sites noted on the map indicate they were made on an elevated tee box similar to where the proposed development site is located.

The report notes “Though not focused on the area of the proposed development, the findings and conclusions of the geotechnical evaluation are consistent with expected conditions at the site.” We have two concerns with this statement. First, why would a geotechnical evaluation ordered at the time the developer was considering the currently proposed Glass Island View subdivision, specifically exclude the proposed development site from the work performed by SITE Consulting, LLC.? Our second concern is we do not know if the information about the significant fill added to the development site over time was brought to the attention of the civil engineers when they were making their conclusions relative to the applicability of the 2019 geotechnical work to the Glass Island View subdivision.

8. The Plantation No. 1 Subdivision and Investors Plantation on the River Subdivision were Developed Without Contemplation of Homes Between Gramarcy Lane and Plantation River Drive

The application promotes the case “the subdivision is a logical infill development that completes a gap in the development pattern, which gap was created for the now defunct Plantation Island golf holes”. To support this thesis the Taunton Group included in its April 14, 2020 letter to neighboring homeowners a barely legible map showing 2 golf holes on Plantation Island. The origin of this map, date created, and any other contextual data was not provided nor was it is a part of the application. The application notes the connection to Plantation Island was abandoned in 1989. The Plantation golf course is over 100 years old.

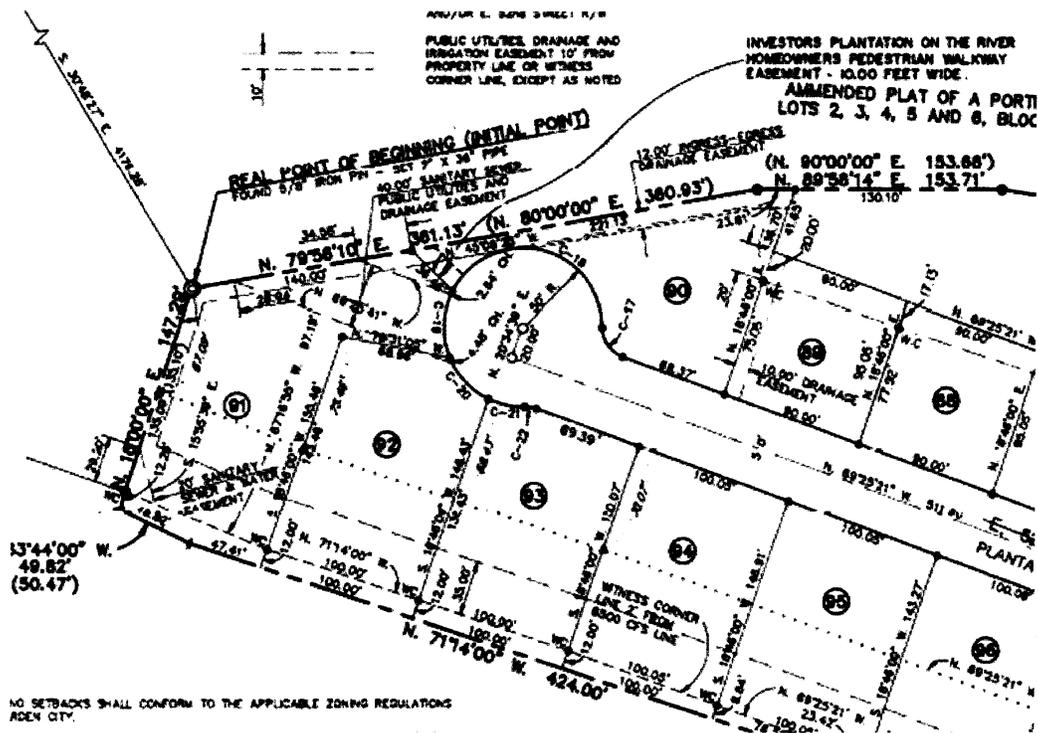
An equally plausible thesis as to the undeveloped nature of the now proposed subdivision is that the land in question was not suitable for residential housing thereby allowing an alternate use for golf course extension to Plantation Island. Below is a picture of the proposed development site. The red line connects the two cul-de-sacs and is approximately 150 yards.



The land to the east, constituting lot 3 in the Preliminary Plat is the area with the most fill in the last 12 years. There is no record available to homeowners at this

time which identifies fill added prior to 2007, potentially this area provided drainage to the Boise river and included topology unsuitable to construction without fill which would have been challenging given the development site is in a floodway. Additionally, all the land surrounding the cul-de-sac opposite Gramarcy is privately owned.

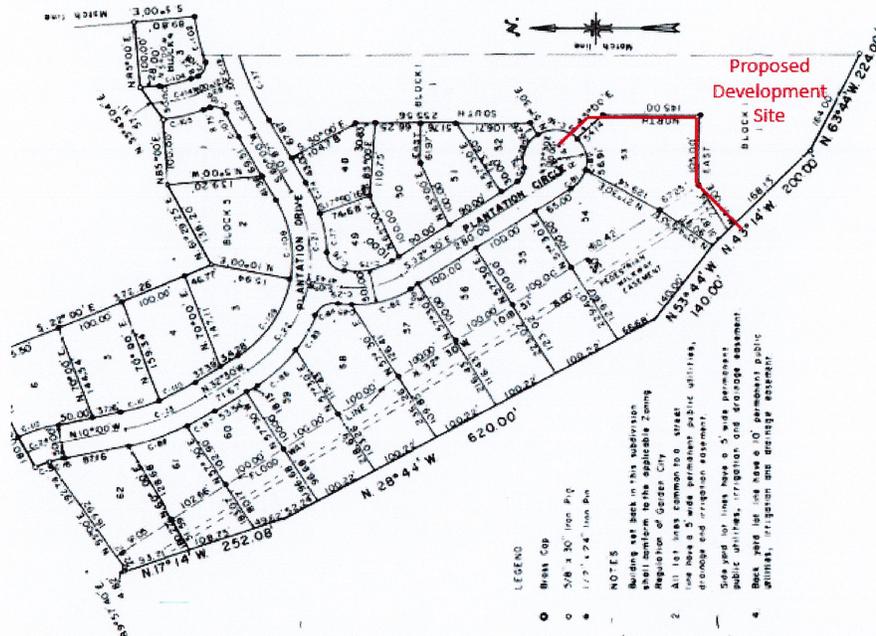
Plat for Investors Plantation on the River. Private ownership surrounds the cul-de-sac, no public or private road access contemplated



The land included in Lot 1 on the Preliminary Plat of the proposed subdivision contained a public easement from Gramarcy Lane to a proposed pedestrian walkway noted on the 1977 Plat for The Plantation No. 1 and was intended to be part of the Boise River Greenbelt system. This easement was vacated by the Garden City Council meeting on July 8, 2019 based on an application filed by the Taunton Group and received by Garden City on June 7, 2019. The Taunton Group asserted in its application that the only entity affected by this easement was the property owner, Glass Creek, LLC. However, the easement was originally included to provide access to the Boise River and a planned greenbelt as noted on the original Plantation No. 1 Plat. The existence of the easement thereby made portions of the land now proposed to be Lot 1 undevelopable. It is now becoming

evident that Glass Creek, LLC requested the Council vacate the easement to facilitate this subdivision application. That material fact was not disclosed to the Council during the process to vacate the easement.

The Plantation No. 1 Platt from 1977. The recently vacated easement from Gramarcy Lane, which is a public road, to the pedestrian easement contemplated to be part of the Boise River Greenbelt system is indicated in red.



With the brief time allowed before submissions were due to the Garden City Staff, it is not possible to conduct interviews, research documents or other sources to determine the original design intent of the planners and developers of the two subdivisions. However, there is evidence that the thesis promoted in the application that “gap was created for the now defunct Plantation Island golf holes” may not be accurate.

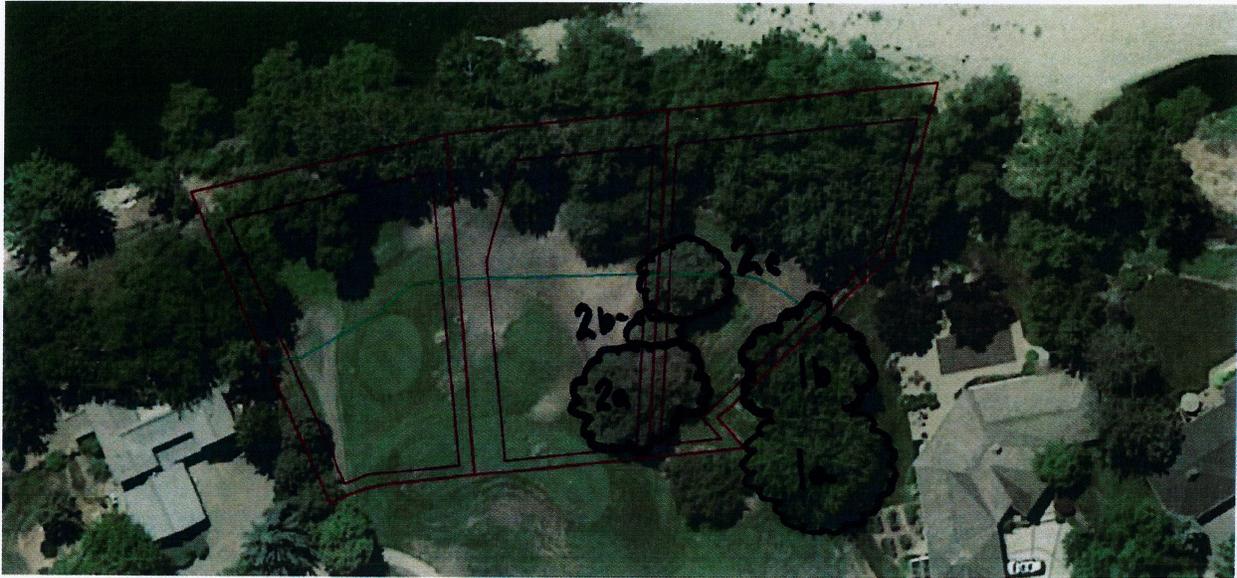
9. The Application is Incomplete Due to its Total Omission Plans Related to Work in the Riparian Area

During the neighborhood call on May 18th, Mr. Taunton described the developer’s plans for work in the riparian area citing removal of blackberries and other non-native species, debris clean up and tree pruning to raise the tree canopy. The riverbank has remained stable for 28 years of our residency, even during the very

high-water year of 2017. The heavy vegetation has been a significant contributor to that stability. Destabilizing the riverbank immediately upriver to our home could cause tremendous damage and danger to our property and also to the property of our downstream neighbors. We believe it is imperative the officials of Garden City thoroughly understand the developer's detail plans in the riparian area and have the opportunity to assess its impact on riverbank stability. We believe the complete omission in the application of any mention of the clearly planned riparian activity during development presents a danger to our home due to the risk of destabilizing the riverbank.

10.No Plan to Protect or Preserve the Trees Located on 3675 Gramarcy Lane

The application correctly states existing homeowners are buffered by mature trees. The mature trees on our lot and their value to our home are described in the accompanying arborist report. However, the application fails to mention that with only a 5 foot setback on Lot 1 to our property line, the construction of the private drive, the construction of the proposed home and resulting home structure will significantly endanger the health and longevity of our trees. Below is a Google Earth picture with the lot lines, setbacks and building pad outlines superimposed over the actual site picture. Our mature maple trees are labeled 1a and 1b. The roots are established into and the canopy overhangs the proposed building site significantly. The western edge of any home built on lot 1 will be immediately adjacent to the entire width of the tree labeled 1b and place a shadow over significant portions of the tree canopy. We are very concerned we will be forced to sacrifice our nearly 40-year-old trees if this development is approved as currently planned.



11.Landscape Plan to Retain and Protect Existing Trees in the Parcel is Unachievable and Misleading

The portion of the proposed development site that is not taken up by the tee boxes has several trees and a heavy tree canopy. The Landscape plan indicates the protection and retention of three large blue spruce trees in the above picture labeled 2a, 2b and 2c in the picture above. The middle and smallest of these threes (2b) is diseased and dying. However, the other two trees marked for retention are large, vigorous, and very attractive. See assessment of these trees in the arborist report at exhibit 7. Given these attributes it is understandable both trees are marked for retention. Both trees have a substantial portion of their roots canopy and trunk within the already small building pad envelope. Any construction or leveling of the building pads for lot and 1 and 2 will either require removal of the trees or will so seriously damage the trees they have will have a high to certain probability of death. The landscape plan and tree mitigation plan as contained in the application are misleading as they rely on the continued health and survival of these trees.

Contact with Representatives of Glass Creek, LLC.

As adjacent neighbors and with rumors of golf course development swirling in the community, in March of 2019 we expressed interest to the owner of Glass Creek, LLC about acquiring a lot line adjustment. At the time our intent was to increase the size of our lot for gardening and to provide a buffer to any potential

development. When the economics of the potential acquisition of a lot line adjustment proved insurmountable, we abandoned this plan. The owner of Glass Creek contacted us of his intent to develop lots on the site. We responded by again expressing interest and requesting information on the proposed lots. On April 12, 2020, a neighbor who is member of the Plantation Country Club forwarded a copy of an email sent to all members with a concept design for the golf course improvements and the private lane with three adjoining lots.

Request to Garden City and its Planning Services Department

For development in a dangerous Floodway zone we would request additional time for the Garden City Staff to be able to assess the necessity to complete the following items or more that come to their attention with review of the included information.

1. Visually inspect the proposed development site and neighboring properties
2. Assess the accuracy of the topographic survey and determine if available new information warrants the developer providing a survey using ground techniques rather than an aerial drone
3. Recalculate the required 70-foot building setback from the Ordinary High-Water Mark of the Boise River based on an accurate representation of the 6500 cfs water line
4. Analyze the impact to the site and the surrounding homes of the significant amount of fill previously placed within the Floodway
5. Determine if the property owner obtained the necessary permits for depositing fill inside a Floodway
6. Determine the appropriate project certification standards, including the need for a no-rise certification and if the application meets those standards for development in a Floodway
7. Assess the risk to the project by reliance on a geotechnical study not conducted on the actual development site
8. Determine if given the significant amount of fill deposited by the golf course Staff and the materials used to construct the elevated tee boxes if a geotechnical report conducted on the proposed development site is necessary
9. Seek clarification on plans to alter and reinforce the riverbank and if reinforcement is part of the project, the detailed plans and required certifications

10. Request the developer complete the Work in the Riparian Area portion of the application
11. Assess if the developer has adequately provided a construction plan that preserves and protects neighboring valuable trees.
12. Assess if the landscape plan for the protection and preservation of trees in the building site is attainable. Determine if tree mitigation calculations and plans have been completed accurately

We request that Staff recommend denial of the application as submitted or at a minimum recommend to Planning and Zoning that the application be tabled until a more complete application is submitted and all stakeholders have had time to adequately review the application and material facts noted in this letter and its attachments.

Respectfully



Jake Heusinkveld



Valerie Heusinkveld

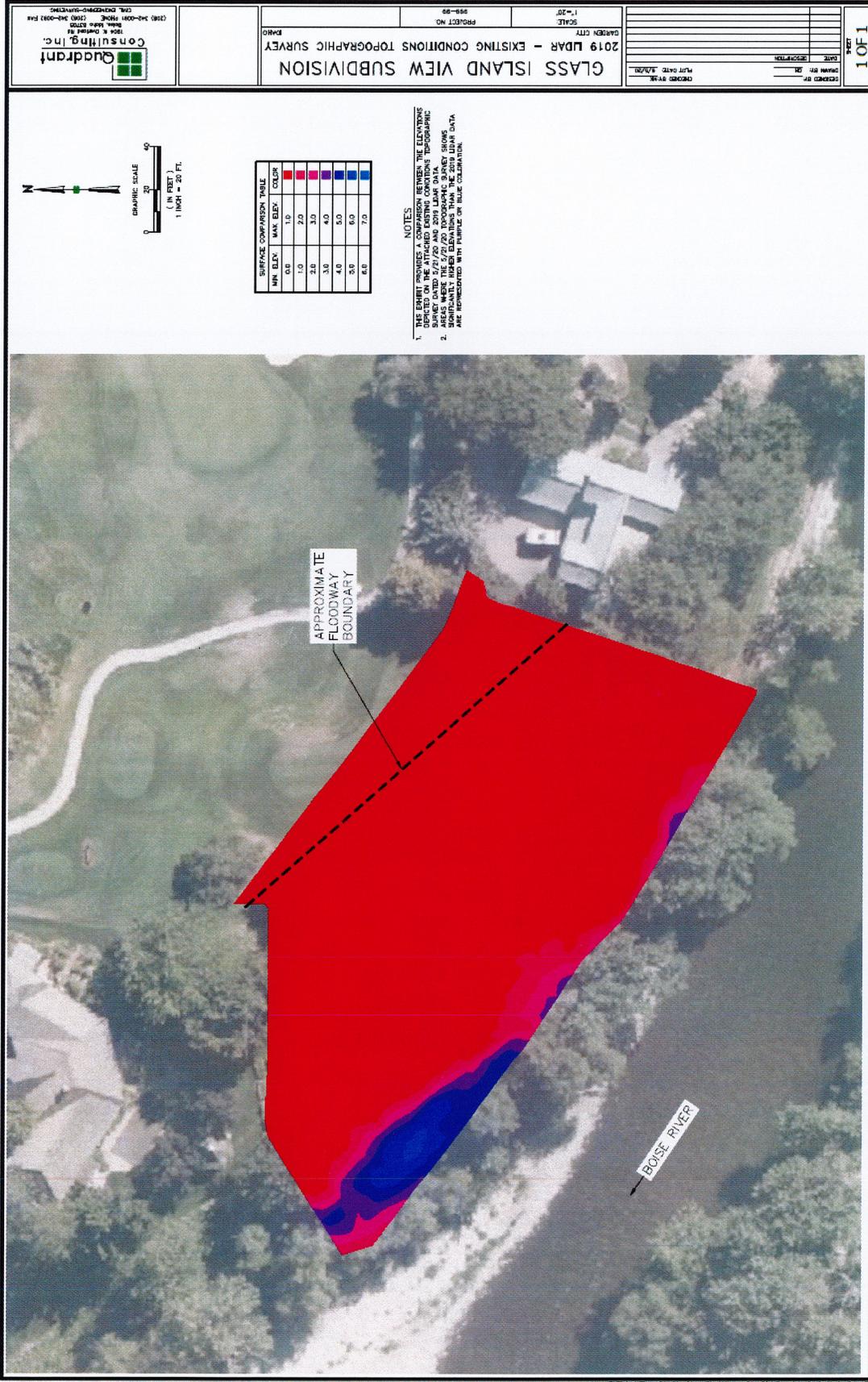


Exhibit 2 Pictures of water levels on April 21, 2019. River flows as measured at the Glenwood bridge were 5,570 cfs. The pictures were taken at the point indicated on the map and include an upstream picture, downstream picture, and directly across the river at the newly constructed Plantation Island bridge reconnecting the Boise River Greenbelt.

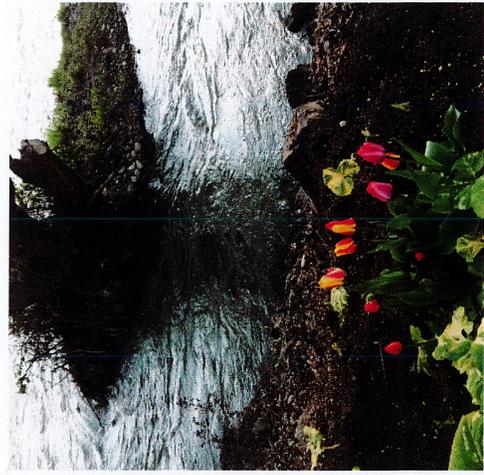
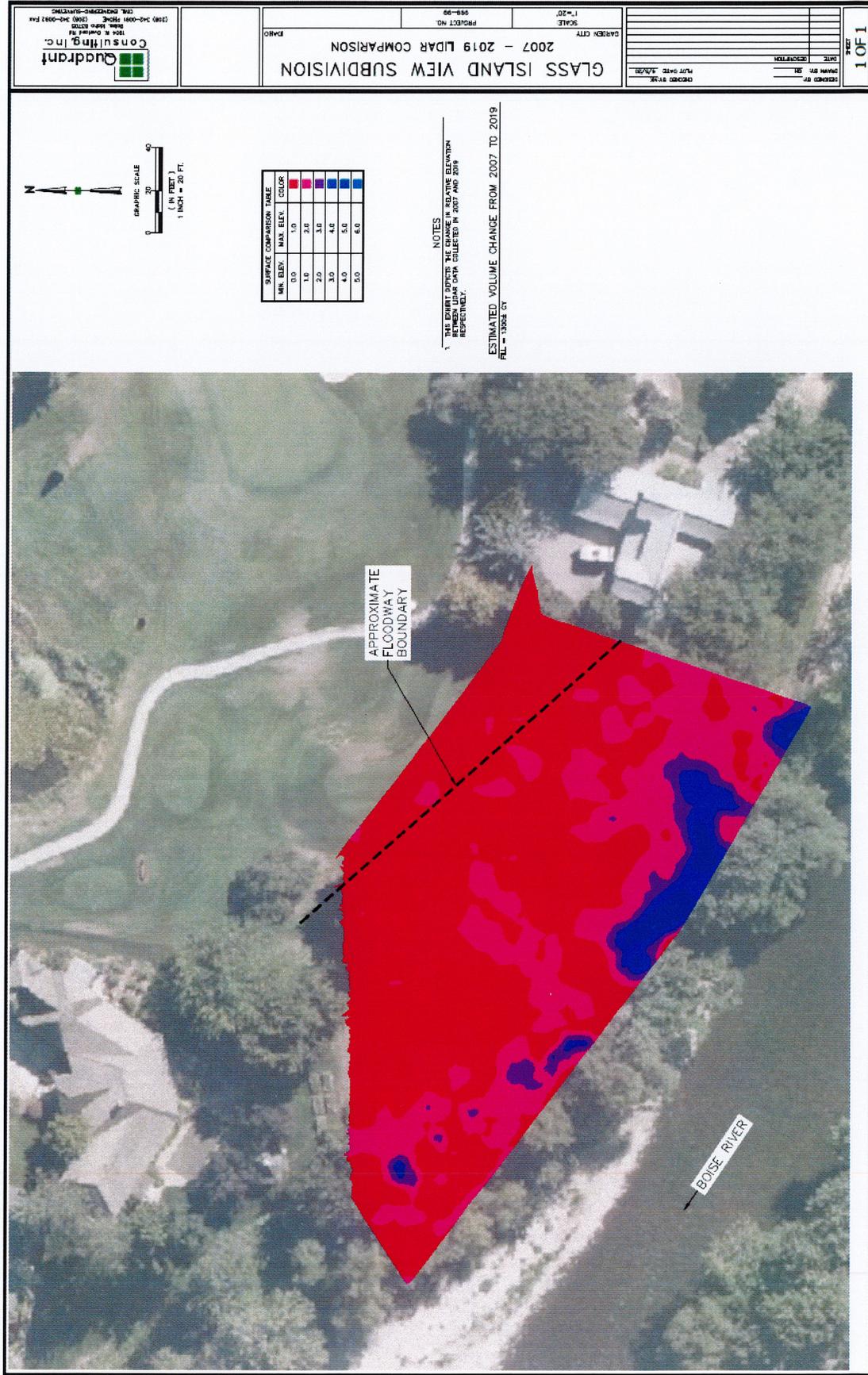


Exhibit 3 Pictures of fill and other recent deposits in the proposed development site



Exhibit 4



LEGACY DES BOIS – A CONSULTING ARBORIST

Brian Jorgenson, Certified Arborist PN-1478AM
Legacy des Bois, LLC – a Consulting Arborist
208-631-1454 | legacy.bkj@gmail.com

June 10, 2020

Dear Mr. & Mrs. Heusinkveld:

Please find the attached Tree Assessment and Protection Report. I hope you find it meets your expectations and will provide good information to assist you in protecting your trees.

Thank you very much for allowing me to help with this project! I enjoyed working with you!

Thanks again!



Brian Jorgenson, Certified Arborist PN-1478AM
Legacy des Bois, LLC – a Consulting Arborist
208-631-1454 | legacy.bkj@gmail.com

Tree Assessment and Protection

for Jake and Val Heusinkveld

At 3675 Gramarcy Lane

Introduction

On May 28th, I met with Jake and Val Heusinkveld at their home at 3675 Gramarcy Lane in Boise. They had contacted me the week before as they were concerned about a new development next to their property. Three new homes are proposed in the open space southeast of their home. Of particular concern is the impact this development may have on three trees owned by the Heusinkvelds. Below is an aerial image of their residence with the three trees identified.



Figure 1 - Heusinkveld Trees and area of proposed development

The Trees

As stated above, three trees are potentially impacted by the proposed development. Below, I identify and describe each tree. From north to south, they are:



Figure 2 - Flowering Pear on north side of home.

Flowering Pear

On the north side of the home, a 13-inch diameter flowering pear is growing. The tree is in good health, having no obvious dieback in the canopy and no outward sign or symptom of insect or disease infestation. There are notable bark inclusions on a couple of larger branches, but these are fairly common for this variety of Flowering Pear, which is likely 'Chanticleer' or possibly 'Capitol'. Both are varieties selected for upright or columnar growth. At left is a photograph of the Heusinkvelds pear tree. To the north of this tree, a new pathway easement is proposed, with a 10-foot planter adjacent to the property line.

Red Maples

On the southeast side of the property, two red maples are growing side by side, approximately 35 feet apart from each other. These trees were planted in 1981 and are a vital component of the Heusinkveld's landscape as they provide privacy and protection from the adjacent golf course. They will continue to serve this function if the proposed homes are constructed.

Red Maple (1)

The northernmost tree is a 25-inch diameter tree in good health. There is minor branch dieback, mostly interior to the canopy. I saw no dead branches in excess of 2 inches in diameter. There are no obvious signs of insect or disease infestation at present. The structure of the tree appears to be sound, with no outward indication of interior decay. No recent pruning cuts are present on the tree, nevertheless, the branch structure and attachments appear to be quite good, in my opinion. The canopy of this tree extends approximately 30 feet from the trunk to the shared property line with the proposed development. Several smaller branches are



Figure 3 - 25-inch diameter red maple

growing quite low from the trunk and lower scaffold (main) branches. Figure 3 shows this maple, looking from the east, toward the house.

Red Maple (2)

About 35 feet south of the trunk of the maple described above is another red maple. Though it measures 22 inches in diameter, this tree is almost identical in other aspects to the first. There is only minor branch dieback, with no outward indication of insect, disease or decay presence. Here again, branch structure appears quite sound. The reach of the canopy extends approximately 25 feet toward the property line shared with the proposed development, and smaller branches are growing low, as on the first tree. This tree is pictured at right.

All three of these trees are very valuable to the Heusinkveld home landscape. The two maples stand out especially for their size, appearance, health and proximity to the outdoor patio at the residence. Jake and Val Heusinkveld are concerned the trees will be damaged in appearance and health due to the proximity of the home proposed on the adjacent lot.



Figure 4 - 22-inch Red Maple

Concerns

Red Maples

Currently, it is my understanding there is to be a 5' construction setback from the shared property line. The true property line had not been marked at the time of my assessment, but from the drawings submitted to Garden City Planning Department, it seems clear if a home is to be built as proposed, it will likely have significant impact to both red maples, above and below ground.

Above Ground

Depending on the size and layout of the proposed building, each tree may have to be pruned significantly to allow construction. This will certainly significantly alter the appearance of the trees, potentially removing 40% of the canopy. Pruning this much canopy can significantly reduce the health of the tree, as it removes up to 40% of the photosynthesis (food making) capability. In addition, siting a 2-story home in this proximity, and on this aspect of the trees can block a significant amount of sunlight, which trees are dependent upon for photosynthesis.

Below Ground

The roots of a tree often grow far beyond the spread of its canopy. While these roots are likely not structurally significant to the tree, they are important to the ability of the tree to take up water and nutrients from the soil. The vast majority of roots exist in the top 18 to 24 inches of soil, spreading outward from the trunk in all directions possible. These facts are important when considering construction near existing trees.

There are two main ways which construction impacts tree roots: cutting and compaction. Constructing a building requires digging, leveling and compacting land prior to setting a foundation. Digging and leveling permanently removes roots from the tree, often damaging remaining roots while doing so. Levelling land can bury roots, making it air and water exchange impossible in the soil. Compaction can crush roots, but more importantly, removes spaces within the soil structure where the water and air which are vital to root growth exist. Finally, traffic from the heavy vehicles required during construction significantly compacts soil almost everywhere else on the site property.

For the reasons above, careful consideration must be given to where construction and where construction traffic is allowed to preserve trees on a property or, as in this case, on adjacent property.

Flowering Pear

Concerns around the health of the flowering pear tree center around the construction of the proposed pathway and planters. The 10-foot planter should be placed and constructed with recognition of the presence of tree roots from this tree.

Recommendations

The following recommendations are given to preserve and support the health, viability and appearance of the Heusinkveld's trees.

Recommendation 1

Mark the true property lines around the Heusinkveld property adjacent to the proposed new development. This will give a much clearer indication of the potential effect of construction on all three trees. The extent of all subsequent recommendations rest on this one. Once completed, a better picture of potential impacts, damage and tree protection will become clearer.

Recommendation 2

To best preserve the canopy and root structure of the two red maple trees, I strongly recommend a setback of at least 15 feet from the shared property line. This should reduce required crown pruning and root damage and removal.

Recommendation 3

Create a tree protection plan consisting of the following:

1. Hire a tree service approved by the Heusinkvelds to perform any necessary pruning of their trees prior to start of construction. Under no circumstances should the construction contractor or sub-contractors be allowed to prune the trees.
2. Install a temporary chain-link fence separating the construction one from the protected areas around the trees. No construction traffic should be allowed outside the fence and the fence should not be moved once installed without the agreement with the Heusinkvelds.

3. To protect the root system of the trees, a trench should be cut to separate roots inside the construction zone from the tree. They must be cut prior to any demolition or construction of the site. The best way to accomplish this is to hire a tree service to use a stump grinder to cut an 18-inch trench just inside the construction zone boundary of the fence. Once cut, the trench can be backfilled.
4. Signage should be placed on the fence alerting contractors and sub-contractors not to move or expand their operations beyond the fence.
5. The Heusinkvelds are responsible for irrigation of the trees during construction.

Recommendation 4

Eliminate proposed planting of trees or tall shrubs adjacent to the flowering pear tree and red maple (1). The presence of the existing trees and the Heusinkveld's vegetable gardens should take precedence over any new plantings.

Conclusion

Jake and Val Heusinkveld have invested time, money and care into their landscaping, their maple trees most of all. To protect these trees, the recommendations above should be implemented, beginning with recommendation 1. We await a positive outcome to these recommendations.

Completed by:



Brian Jorgenson, Certified Arborist (PN-1478AM)
Legacy des Bois, a Consulting Arborist
208-631-1454

LEGACY DES BOIS – A CONSULTING ARBORIST

Brian Jorgenson, Certified Arborist PN-1478AM
Legacy des Bois, LLC – a Consulting Arborist
208-631-1454 | legacy.bkj@gmail.com

Brian Jorgenson's Qualifications

Brian Jorgenson graduated with a Bachelor of Science degree in Urban Forestry from the University of Minnesota in 1994 and moved to Boise, Idaho the same year. He worked at the City of Boise's Community Forestry office for 25 years, and was Boise's City Forester from 2007-2019. He is a Certified Arborist, a Certified Municipal Arborist, and a Qualified Tree Risk Assessor at the International Society of Arboriculture. In 2019, Brian started his own business as a Consulting Arborist at Legacy des Bois. He completed the Consulting Arborist Academy at the American Society of Consulting Arborists in early 2020 and is working towards becoming a Registered Consulting Arborist. He has worked for 26 years to advance urban and community forestry in Boise, the Treasure Valley and Idaho.

City of Garden City
Development Services Department
6015 Glenwood St.
Garden City, Idaho 83714

Attention: Elizabeth Schenstrom

June 8, 2020

Dear Planning and Zoning Commissioners

My name is Ron Wilper and I live at 3411 N. Plantation River Drive in Garden City. I am in receipt of your letter of June 1, 2020 informing me of an application proposing a four lot subdivision within 300 feet of my property. Thank you for the opportunity to comment. Please consider this letter my testimony.

The Glass Creek proposal (APPLICATION: SUBFY2020-6) acknowledges that a public pathway across my property (lot 90) would require the approval of the Investors Plantation on the River HOA. During the telephonic neighborhood conference call on May 18, Mr. Bob Taunton of Glass Creek stated that without our approval Glass Creek would abandon the public easement feature of the proposal and that the fence and no trespassing sign blocking golf course access from my property would remain in place. On May 20 all members of the Investors HOA disapproved of the public pathway proposal as evidenced by a letter previously delivered to the City. (On June 9 a special meeting of the HOA will be held to take a proper vote on a motion to disapprove the plan to extinguish the limitations on our HOA walkway.)

I hope you have an opportunity to look at my property. As you can see from the plat, my lawn wraps half way around the cul-de-sac on Plantation River Drive. From the easternmost border of my driveway to the eastern end of my property measures approximately 121 feet. I maintain rose bushes and flower gardens on this part of my property.

My concern is that service and delivery vehicles as well as residents of and visitors to the proposed subdivision would park in the cul-de-sac to access the new houses. Even without the new subdivision I have folks parking in the cul-de-sac to access the Greenbelt and the golf course. I don't mind a few people walking across my lawn coming from or going to the golf course, but placing an access road from Gramarcy Lane to the proposed subdivision would likely increase pedestrian, bicycle and motorized vehicle traffic across my property. I wouldn't be able to put up with that.

I have other concerns about the new subdivision. The lot seems awfully small for three houses. Also, to comply with the setback from the Boise River without fudging the high water line, the houses would have to be built almost to the edge of the proposed access road from Gramarcy. All of the other houses in the subdivision have a 20 foot road setback requirement.

Finally, I'd like you to know that I have contacted a local engineering firm to help me understand the more technical aspects of the proposal. The engineer I spoke to told me he would be willing to look at the application for me, but that under no circumstances could I use his name or the name of his firm. I understand why, as a matter of professional courtesy and ethics, one engineering firm would be reluctant to criticize or critique another firm's work. I have recently obtained the name of another water engineering firm but there isn't enough time for them to fully inspect the application. If the Planning and Zoning Commission could grant a short delay to allow me more time to ask questions of qualified and independent experts, I would appreciate it.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Wilper', written in a cursive style.

Ron Wilper
(208)830-2320
rjwilper@gmail.com

.....

SUBFY2020-06: Preliminary Final Plat

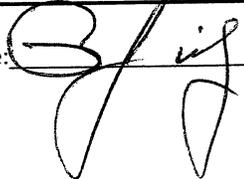
Your Name Ronald J. Wilper Date June 7, 2020

Your Physical Address: 3411 N. Plantation River Drive

(Please select) I wish to be kept informed of any additional future meeting dates:
 Yes No

(Please select) Regarding this application I:
 Support the Application Am Neutral Oppose the Request

Comments: Please see attached letter. Thanks!

Signature: 

June 10, 2020

Planning and Zoning Commission

RE: SUBFY2020-06 Glass Island View Subdivision

Dear Commissioners:

Thank you for the opportunity to provide testimony regarding the proposed subdivision.

I do not agree the residences proposed in Glass Creek's application would be compatible with the existing residences adjacent and across from them given the residences adjacent and across have been there for decades and theirs will be new modernized and will undoubtedly stand out as such making the homes around them appear dated and less desirable regardless of their property size and upkeep.

I also disagree in the application's claim the subdivision would not adversely affect neighboring residences. The existing residences sit on lower ground. The water table in the area is high and drainage is poor. Adding three residences and relying on a 10-foot drainage easement that butts up to 3400 N. Plantation River Drive (which is noticeably lower) creates an increased risk of property damage to the neighboring residences. The adverse effects of poor drainage to properties can be significant and may not be discovered for years. Although proper grading will be done there is no way, given the area, to guarantee the existing residences and properties won't be negatively affected.

Glass Creek's application claims the proposed residences it will be an asset for the overall community. How?

1. By cramming three houses into a space with limited access and poor drainage?
2. By adding a road to the end of cul-de-sac and increasing traffic on that road (conservatively) by over 30%?
3. By continuing to reduce the size and length of a golf course that's already being significantly downsized for commercial development?
4. By adding a subdivision to the "Plantation" community that excludes any reference to that community (e.g. Glass Island View Subdivision)?

Finally, the application states the Garden City staff requested connectivity between W. Gramarcy Lane and N. Plantation River Drive; however, the application failed to specify the type (public or private, pedestrian or vehicle, secured or not secured) of connectivity the staff requested. Prior to the staff request, the residents of N. Plantation River Drive requested Glass Creek management remove the fence that blocks their access to the golf course via the existing easement on Lot 90. However, despite an additional request by city staff, Glass Creek is only proposing a fully public ped/bike/golf cart easement within the existing HOA owned easement that was fenced off by golf course management. That is not a sincere a sinecure proposal.

Thank you for taking the time to read and consider these thoughts.

Sarah Martin

3451 N Plantation River Dr.

From: [Lindsey Stenshoel](#)
To: [Jenah Thornborrow](#)
Subject: SUBFY2020-06 - Glass Island View Subdivision - Pending
Date: Monday, June 1, 2020 1:43:17 PM

To: Jenah Thornborrow and The Garden City Design Review Committee
Re: SUBFY2020-06 - Glass Island View Subdivision - Pending

We are concerned homeowners that live within 300' of the proposed development that was submitted last weekend, and are of the understanding that this will be discussed at the Design Review Committee on June 15.

The application that was submitted is extensive and offers a great deal of technical information from what was discussed at the telephonic neighborhood meetings. We would like additional time to review this information and seek outside consultation if needed, which could be delayed by the current COVID-19 situation.

Sincerely,
Matt and Lindsey Stenshoel

--
Lindsey Stenshoel, BSN, MS, NP-C

INTERNET CONFIDENTIALITY NOTICE: This communication, including any attachments, is confidential and intended only for the use of the person to whom it is addressed. If the reader of this message is not the person to whom it is addressed or an agent or employee responsible for delivering it to the addressee, please notify us immediately that you have received the message in error. Then delete this communication and attachments, if any, without reading or copying them. Thank you.

Total Control Panel

[Login](#)

To: jthorn@gardencityidaho.org	Message Score: 1	High (60): Pass
From: lindseybraun84@gmail.com	My Spam Blocking Level: High	Medium (75): Pass
		Low (90): Pass

[Block](#) this sender

[Block](#) gmail.com

This message was delivered because the content filter score did not exceed your filter level.

From: tinaellis734
To: building
Subject: FW: Glass Creek Application- Elizabeth Schenstrom
Date: Wednesday, June 10, 2020 11:12:06 AM

Please enter into the record see below Tina Ellis 2089498070

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: tinaellis734 <tinaellis734@yahoo.com>
Date: 6/10/20 10:50 AM (GMT-07:00)
To: tinaellis734@yahoo.com
Subject: FW: Glass Creek Application- Elizabeth Schenstrom

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: tinaellis734 <tinaellis734@yahoo.com>
Date: 6/10/20 10:48 AM (GMT-07:00)
To: jakeh@cableone.net
Subject: FW: Glass Creek Application- Elizabeth Schenstrom

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: tinaellis734 <tinaellis734@yahoo.com>
Date: 6/10/20 10:44 AM (GMT-07:00)
To: building@gardencityidaho.gov
Subject: Glass Creek Application- Elizabeth Schenstrom

Please enter as part of the record 6-17-2020

Tina Ellis
3430 N. Plantation River Dr. 83703
208 949-8070
tinaellis735@yahoo.com

I have reviewed Glass Creek's application to build three homes in the area of the Plantation River Golf Course mens and womens tee box 16.

My concerns are not limited to the following:

1. Green Space....removal of old growth & mature growth trees, leading to disruption of wildlife & natural habitat
2. Inadequate parking.resulting in overflow into culdesac on Plantation River Dr reducing quiet enjoyment of property of established homeowners
3. Access for Fire Department due to insufficient parking as defined by the Fire Dept.
4. Health and safety issues regarding "Connectivity "

Proposed walking path from Gramarcy to Plantation. Increased use of culdesac on Plantation River Dr. increase in public liability and decrease in quiet enjoyment of property of established homeowners. Increased parking due to insufficient parking on private road.Accidents from increase of pedestrian @ pet traffic.

5. This project resulting in further development of Plantation Golf course into single family properties resulting in lower home values for established owners.

Respectfully submitted, Tina Ellis

Sent from my Verizon, Samsung Galaxy smartphone

Total Control Panel

[Login](#)

To:

building@gardencityidaho.org

From: tinaellis734@yahoo.com

Message Score: 15

My Spam Blocking Level: High

High (60): **Pass**

Medium (75): **Pass**

Low (90): **Pass**

[Block](#) this sender

[Block](#) yahoo.com

This message was delivered because the content filter score did not exceed your filter level.