

From: [David Hale](#)
To: [Hanna Veal](#)
Cc: [Jenah Thornborrow](#)
Subject: Fw: Mountain View Townhomes
Date: Monday, October 12, 2020 3:02:26 PM
Attachments: [image002.png](#)

Hanna,

Below is my correspondence with Settlers Irrigation about providing the pedestrian connectivity to the pathway along the canal as recommended by Design Review Committee. As you can see in the below response, Settlers is opposed to this and thus will not allow this to happen.

I wanted to bring this to your attention and ask how best to handle it with GC seeing it was recommended, is a requirement per the findings, but one I can't comply with. Appeal? Request for Reconsideration?

Let me know.

Thanks

From: Bryce Farris <bryce@sawtoothlaw.com>
Sent: Tuesday, October 6, 2020 2:38 PM
To: David Hale <david@haledevelopment.com>
Cc: Mack Myers <mack@settlersirrigation.org>; Stefanie Keen <stefanie@settlersirrigation.org>
Subject: RE: Mountain View Townhomes

David:

The Settlers' Board met today and discussed your e-mail below. This e-mail is to confirm that Settlers denies any request to provide a pedestrian pathway access which utilizes the Settlers' Canal maintenance roadway because of its concerns that such a pathway will interfere with the District's access, operation and maintenance of the Settlers Canal at this location. This area of the Settlers Canal is a high-fill bank where access and use of the maintenance roadway by the District's personnel and equipment is frequent and use of the same maintenance roadway by pedestrians and/or as a pedestrian pathway will interfere with the District's access, operation and maintenance. Please contact me should you have any questions.

As you have mentioned below, you will also still need to obtain the written consent of Settlers concerning the location of the proposed wrought iron fence in relation to the Settlers Canal and the maintenance roadway and as to any excavation and improvements along the bank//toe of the slope. Please continue to work with Mack Myers as to those issues and whether and to what extent Settlers will approve of such encroachments.

Thanks,

S. Bryce Farris

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From: David Hale <david@haledevelopment.com>
Sent: Tuesday, October 6, 2020 9:11 AM
To: Bryce Farris <bryce@sawtoothlaw.com>
Cc: Mack Myers <mack@settlersirrigation.org>
Subject: Mountain View Townhomes

Bryce,

I appreciate you taking my call this morning to discuss aspects of the planned Mountain View Townhomes Subdivision behind the Fred Meyer off Chinden. Although I still need to get with Mack Meyers to discuss the project in hopes of working towards an acceptance/approval of our plans, I wanted to address something Garden City Design Review has requested of us which involves Settler's Irrigation along our shared property line (to be recorded with the final plat).

We are planning to install 6' wrought iron fencing along the property line and Garden City Design Review has requested we install some form of access, most likely via a locked gate, to allow for "Pedestrian Connectivity" such that the future residents/owners/renters/guests can access Settler's maintenance road/pathway. Although we are not opposed to this pedestrian connectivity access point, I need to know if this is something Settler's would allow seeing this access would be onto your maintenance road/pathway. The location of the gate is not final and could be moved if topography allows, but if you could pass this by the board and let me know, that would be appreciated.

I've attached the Preliminary Plat, which I've indicated with a red line where the 6' wrought iron fence is proposed and also in red where a path and gate for access might be located.

Thank you for your time.

David Hale
208.863.4002

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