

Date: March 14, 2011

To: 2011 Mt Legislature
(S) Local Government
Chairman John Sonju

From: John Richards
PO Box 316
Seeley Lake, MT 59868

Subject: House bill 542

Please find a copy of my comments for hearing (postponed from March 9, 2011.)

Subdivision regulations should be specific and finite. They should not be subjective or about who brings the most comments to public hearings. If a subdivision meets these specific and finite regulations then it should be approved. The regulations should not be a stumbling block but a stepping stone for the approval process. Developments expand our economy, tax base, and provide jobs.

The regulations should not be for agencies and governing bodies to keep moving the target for approval. Public agencies and governing bodies should be held accountable for making false, misleading, erroneous comments.

If F.W.P. or other agencies have agendas for private lands they should be required to purchase that land or pay damages for these takings. They should not be allowed to require their agendas to be carried out on the backs of private landowners with no compensation for the taking of private property rights and lands.

Private property rights are very important to Montanans. Private property rights must be held sacred and not taken away with no compensation.

I made a deal to purchase land in 2005 to build a Montana working mans' subdivision. I invested my life's savings into making this a reality. I proposed a 1000 sq. ft., green energy efficient home plus a full unfinished basement on one acre of land for \$150,000.

Missoula County has denied my subdivision 3 times in the last 5 years. They keep requiring more and more things which, when I meet at a cost of hundreds of thousands of dollars, then deny it anyway.

Concerning element and sufficiency review, my project was held up for many months because the Office of Planning and Grants wanted me to design the site of Greenough Potomac Rural Fire Department's, 1 ½ acre property for a station and storage tank facility. I told the Office of Planning and Grants this was not my property and I couldn't design someone else's property. The Office of Planning and Grants refused to allow my application for subdivision to proceed until I designed the site plan for the fire department's property. This is just another example of how out of control Missoula County is.

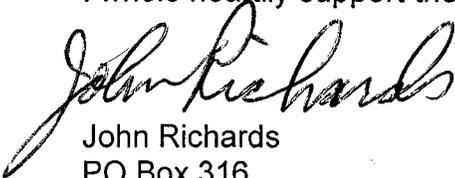
F.W.P. comments say I must provide wildlife habitat but do not pay anything to take away my property rights. I have the right to fence wildlife out of my property.

F.W.P. agreed to my latest subdivision plan for mitigation in writing and then at the 11th hour reversed their agreement based on "new information" that wildlife are attracted to water and timber. I think most 5th graders have this basic knowledge and I believe F.W.P. should have known this when they agreed to my mitigation.

In Montana, we have millions of acres of public lands for wildlife. F.W.P. and the governing bodies should not be allowed to take any private property rights with no compensation.

Please make subdivision laws specific and finite to get to approval, not vague, abstract and subjective for the personal agenda of the reviewers.

I whole heartily support the concept of this bill.

A handwritten signature in cursive script that reads "John Richards". The signature is written in black ink and is positioned above the printed name and contact information.

John Richards
PO Box 316
Seeley Lake, MT 59868
406-677-4123