

November 16, 2016

Zoning Board of Adjustment
Room 105 Courthouse Annex
Great Falls, MT 59401

RE: LETTER OF PROTEST
Cascade County Unclassified Use Permit Application – Portage Solar, LLC/Ayshire Dairy Farm

Dear Board Members:

We are the owners of property addressed as 701 33rd Avenue South as well as another parcel of 2 ½ undeveloped acres located on the corner of 9th Street South and 33rd Avenue South, both of which are adjacent to the subject property.

We feel that we submit this letter in vain after witnessing at the previous public hearing several hours of protest by neighbors affected by both the Fox Solar Project and the Portage Solar Project, and the applicants were given approval for their project anyway. The value of solar power generation is not in question; the location is. Nevertheless, we continue to stress our opposition via this letter.

For the following reasons, we protest the approval of the application submitted by Portage Solar, LLC/Ayshire Dairy Farm:

Cascade County Zoning Regulations

18.5 Standards Applicable to all Unclassified Uses

1. The proposed development will not materially endanger the public health or safety.

Fire response to any event would come from Sand Coulee. I checked with the Sand Coulee Fire Department and they have not had any contact with the applicant and are unaware of the proposed project. As a very close neighbor to the proposed development, we hope that in the event of an emergency, there is a plan in place before something happens.

2. The proposed development is a public necessity, or will not substantially impact the value of adjoining property.

The applicant responds by focusing that the project site abuts open land used for limited farming while minimizing the residential homes located to the north. Our home is a substantial investment not only in the dwelling, but also the landscaping. The applicant has not proven that this project will not substantially impact the value of our home. The definition of “substantial” is subjective.

Even though the area is generally rural or agricultural in nature does not preclude the fact that we and our neighbors have a considerable investment in our homes.

Neither the application nor the staff report establishes that the Solar Power Plant is a “public necessity.” Most likely power generated from the Plant will be sent elsewhere, and, therefore, does not establish that “the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.” There is no public health involved, it provides no safety, so how is it so necessary to the general welfare of the community. It appears the substantial beneficiaries of this project are the applicant and the landowner, both of whom are generating the revenue.

While we are not opposed to solar power generation, we do not feel this is the best use of this property.

The project is proposed to have a 150’ setback from the road. The following photo shows the person standing in the field directly across from our driveway at a distance of 150’. His height is 5’10”; the solar panels are 12’ in height. **This will absolutely impact our view to the south** and just the indication of a “power plant” across from our driveway is a deterrent to the future sale of our home and the vacant land we purchased as an investment. No amount of screening, fencing, vegetation in our lifetime will eliminate the view of solar panels.

It is our understanding that the proposed farm was moved further to the north (closer to 33rd Avenue South) due to pressure from the Portage Site. While we respect the historical importance of the Lewis and Clark portage, how can it be justified to ruin our views and property values to preserve the memory of something that occurred over 100 years ago while we live our lives in the present.



3. The proposed development will be in harmony with the area in which it is located.

There is no harmony with a solar farm, the deer, birds and other wildlife or our residence. Where is the harmony of a 30-acre display of basically black flat panels 150' from a person's front door? This is very unattractive to say the least.

The conditions of approval appear to mainly address rules and regulations regarding permits. The conditions also state to comply with guidelines in Section 8.12 which talk about noise and landscaping but those items are not clear at this time to determine if they will create any harmony.

4. The proposed development will be consistent with the Cascade County Growth Policy.

Staff report refers to Goal 1 of Section 2.1 of the Cascade County Growth Policy stating "sustain and strengthen the economic well-being of Cascade County's citizens." The applicant states in their application that the construction of the solar facility **may provide some local construction related jobs**. We see no other reference where the solar farm will sustain and strengthen our wellbeing. They may employ a part-time maintenance person. From information provided at the previous meetings, property tax generation does not appear to be substantial.

Please take into consideration if this is the best use for this land. Solar power generation is not the issue here, but our neighborhood quality of life and property values are.

I appreciate you taking time to review these comments and request you **deny** the applicant's request.

Respectfully submitted,

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701 33rd Avenue South