



Project Management / Site Development / Construction Management

June 18, 2013

Ms. Lynn Johnston  
President, Board of Trustees  
Idaho Shakespeare Festival  
PO Box 9385  
Boise Idaho 83707

Re: Barber Mill Estates

Dear Ms. Johnston:

I received your letter dated June 6, 2013, which I shared with the property owners, David and Ann Triplett. I want to respond to your comments regarding the Festival's continuing concern regarding noise and the sewer lagoons. As you know, we have been corresponding and meeting about these issues over the last two months. We have appreciated working with the Festival representatives and believe we have made great progress toward a well-planned residential development. We were taken aback by the tone of your letter but I hope we can work together.

As suggested to us by the Festival, we are beginning the process of engaging a sound expert. A sound study will be under way shortly. Once the study has been completed, we will schedule a meeting with the City of Boise, the Festival and others to discuss the results and any potential mitigating actions.

I am enclosing a copy of my April 22<sup>nd</sup> email to Mark Hofflund, which I assume you have seen. The 4<sup>th</sup> and 5<sup>th</sup> bullet points addressed the noise issue early in our conversations with the Festival. At that time, a concern was expressed that we make potential home purchasers aware of the Festival's location and also that we work to reduce potentially noisy activities in the neighborhood during Festival productions. We committed to working with the City to condition our proposal so that appropriate CC&Rs and disclaimer notices are prepared. We have been consistent with the Festival and the City to point out that we are committed to do all that is needed to ensure that potential homeowners in Barber Mill Estates are very much aware that they are moving close to the Festival and that the Festival appreciates a quiet surrounding.

As we talked about at the late May meeting, the sewage ponds will be allowed to dry naturally. We were encouraged to hear that consultants hired by the Festival also think drying the ponds naturally is the correct process. As we mentioned at that May meeting, per the Work Plan developed with the Idaho Department of Environmental Quality, the material needs to be turned to encourage the drying process so that material may be removed in October. The Triplett's have committed to do this type of work activity at times during the summer season when the Festival is not operating. We will be happy to notify you of pending work so that we can coordinate with you. There is no intent on the owner's part to cause odor or dust or any other form of discomfort to neighboring property owners, including the Festival.

June 18, 2013  
Ms. Lynn Johnston  
President, Board of Trustees  
Idaho Shakespeare Festival  
Page 2

You mentioned in your June 6<sup>th</sup> letter that you were "shocked" to hear Dave Triplett mention that the berm on his and Ann's property might be removed. Just to clarify, the berm is actually not adjacent to the Festival's property, but is separated from the Festival property by property owned by the Idaho Parks Foundation. As you know, following conversations with the Festival, the Triplett's instructed the Barber Mill Estates designers to design the housing development to include the berm as common open space. This common open space would be maintained by the homeowners -- at the homeowners' costs. This commitment is referenced in the first bullet point of the attached email.

Still -- and this cannot be a shock -- if Barber Mill Estates is not approved and the Triplett's must design their property for another use, the reality is that the berm may be removed by the Triplett's.

You also say that you were "shocked" to hear of a motorcycle course, but there was never a discussion of starting a motorcycle course on the property. There was a discussion of friends and family of the Triplett's using the land for this purpose from time to time.

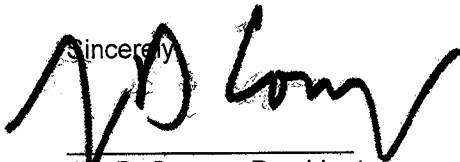
Unfortunately, we have to express our being shocked at the change in the Festival's tone found in your letter and the change in tone at the recent meeting. At that meeting, several members of the Festival's Board of Directors and its attorney emphatically suggested that the Triplett's property would never be developed on their watch. While the Festival has "an extraordinary resolve to protect the Festival in this location" so do Mr. and Mrs. Triplett have a resolve to protect their rights of asset ownership and the use of their property. The Triplett's have worked diligently in listening to their neighbors, including the Festival, to design a quality residential development (no doubt to be filled with future Festival patrons!).

We don't disagree that the Shakespeare Festival is a "treasure for our community." At the same time, there are many treasures of the community that have welcomed growth and co-exist with their neighbors. To single out the Festival as a community asset unable or unwilling to accept new neighbors cannot be acceptable. We sincerely hope that the Festival does not mean to misuse Boise's land use process in an attempt to preclude the Triplett's use of their property.

On behalf of Dave and Ann Triplett, who have been a good neighbor to the Festival for decades, and on behalf of the developer who has undertaken extraordinary actions, studies and who has given and continues to give considerable concessions to the Festival, we look forward to working with you and hope the Festival will find the current Barber Mill Estates application to be a good neighbor. We will contact you as soon as the noise study is available.

We also respectfully request this letter be placed in the record for applications CAR13-00007 and PUD13-00002 at the City of Boise.

Sincerely,



Jim D. Conger, President  
Conger Management Group

JDC/ja  
Attachment

June 18, 2013  
Ms. Lynn Johnston  
President, Board of Trustees  
Idaho Shakespeare Festival  
Page 3

c: David and Ann Triplett  
Hon. David H. Bieter, Mayor, City of Boise  
Mr. Derick O'Neill, Director, Planning and Development Services  
Hon. Dave Case, Chairman, Ada County Board of Commissioners  
Ada County Board of Commissioners  
Mr. Doug Holloway, Boise Parks and Recreation  
Ms. Maryellen Waters, Executive Director, Idaho Foundation for Parks and Lands  
Ms. Nancy Merrill, Director, Idaho Department of Parks and Recreation  
Mr. Kent Brown, Kent Brown Planning Services  
Mr. Mark Hofflund, Managing Director, Idaho Shakespeare Festival  
Mr. Kurt Liebich, Chairman, Riverstone International School Board of Trustees  
Mr. Michael Reineck, Secretary and Treasurer, Harris Ranch Neighborhood Association