Dear Neighbor,

Your email regarding the Paine Development project has been received and read by all the Board members. We want to clarify a few things that it seems have been misunderstood.

First, the Board did not gain any “inside” knowledge of the project from its contacts with Mr. Paine throughout the last several months. When we found out about the sale of the property to Mr. Paine, we reached out to him – and to the City – about what he had in mind for the property. He advised us that the project was in the early drawing stage, and that nothing would happen until early summer, at which time he would be in touch with us. Ultimately, Mr. Paine – and the City – shared an early site plan, which many in the community have seen.

At this point, there was no official submission to the City, so there was no project to comment on or oppose. However, when we saw that this early “conceptual” site plan showed an entrance into the project from Mill Creek, and that it crossed CT’s property, we let Mr. Paine know that would not be acceptable. At that point, he assured the Board that the Mill Creek access point would be removed. As you can see from the recent revised site plan which Mr. Paine has shared openly, that access point has been removed.

Subsequently, as you know, Paine then invited the CT community to a public meeting on 10-7-21 and distributed a new site plan (which removed the Mill Creek access point). As you can determine by checking with the City yourself, there is still no submission of a proposed project for City approval (or public comment).

As the Board’s previous letter to the community said, each Board member is very concerned about the Paine project, but there is little or nothing that the Board – as a body – can do to oppose it, UNLESS it infringes on our property. If you read Article VIII (Powers and Duties of the Board of Directors) of the Bylaws, there is nothing in the Bylaws authorizing or requiring the Board to take any action on behalf of the Association regarding projects on adjoining real estate.

Finally, even if the Board wanted to, it cannot speak for all CT owners, because there are 155 of us, each with different perspectives and opinions. Those owners who have concerns or objections can – and should – advise the City (and Paine Development) of those concerns and objections as affected property owners. Understand that the fact that you don’t like the project is not an objection that means anything to the City. The only objections that will influence the City to reject or modify the project are objective claims of how the project will adversely affect the owner’s property.

As this letter was being written, Mr. Paine contacted Joe Hupka and Mickey Smotherman – because he had their email addresses – and relayed the information that City review of the latest site plan led the City to make several “minor” revisions AND one huge change – the City is demanding that Paine connect Mill Creek to his project. Paine opposes that requirement for the same reason that CT Condominium does and is requesting that we join Paine Development in objecting to this requirement. Please contact the Board at once if you agree that we can tell the City that CT Condominium opposes the connection to Mill Creek. For the reasons explained above, we will not convey that objection to the City until we conclude from your responses that the opposition is overwhelming, if not unanimous. Thanks!

If you want to contact Paine yourself about this or any other objection you have, Paine’s contact info is:

[matt@painegroup.com](mailto:matt@painegroup.com)

[jen@painegroup.com](mailto:jen@painegroup.com).

[www.painegroup.com](http://www.painegroup.com).

Information on who to contact at the City will be published when there is an official submission and request for public comment. This will be posted on the property and also will appear in the Community Development Viewer on the City website ([www.bozeman.net](http://www.bozeman.net)). Just click on “Planning Project Information Portal,” then click on “Community Development Viewer,” then search for “Six Range” and you can pull up all available documents.

CT Board of Directors