

**AMADOR COUNTY PLANNING COMMISSION MINUTES
SUMMARY MINUTES OF TAPE RECORDED MEETING
MARCH 8, 2016 – 7:00 P.M.**

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The Planning Commission of the County of Amador met at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chairman Lindstrom.

THOSE PRESENT WERE:

Planning Commissioners: Ray Lindstrom, District I, Chairman
Dave Wardall, District II
Andy Byrne, District IV, Vice Chairman
Ray Ryan, District V

Staff: Greg Gillott, County Counsel
Susan C. Grijalva, Planning Director
Chuck Beatty, Planner
Heidi Jacobs, Recording Secretary

THOSE ABSENT WERE:

Planning Commissioners: Caryl Callsen, District III

NOTE: The Staff Report packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions or recommendations which are referred to by Commissioners in their action motions on project decisions which are contained in the Staff Reports are part of these minutes. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the Amador County Planning Department.

A. Pledge of Allegiance.

B. Approval of Agenda:

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to reorder the agenda as follows: Item 3, Item 2, Item 5, Item 1 and Item 4.

Absent: Commissioner Callsen

C. Minutes: February 9, 2016

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and carried to approve the minutes of February 9, 2016 as presented.

Ayes: Commissioner Ryan, Commissioner Byrne, Chairman Lindstrom

Abstain: Commissioner Wardall

Absent: Commissioner Callsen

D. Correspondence:

Item 3: Letter from Gary Berset and Clifford Pasztor received March 7, 2016; Photo submitted by Carl McDanel.

Item 4: Revised proposed conditions of approval from staff.

E. Public Matters not on the Agenda: None.

F. Recent Board Actions: None.

G. Annual update on the Kirkwood Sprung Structure Use Permit

Chuck Beatty, Planner, reviewed the "Timber Creek Proposed Development Plan, January 11, 2016," attached. Commissioner Ryan and Commissioner Byrne expressed concerns regarding the ingress/egress and circulation because of the new constructions. Mr. Beatty stated the Timber Creek Townhomes will eventually eliminate the parking lot and there will be a wide street for shuttle access.

PUBLIC HEARING - Item 3 – Request for a Use Permit to allow the erection of a retractable amateur radio tower with a height range of 35 to 82 feet. Per Amador County Code Section 19.48.090, radio antennae may be erected to a greater height than the 35-foot height limit established for the “R1A,” Single Family Residential and Agricultural District subject to securing a Use Permit.

Applicant: Steven & Susan Allred
Supervisorial District V

Location: 17610 Red Mule Road, approximately one-half mile south of Fiddletown Road in the Fiddletown area (APN 015-280-023).

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Chairman Lindstrom opened the public hearing.

Steven Allred, applicant, stated he, his wife and other amateurs use the tower daily. In response to Commissioner Lindstrom, he stated he keeps the tower at the 82 feet because the tower was set to perform at that height. In response to Commissioner Ryan, Mr. Allred stated he is willing to lower the tower when it is not in use for extended times; the tower is designed to be lowered for maintenance or extreme weather, it is not practical nor designed to raise and lower the tower daily. Mr. Allred stated it is shiny because it is still new and he anticipates it will oxidize over the next six months. In response to Commissioner Lindstrom, he stated the tower cannot be powder coated because it would destroy it.

Commissioner Wardall was concerned about the height and the possibility it could be an obstruction to aircraft. He did not want the tower painted a neutral color. Mr. Allred stated the tower is not on a ridgetop and there are trees around it that are taller.

Carl McDanel, neighbor, submitted a 5x7 photo which he took on March 5, 2016 which shows two towers and would like to know if the tower were at the full height or not. Mr. McDanel stated he is not against ham radio operations; he also has a license but wants to preserve property values. Mr. Allred stated the photo shows the tower when it is fully extended. Mr. McDanel stated he has no objections to the use permit since Mr. Allred confirmed the photo shows the tower fully extended.

Clifford Pasztor, neighbor, was concerned about the appearance of the tower and did not want to look at a “Winnebago” in the air. Commissioner Ryan asked if it would be acceptable to have the tower lowered when not in use until the oxidization occurs. Mr. Pasztor stated that would be acceptable but questioned why it would have to be the full 82 feet; the staff report refers to 65 feet as being acceptable to most amateurs. He stated the 82 feet is excessive and felt 70 feet would be a reasonable request. The height impacts him and the whole neighborhood.

Jim Varnay, civil engineer for the project, stated the tower is designed to be either fully extended or lowered; it is not structurally sound at a different level.

Mr. Allred stated he is an RF engineer, did research prior to selecting the tower height and based on that the 82 feet is the best height.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to close the public hearing.

Absent: Commissioner Callsen

Commissioner Wardall stated ham radio networks provide a vital role in communications during emergencies. He would prefer the tower to be fluorescent orange but because it is level with the trees it is not obtrusive and letting it oxidize would be acceptable.

Commissioner Ryan agreed that ham radio communications are important. He asked for an additional

condition to lower the tower when it is not in use. Mr. Beatty stated Condition Number 5 does require the tower to be lowered when it is not in use. Mr. Allred stated he wants to be a good neighbor and will comply with the conditions.

Commissioner Byrne stated it would have been better to have the discussion before the tower was installed.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to approve the use permit subject to the findings and conditions in the staff report with the correction to Condition Number 4 to read “tower” not “gymnasium”.

Absent: Commissioner Callsen

NOTE: Mr. Beatty advised the Commission approved the Use Permit. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to March 18, 2016, at 5:00 p.m. along with the appropriate appeal fee.

AGENDA ITEM - Item 2 – Request for a five-year extension of time for Tentative Subdivision Map #174 Thomas Estates.

Applicant: Thomas Estate Company
Supervisory District V

Location: Located on the north side of New Chicago Road, approximately 1,000 feet east of Highway 49 in the Drytown area (APN 008-140-034).

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Robin Peters, representative, stated the additional time is needed to complete the project and record the map.

Commissioner Ryan stated because the project was approved in 2009 and there is a request to modify the map configuration (Item 5) he would be agreeable to the extension. Commissioner Wardall concurred.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to grant Tentative Subdivision Map Number 174 Thomas Estates a five year extension to October 13, 2021.

Absent: Commissioner Callsen

NOTE: Mr. Beatty advised the Commission granted a five year extension for Tentative Subdivision Map Number 174. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to March 18, 2016, at 5:00 p.m. along with the appropriate appeal fee.

PUBLIC HEARING - Item 5 – Request to amend the Conditions of Approval for Tentative Subdivision Map #174. The request seeks (1) a revised lot configuration reducing the number of lots from 17 to 8; (2) elimination of 1,200 linear feet of internal streets; and (3) a variance from County Code Section 17.28.064 for lots exceeding the 3:1 length to width ratio.

Applicant: Thomas Estate Company
Supervisory District V

Location: Located on the north side of New Chicago Road, approximately 1,000 feet east of Highway 49 in the Drytown area (APN 008-140-034).

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Robin Peters, representative, stated market conditions have deteriorated to the point the cost of the improvements for the original configuration do not mesh with current market conditions; this configuration will allow the developer to move forward. In response the Commissioner Ryan, Mr. Peters stated the reconfiguration eliminates the interior road.

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Ryan and unanimously carried to close the public hearing.

Absent: Commissioner Callsen

Commissioner Byrne asked if there were any issues with access and if shared driveways could be required. Mr. Beatty stated shared driveways were discussed but not required possibly because the existing lots across the street currently function in the same way as the proposed configuration and access.

Commissioners Byrne and Ryan agreed the amended map is a major downsizing and greatly reduces the impact to the environment by removing the internal road.

Commissioner Wardall asked why the variance is being requested. Mr. Peters stated he was directed to maximize the value of each lot. He found eight building sites and designed lots and driveways to meet the Code requirements but would require a variance from County Code Section 17.28.064 for lots exceeding the 3:1 length to width ratio.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Byrne and unanimously carried to find Amended Tentative Parcel Map Number 174 is a significant reduction of the number of lots and is consistent with the previously adopted mitigated negative declaration.

Absent: Commissioner Callsen

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Byrne and unanimously carried to approve the conditions contained in the staff report for Amended Tentative Parcel Map Number 174.

Absent: Commissioner Callsen

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to recommend the Board of Supervisors approve the variance from County Code Section 17.28.064 for lots exceeding the 3:1 length to width ratio for amended Tentative Parcel Map Number 174.

Absent: Commissioner Callsen

NOTE: Mr. Beatty advised the Commission granted the amendment for Tentative Subdivision Map Number 174. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to March 18, 2016, at 5:00 p.m. along with the appropriate appeal fee. The Commission further recommended approval of the variance which will be heard by the Board of Supervisors at a future date and notices will be mailed out.

AGENDA ITEM - Item 1 – Request for a one-year extension of time for Tentative Subdivision Map #139 Ventoso Collina.

Applicant: Ray Brusatori
Supervisorial District IV

Location: 12517 & 12525 Old Ridge Road, approximately 0.30 miles west of Ridge Road, adjacent to the Sutter Creek city limits (APN 040-030-093 and 040-030-094).

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Ray Brusatori, applicant, stated he hopes to finish the project this summer but would like to have the additional year just in case.

Commissioner Ryan stated the request was reasonable. Commissioner Wardall concurred.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Byrne and unanimously carried to grant Tentative Subdivision Map Number 139 Ventosa Collina a one year extension to October 31, 2018.

Absent: Commissioner Callsen

NOTE: Mr. Beatty advised the Commission granted a one year extension for Tentative Subdivision Map Number 139. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to March 18, 2016, at 5:00 p.m. along with the appropriate appeal fee.

PUBLIC HEARING - Item 4 – Request to amend the Conditions of Approval for the previously approved Tentative Subdivision Map #139 (Ventoso Collina). The request seeks (1) to amend conditions 23, 25, 26, 31, and 32 to change the roadway standards to comply with the County’s newly-adopted roadway standards; (2) a variance from County Code Section 17.28.060 to allow the access easements to vary from property lines; and (3) a variance from County Code Section 17.28.064 to allow for proposed Parcel #1 to exceed the 3:1 length to width ratio.

Applicant: Ray Brusatori

Supervisory District IV

Location: 12517 & 12525 Old Ridge Road, approximately 0.30 miles west of Ridge Road, adjacent to the Sutter Creek city limits (APN 040-030-093 and 040-030-094).

Chuck Beatty, Planner, summarized the staff report which is hereby incorporated by reference into these minutes as though set forth in full.

Ray Brusatori, applicant, stated he agrees to the revised conditions and is requesting the variances because one of the mitigation measures requires a building envelope of 25% to be located for each lot.

Gail Schifsky, neighbor, asked what was being done to reduce night sky light pollution. Mr. Beatty stated the original Conditions 50, 51 and 52 require limitations to lighting and those conditions are being carried forward to the amended map. Ms. Grijalva stated the original map was scrutinized by the City of Sutter Creek because it is in the city view-shed; the City had a lot of input on the conditions for this map.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Byrne and unanimously carried to close the public hearing.

Absent: Commissioner Callsen

Commission Ryan stated this is a reasonable request which is in line with the original proposal; he is encouraged the applicant is working to get the project done.

Commissioner Wardall concurred.

MOTION: It was moved by Commissioner Ryan, seconded by Commissioner Wardall and unanimously carried to find Tentative Parcel Map Number 139 is consistent with the previously adopted mitigated negative declaration.

Absent: Commissioner Callsen

Mr. Beatty stated Amador Fire Protection District recommended Condition 33 of the revised set of conditions should be revised to meet the minimum road standard of the California Fire Code, removing “paved” and Lot “2” to read as follows:

“or other approved driving surface with a ~~paved~~ width of 18 feet”

and

“equipment access to lots 1, 2, 4, 5 and 6”.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Ryan and unanimously carried to approve the conditions as revised by staff, including changes to Condition 33 as read by Mr. Beatty, for Amended Tentative Parcel Map Number 139 and to recommend the Board of Supervisors approve the variances from County Code Section 17.28.060 to allow the access easements to vary from property lines and County Code Section 17.28.064 for proposed Parcel #1 to exceed the 3:1 length to width ratio.

Absent: Commissioner Callsen

NOTE: Mr. Beatty advised the Commission granted the condition amendment for Tentative Subdivision Map Number 139. If anyone wishes to appeal the decision of the Commission they can do so by submitting in writing to the Board of Supervisors a request for appeal prior to March 18, 2016, at 5:00 p.m. along with the appropriate appeal fee. The Commission further recommended approval of the two variances which will be heard by the Board of Supervisors at a future date and notices will be mailed out.

Adjournment: At 8:30 p.m. Chairman Lindstrom adjourned this meeting of the Planning Commission, to meet again on April 12, 2016.

/s/
Ray Lindstrom, Chairman
Amador County Planning Commission

/s/
Heidi Jacobs, Recording Secretary
Amador County Planning Department

/s/
Susan C. Grijalva, Planning Director
Amador County Planning Department