

**AMADOR COUNTY PLANNING COMMISSION MINUTES
SUMMARY MINUTES OF TAPE RECORDED MEETING
January 14, 2020 – 7:00 P.M.**

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The Planning Commission of the County of Amador met on Tuesday, January 14, 2020 in the Board of Supervisors Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chair Byrne.

THOSE PRESENT WERE:

Planning Commissioners: Keith DesVoignes, District 1
Dave Wardall, District 2
Earl Curtis, District 3
Andy Byrne, Chair, District 4
Ray Ryan, Vice Chair, District 5

Staff: Chuck Beatty, Planning Director
Ruslan Bratan, Planner I
Krista Ruesel, Planner I
Glenn Spitzer, Deputy County Counsel
Mary Ann Manges, Recording Secretary

THOSE ABSENT WERE: None

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 Vice Chair Ryan, seconded by Commissioner DesVoignes and unanimously carried to approve the agenda as presented.

C. Minutes: December 10, 2019

MOTION: It was moved by Vice Chair Ryan, seconded by Commissioner DesVoignes, and carried to approve the December 10, 2019 minutes as presented.

AYES: Ryan, DesVoignes, Curtis, Byrne

NOES: None

ABSTAIN: Wardall

D. Correspondence:

Item 4 - Letter from Gregoria Ponce of Caltrans District 10
General Correspondence - John Munn regarding Hoover Hideout

E. Public Matters not on the Agenda: None

F. Recent Board Actions: Mr. Beatty shared that the Board of Supervisors approved a Noise Ordinance at their 01-14-20 meeting. The Noise Ordinance began as a Short Term Rental ordinance.

G. Agenda Items:

Item 1 - Election of Chair and Vice-Chair for 2020

Chair Byrne introduced the item sharing that, according to the rotation schedule, it is Vice Chair Ryan's turn to become Chair and Commissioner DesVoignes' turn to become Vice Chair.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Curtis, and unanimously carried to elect Ray Ryan as Chair and Keith DesVoignes as Vice Chair.

The gavel was passed from Andy Byrne to Chair Ray Ryan.

Item 2 - Appointment of Agricultural Advisory committee Member and Alternate for 2020

Chair Ryan introduced the item.

Commissioner Curtis voiced that he would like to continue to serve on the Agricultural Advisory Committee and Commissioner DesVoignes agreed to remain as the alternate.

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Wardall, and unanimously carried to appoint Earl Curtis as the Commission's member on Agricultural Advisory Committee and Keith DesVoignes as the alternate member.

Item 3 - Appointment of the Recording Secretary for 2020

Chair Ryan introduced the item.

Commissioner Byrne asked staff how this should be worded.

Mr. Beatty shared that, traditionally, the recording secretary is the Planning Department's administrative secretary.

MOTION: It was moved by Commissioner Byrne, seconded by Commissioner Wardall, and unanimously carried to appoint Mary Ann Manges as Recording Secretary.

Public Hearings

Item 4 - Request for a Use Permit (UP-19;9-4) to install a 65-foot-tall monopine design wireless communication tower with twelve 8-foot-tall panel antennae and associated tower and ground equipment (APN 044-110-084)

Applicant: SAC Wireless, LLC on behalf of Verizon Wireless
Supervisory District: 1
Location: 16917 Eagle Way, Jackson, CA

Chair Ryan introduced the item.

Mr. Bratan, Planner, shared the Staff Report which is hereby incorporated by reference into these minutes as though set forth in full.

Chair Ryan asked if the applicant was present.

Phillip Decker, representing SAC Wireless, approached the podium.

Commissioner Wardall stated that he understands that this tower is on the top of a peak and asked Mr. Decker how high the tower is above the tree line.

Mr. Decker responded that he believes that the tower is about 10-15 feet taller than the tree line.

Commissioner Wardall replied that he supports the wireless industry but also has concern for safety and suggested that the tower be able to be seen by pilots. He asked that in the future the drawings show the tower elevation in relation the adjoining tree line.

Chair Ryan commented that this tower is a monopine and asked Mr. Decker if there is lighting at the top of the tower.

Mr. Decker replied that he did not think so.

Commissioner Byrne asked if the tower is visible from Highway 88.

Mr. Decker responded that not unless you are specifically looking for it and that it is going to look just like another tree.

Commissioner Byrne shared that the Commissioners can usually spot them since they have approved a lot of them. He continued that there is a cell tower off of Highway 16 that has branches that start about 20 feet off the ground.

Chair Ryan added that it looks odd.

Commissioner Byrne commented that he read in the packet that the branches start 20 feet off the ground and that it is within the tree canopy of what is around it, but from the simulation it looks like it is quite a bit taller than the trees immediately around it.

Mr. Decker questioned if Commissioner Byrne is asking where the leaves on this tower start.

Commissioner Byrne commented that he read that they start out around 20 feet and asked if that is standard.

Mr. Decker responded yes and that it is standard.

Commissioner Byrne said that he has seen on a couple of towers in this county where the branches start out higher than the surrounding trees resulting in a metal trunk being seen and that this misses the point of hiding the tower.

Mr. Decker said the branches should start at 20 feet.

Chair Ryan said that the trees will be taller than 20 feet.

Commissioner Byrne added that sometimes there are no trees right around it.

Chair Ryan stated that the site area will be clear.

Commissioner Byrne commented that he does not have a clear vision of this tower from the documents that he has.

Mr. Decker stated that there are drawings of the design, but not pictures of what it is going to look like.

Mr. Beatty stated that the straight line distance from the tower site to Highway 88 is about 4,700 feet.

Commissioner Byrne shared that his only concern is that from a distance you can sometimes see these towers with branches starting up above the tree line. He added that the photographs the Commission judges from at times are different than the real life view and that he would like to prevent towers from just looking like big metal trees which defeats the purpose of camouflaging.

Chair Ryan asked if anyone else desired to speak. There were no other public comments.

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

Commissioner Wardall shared that he likes the foliage at the top of the tower.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner DesVoignes, and unanimously carried to approve the Mitigated Negative Declaration as adequate for the project's potential impacts and to approve the project as proposed with the conditions in the staff report.

Mr. Bratan stated that the Planning Commission has approved use permit (UP19;9-4) to install a 65-foot-tall monopine design wireless communication tower at 16917 Eagle Way, Jackson. Anyone wishing to appeal this decision may do so by filing a written appeal with the Clerk of the Board of Supervisors by January 24th by 5:00 p.m.

Item 5 - Request for Tentative Parcel Map No. 2888, proposing the division of ±1.84 acres into two parcels ±1.14 and ±0.75 acres in size. The property is zoned "C1," Commercial/Retail/Office and has a General Plan land use designation of TC, Town Center (APN: 030-073-001)

Applicant: KBV Pine Grove, LLC (Keith DesVoignes, representative)
Supervisory District: 4
Location: 20080-20124 State Hwy 88, Pine Grove, CA

Commissioner DesVoignes recused himself and sat in the audience as the project proponent.

Chair Ryan introduced the item.

Ms. Ruesel, Planner, shared the Staff Report which is hereby incorporated by reference into these minutes as though set forth in full.

Chair Ryan asked if the proponent was present.

Matt Toma, with Toma & Associates and representing KBV Pine Grove, stated that the applicant is still in the room and that they do agree with the conditions of approval as proposed by the County and that he and Mr. DesVoignes are available for questions.

Commissioner Byrne asked if there was going to be an issue with the driveways and future accesses with different owners.

Mr. Toma replied that there are two existing encroachments with a common driveway and an access easement. A maintenance agreement will be recorded that will bind the owners to costs associated with repairs.

Commissioner Byrne shared that there have been problems in the past without the agreements.

Chair Ryan asked if that the encroachments are reducing from two to one.

Mr. Toma said that the existing encroachments are going to remain.

Commissioner Byrne stated that one comes into the gas station and the other one goes to both parcels.

Mr. Toma concurred and stated that the driveway that goes to two parcels will be the common one with an access easement provided along with the maintenance agreement.

Chair Ryan asked if anyone else desired to speak. There were no further public comments.

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

Commissioner Byrne asked that the record note that Commissioner DesVoignes left the room following the public hearing.

Chair Ryan opened discussion.

Commissioner Byrne shared that the only thing weird about this project is that the fire hazard designation is different for the two halves of the property. The proposed boundary between the parcels seems like a logical place since there is already a zoning distinction along that line.

Commissioner Curtis asked if they are just moving the tire store and the gas station.

Commissioner Byrne replied that they are dividing the property so that the strip mall and gas station are on separate parcels.

Chair Ryan asked if anyone else had comments.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Byrne, and unanimously carried to approve the Mitigated Negative Declaration as the appropriate document for this project.

AYES: Wardall, Byrne, Curtis, Ryan

NOES: None

RECUSED: DesVoignes

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Byrne, and unanimously carried to accept the project with the requested parcel map division along with the conditions and findings as specified in the staff report.

AYES: Wardall, Byrne, Curtis, Ryan

NOES: None

RECUSED: DesVoignes

Ms. Ruesel stated that the Planning Commission has approved Tentative Parcel Map No. 2888 at 20080-20124 State Hwy 88, Pine Grove. Anyone wishing to appeal this decision may do so by filing a written appeal with the Clerk of the Board of Supervisors by January 24th by 5:00 p.m.

Commissioner DesVoignes returned to the room following Ms. Ruesel's verbal approval and appeal notice.

MOTION: It was moved by Commissioner Curtis, seconded by Commissioner Byrne, and unanimously carried to adjourn the meeting. The next meeting will be February 12, 2020.

Ray Ryan, Chair
Amador County Planning Commission

Mary Ann Manges, Recording Secretary
Amador County Planning Department

Chuck Beatty, Planning Director
Amador County Planning Department