

**AMADOR COUNTY PLANNING COMMISSION MINUTES  
SUMMARY MINUTES OF TAPE RECORDED MEETING  
September 13, 2022 – 7:00 P.M.**

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The Planning Commission of the County of Amador met on September 13, 2022 in the Board Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:00 p.m. by Chair Gonsalves.

**COMMISSIONERS PRESENT WERE:**

Planning Commissioners:      John Gonsalves, Chair, District 1  
   Dave Wardall, District 2  
   Earl Curtis, District 3  
   Stacey Munnerlyn, District 4  
   Mark Bennett, District 5

**COMMISSIONERS ABSENT WERE:**      None.

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

**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 Bennett, seconded by Commissioner Munnerlyn, and unanimously carried to approve the agenda.

**C.      Minutes:** August 9, 2022

**MOTION:** It was moved by Commissioner Munnerlyn, seconded by Commissioner Wardall, and unanimously carried to approve the August 9, 2022 minutes.

**D.      Correspondence:** Letters received from Toni Linde for Item 2 and from CalRecycle for Item 3 were added to the record for those items.

**E.      Public Matters not on the Agenda:** Paul Grasham shared that he recently was at the 100<sup>th</sup> anniversary of the Argonaut Mine disaster and shared his desire that the flag there be lit.

**F.      Recent Board Actions:** Mr. Beatty shared that the Board of Supervisors adopted a Resolution of Intent to direct staff and the Planning Commission to look at an amendment that would require that any rental terms for accessory dwelling units be at least 30 days to prevent them from being used as short term rentals. He continued that the Board adopted another Resolution of Intent to direct staff and the Planning Commission to look into overlay districts to limit development densities and heights for projects within 3 miles of the Eagles Nest airport. He added that the November Planning Commission meeting will be on November 15<sup>th</sup> instead of November 8<sup>th</sup> due to the Chambers being used on the 8<sup>th</sup> for Election Day voting.

**G. Agenda Items:**

**G.1. Report regarding Zoom meetings:**

Deputy County Counsel Spitzer shared that he looked into discontinuing teleconferencing for Planning Commission meetings as requested by Commissioner Wardall. He explained that this going to be an issue that comes before the Board of Supervisors who then will decide the matter for all County commissions and committees and stated that it is very likely that teleconferencing will continue for the public because it is so popular and convenient.

**Public Hearings**

**Item 1 - Request for a Use Permit (UP-22;6-2 R Square Hotels Inc.) for outdoor seating to allow up to 48 seats placed along an existing commercial building in a C1 Retail Commercial and Office Zone district (APN: 031-310-026 & 031-310-028).**

**Applicant:** R Square Hotels, Inc. (Rick Lahkar: Representative)  
**Supervisorial District:** 3  
**Location:** 24140 State Highway 88, Pioneer, CA 95666

Chair Gonsalves opened the hearing.

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

Chair Gonsalves asked staff for confirmation of the type of environmental document.

Mr. Bratan responded that it is proposed to be a Notice of Exemption.

Chair Gonsalves asked if the applicant desired to address the Commission.

Mr. Lahkar said that he is available if there are any questions and that he is ready to do whatever needs to be done and agrees with the staff report.

Chair Gonsalves asked if there were any public comments. There were none.

**MOTION:** It was moved by Commissioner Munnerlyn, seconded by Commissioner Bennett, and unanimously carried to close the public hearing.

Chair Gonsalves asked for discussion amongst the Commission.

Commissioner Bennett stated that he believes it is a great idea and that it will add to the upcountry community.

Commissioner Wardall said it looks like it will not impede traffic on the sidewalk around the building.

**MOTION:** It was moved by Commissioner Wardall, seconded by Commissioner Curtis, and unanimously carried to approve the Notice of Exemption as the adequate environmental document.

**MOTION:** It was moved by Commissioner Munnerlyn, seconded by Commissioner Wardall, and unanimously carried to approve UP-22;6-2, subject to the conditions included in the staff report.

*Mr. Bratan stated that the Planning Commission has moved to approve UP-22;6-2. Anyone wishing to appeal this decision may do so by filing a written appeal with the Clerk of the Board no later than 5:00 p.m. on September 23, 2022.*

Item 2 - Request for a Use Permit (UP-22;6-1) to install a 100-foot-tall monopine design wireless communication tower with 12 panel antennae, 9 remote radio units, 1 microwave antenna, and associated tower and ground equipment (APN 031-060-040).

**Applicant:** Epic Wireless (Jeff Lienert: Representative)

**Supervisory District:** 3

**Location:** 25119 State Highway 88, Pioneer, CA 95666

Chair Gonsalves opened up the hearing.

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

Chair Gonsalves asked if the project proponent was present.

Jeff Lienert, representative for Verizon, shared that they accept all the conditions recommended in the staff report.

Commissioner Wardall asked if Mr. Lienert if he had seen the low flying air tankers on the news trying to save the high school at the Georgetown Fire and said that cell towers have to be enough of a visual point that pilots can see them. He asked how far from the tree canopy line the tower will be.

Mr. Lienert responded 15 feet, and added that he attended the TAC meeting via Zoom and that they accepted his recommendation from that meeting to paint the tower white and remove the metal branches in the event the surrounding trees are destroyed by fire.

Commissioner Wardall commented that he has been to too many funerals.

Chair Gonsalves asked if there is any public comment. There was none.

**MOTION:** It was moved by Commissioner Curtis, seconded by Commissioner Bennett, and unanimously carried to close the public hearing.

Chair Gonsalves asked for discussion from the Commission.

Commissioner Wardall commented that he is satisfied by the language that was covered in TAC and that it is included in staff's conditions.

Mr. Bratan clarified that the language is in Condition #14.

Commissioner Bennett shared that he believes that fake pine tree cell towers are ugly, but that his opinion will not affect his vote and that he just wants his opinion on the record.

Commissioner Munnerlyn stated that she believes the mitigations are very complete.

**MOTION:** It was moved by Commissioner Munnerlyn, seconded by Commissioner Wardall, and unanimously carried to approve the Mitigated Negative Declaration as the appropriate environmental document.

**MOTION:** It was moved by Commissioner Curtis, seconded by Commissioner Munnerlyn, and unanimously carried to approve UP-22;6-1 and accept the recommended findings and conditions of approval included in the staff report.

*Mr. Bratan stated that the Planning Commission has approved UP-22;6-1, the Mitigated Negative Declaration, and the conditions and findings included in the staff report. Anyone wishing to appeal this*

*decision may do so by filing a written appeal with the Clerk of the Board no later than 5:00 p.m. on September 23, 2022.*

**Item 3 - Request for a Use Permit Amendment UP-22;3-3 ACES Waste, 2022 Amendment, Pine Grove Transfer Station, requesting increased permitted Tons per Day and Permitted Daily Traffic, in conjunction with Zone Change Application ZC-22;3-1 proposing a change from the X, Special Use Zoning District to LM, Light Manufacturing. The property is 3.6 acres, and has a General Plan Designation of TC, Town Center (APN: 030-140-067).**

**Proposed Changes to the Use Permit permissions are as follows:**

- 1) Increased permitted tons per day (TPD) from 99 TPD to 150 TPD.**
- 2) Increased permitted traffic from 125 incoming vehicles, and 5-10 outgoing hauling vehicles, to 170 incoming vehicles, and 15 outgoing hauling vehicles.**

**Applicant:** ACES Waste Services, Inc.

**Supervisory District:** 4

**Location:** 19801 Berry St., Pine Grove, CA 95665

Chair Gonsalves opened the hearing.

Ms. Ruesel introduced the item and shared the Staff Report which is hereby incorporated by reference into these minutes as though set forth in full and added that staff recommends to amend the #1 finding to include that the approval of the use permit is contingent upon the approval of the zone change.

Chair Gonsalves asked if the project proponent is present.

Neil Etker, ACES Waste Services, shared that they are excited to serve public demand.

Commissioner Munnerlyn asked for clarification of how many days per week or month the station is reaching capacity before regular business hours have to close.

Joe Acereto, ACES Waste Services, responded that it varies day to day and week to week and that the County has allowed them to use an average tonnage. He elaborated that some days they may be at 150 tons and others 50 tons and that the County has all of that information.

Commissioner Curtis asked if there is a plan with the increase in traffic for better access from Hwy 88 to the ACES gate.

Mr. Acereto replied that if this gets approved, they will mitigate that problem. He added that the State is going to widen Highway 88 and that they are just waiting to get to that point.

Commissioner Curtis asked about the house located at the Berry Street intersection with Highway 88.

Mr. Acereto stated that ACES owns it and they plan on demolishing the house because they cannot get fire insurance on it due to the condition of the roof and it's not worth replacing the roof.

Commissioner Curtis asked if they might widen Berry Street there.

Mr. Acereto responded that they might, and that he is not sure if they will build another house there. Getting approval of the use permit is step one of everything else.

Commissioner Curtis said that it is not noted in the plan.

Paul Molinelli, ACES Waste Services, shared that they bought the corner property specifically in the event

Berry Street has to be widened and that they understand that it is tight to negotiate and that the highway is busy.

**MOTION:** It was moved by Commissioner Munnerlyn, seconded by Commissioner Curtis, and unanimously carried to close the public hearing.

Chair Gonsalves asked for discussion from the Commission.

Commissioner Wardall commented that ACES is a very professional corporation that is well managed with well-maintained trucks. He added that they are very active in the community and if there is road widening to do that he is sure they will do it. He said that it is needed to keep the county clean.

Commissioner Bennett shared that preventing further traffic to Buena Vista is good and that ingress and egress could be a problem, but that it is a problem throughout Pine Grove. He stated that he is pleased that ACES bought the house at the intersection so that some of those egress problems can be solved. He read in the packet that there is going to be improvement on Berry Street, but that he believes it should not be up to ACES. He recommended to take the trees along Berry Street out so that there is a real shoulder. He added that he does not recommend making it a condition though.

Deputy County Counsel Spitzer said that a good condition would be that the amended use permit is conditioned upon Board approval of the zone change, so that the condition would not apply if the zone change is not approved and the applicant does not have undue burden.

Chair Gonsalves said that it sounds reasonable.

**MOTION:** It was moved by Commissioner Munnerlyn, seconded by Commissioner Wardall, and unanimously carried to approve the Negative Declaration as the appropriate environmental document.

**MOTION:** It was moved by Commissioner Bennett, seconded by Commissioner Munnerlyn, and unanimously carried to approve UP-22;3-3 adopting all the findings and conditions in the staff report, and recommend approval to the Board of Supervisors for ZC-22;3-1 with the use permit contingent upon the approval of the zone change by the Board.

*Ms. Ruesel stated that the Planning Commission has approved UP-22;6-1 and recommended approval for ZC-22;3-1. Anyone wishing to appeal this decision may do so by filing a written appeal with the Clerk of the Board no later than 5:00 p.m. on September 23, 2022.*

**MOTION:** It was moved by Commissioner Munnerlyn, seconded by Commissioner Bennett, and unanimously carried to adjourn the meeting.

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John Gonsalves, Chair  
Amador County Planning Commission

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Mary Ann Manges, Recording Secretary  
Amador County Planning Department

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Chuck Beatty, Planning Director  
Amador County Planning Department