

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

PAGE 1 OF 4

The Planning Commission of the County of Amador met on December 13, 2022 in the Board Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:15 p.m. by Vice Chair Bennett.

COMMISSIONERS PRESENT WERE: Earl Curtis, District 3
Stacey Munnerlyn, District 4
Mark Bennett, District 5

COMMISSIONERS ABSENT WERE: John Gonsalves, Chair, District 1
Dave Wardall, District 2

Staff: 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.

Deputy County Counsel Spitzer announced that since only three Commissioners are present that the applicants can request to have their items continued to the next meeting and recommended that the hearings be opened up for public comment. Phones and microphones in the Chambers were down during the meeting, but the public in the room as well as those participating via Zoom were able to hear and participate. Deputy County Counsel Spitzer added that there is an obligation to hear public comment on the Housing Element.

A. Call to Order. The meeting was called to order by Vice Chair Bennett at 7:15 p.m.

B. Pledge of Allegiance

C. Approval of Agenda:

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Curtis, and carried to approve the agenda.

AYES: Munnerlyn, Curtis, Bennett

ABSENT: Gonsalves, Wardall

D. Minutes: November 15, 2022

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Curtis, and carried to approve the November 15, 2022 minutes.

AYES: Bennett, Munnerlyn, Curtis

ABSENT: Gonsalves, Wardall

D. Correspondence: None.

E. Public Matters not on the Agenda: None.

- F. **Recent Board Actions:** Mr. Bratan shared that the Board of Supervisors denied the appeal of Apex Battery Storage which had been previously denied by the Planning Commission.

Commissioner Bennett commented that based on what he has read and on conjecture that the project has a proposed 30 year life span but he does not believe that the technology is going to last 30 years with nickel cadmium and other things coming on board and that the project would be a loser.

- G. **Agenda Items:**

Public Hearings

- Item 1 - **Request for a Use Permit (UP-22; 5-1) to allow for a contractors storage yard to store, repair, and maintain various tree servicing equipment and to allow for up to 6 cargo containers. APN's 005-200- 010 & 005-200-011.**

Applicant: Douglas Legros Petersen & April Dawn Petersen
Supervisorial District: 2
Location: 4531 & 4545 State Highway 88, Lone, CA 95640

Mr. Bratan stated that Mr. Petersen requests that this item be continued to the next Planning Commission meeting.

Commissioner Munnerlyn asked for confirmation that the recommended CEQA document is a Negative Declaration.

Mr. Bratan confirmed that it is a Negative Declaration.

MOTION: It was moved by Commissioner Curtis, seconded by Commissioner Munnerlyn, and carried to continue the hearing until the next Planning Commission meeting.

AYES: Bennett, Curtis, Munnerlyn

ABSENT: Gonsalves, Wardall

- Item 2 - **Request for a Correction of Use Permit Amendment UP-22;3-3, requesting increased permitted traffic from 170 to 175 incoming vehicles in the LM, Light Manufacturing Zoning District. APN: 030-140-067.**

Applicant: Aces Waste Services, Inc.
Supervisorial District: 3
Location: 19801 Berry St. Pine Grove, CA 95665

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.

Commissioner Munnerlyn asked if the environmental document needs to be reapproved.

Ms. Ruesel responded that it does not, due to the small scale of it, and that the 175 cars were included in the original application and evaluated in the CEQA Initial Study, but not incorporated in the project conditions. She said that this is correcting a technical error.

Commissioner Curtis asked if the 175 incoming vehicles includes ACES' vehicles.

Ms. Ruesel responded vehicles just from the public.

Vice Chair Bennett asked if there is any public comment.

The proponent stated that they have no comments since it is just a correction. There was no public comment.

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

AYES: Bennett, Munnerlyn, Curtis

ABSENT: Gonsalves, Wardall

Vice Chair Bennett asked for discussion amongst the Commission. There was none.

MOTION: It was moved by Commissioner Curtis, seconded by Commissioner Munnerlyn, and carried to approve the correction to 175 vehicles for Use Permit Amendment, UP-22;3-3.

AYES: Bennett, Curtis, Munnerlyn

ABSENT: Gonsalves, Wardall

Ms. Ruesel stated that the Planning Commission has moved to approve the correction of Use Permit Amendment UP-22;3-3. 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 December 23, 2022.

Item 3 - Request for General Plan Amendment GPA-22;12-1 – Proposed amendments to the Kirkwood Specific Plan Tree Ordinance to clarify that dead, dying, diseased, and hazardous trees and vegetation removal required for defensible space clearing per Public Resources Code 4291 do not need a permit from the Tri-County Technical Advisory Committee provided that the tree/vegetation removal is certified by a qualified forest professional.

Applicant: County of Amador

Supervisory District: 3

Location: 732 acres included in the Kirkwood Specific Plan

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

Vice Chair Bennett opened the hearing and asked if there is any public comment. There was no public comment.

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

AYES: Bennett, Munnerlyn, Curtis

ABSENT: Gonsalves, Wardall

Vice Chair Bennett asked for discussion amongst the Commissioners.

Commissioner Curtis voiced that this is so restrictive that no one is going to remove a tree without needing to.

Commissioner Munnerlyn asked Commissioner Curtis if he is prepared to move on with this or if he would like to continue this.

Commissioner Curtis responded that though it is in his area that he would like the other two Commissioners present to discuss this.

MOTION: It was moved by Commissioner Curtis, seconded by Commissioner Munnerlyn, and carried to continue the hearing until the next Planning Commission meeting.

AYES: Bennett, Curtis, Munnerlyn
ABSENT: Gonsalves, Wardall

Public Comment Period

Item 4 - Public Comment opportunity on the Draft Countywide Housing Element for 2021 – 2029.

Ms. Ruesel shared that this item is just for public comment.

Commissioner Curtis asked if any action needs to be taken today.

Deputy County Counsel Spitzer said no action needs to be taken.

Vice Chair Bennett asked if there is any public comment.

There was no public comment. It was shared that comments on the Draft Countywide Housing Element can be forwarded to planning@amadorgov.org.

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

AYES: Bennett, Munnerlyn, Curtis
ABSENT: Gonsalves, Wardall

MOTION: It was moved by Commissioner Curtis, seconded by Commissioner Wardall, and unanimously carried to adjourn the meeting.

AYES: Bennett, Curtis, Munnerlyn
ABSENT: Gonsalves, Wardall



Mary Ann Manges, Recording Secretary
Amador County Planning Department



John Gonsalves, Chair
Amador County Planning Commission



Chuck Beatty, Planning Director
Amador County Planning Department