

**AMADOR COUNTY PLANNING COMMISSION MINUTES
SUMMARY MINUTES OF RECORDED MEETING
January 9, 2024 – 7:00 P.M.**

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The Planning Commission of the County of Amador met on January 9, 2024 in the Board Chambers at the County Administration Center, 810 Court Street, Jackson, California. The meeting was called to order at 7:02 p.m. by Chair Wardall.

COMMISSIONERS PRESENT WERE: 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: Glenn Spitzer, Deputy County Counsel
Chuck Beatty, Planning Director
Nicole Sheppard, Planner II
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. Call to Order. The meeting was called to order by Chair Wardall at 7:02 p.m.

B. Pledge of Allegiance:

C. Approval of Agenda:

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

D. Minutes: December 12, 2023

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Bennett, and carried to approve the December 12, 2023 minutes.

AYES: Munnerlyn, Bennett, Curtis

ABSTAIN: Wardall, Gonsalves

E. Correspondence: Letters received after publication of the agenda for Item 1 from Bennett and Dwyer

F. Public Matters not on the Agenda: None

G. Recent Board Actions: Mr. Beatty reported that the Board of Supervisors will hear an appeal of the Planning Commission's approval of the Jackson Valley Quarry's use permit amendment at their January 23rd meeting.

H. Agenda Items:

Regular Agenda

Item 1 - Election of Chair and Vice Chair for 2024

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Curtis, and carried to elect John Gonsalves as Planning Commission Chair.

AYES: Munnerlyn, Curtis, Bennett, Wardall

ABSTAIN: Gonsalves

MOTION: It was moved by Commissioner Curtis, seconded by Commissioner Gonsalves, and unanimously carried to elect Stacey Munnerlyn as Vice-Chair of the Planning Commission.

Commissioner Wardall passed the gavel to Chair Gonsalves.

Item 2 - Appointment of Agricultural Advisory Committee Member and Alternate for 2024

Commissioner Bennett said that he has been on the Committee since he joined the Planning Commission and prefers to no longer be on the Agricultural Advisory Committee.

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Gonsalves, and unanimously carried to appoint Dave Wardall as Agricultural Advisory Committee Member.

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Wardall, and unanimously carried to appoint Earl Curtis as Alternate Agricultural Advisory Committee Member.

Item 3 - Appointment of Recording Secretary

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

Item 4 - Concurrence on Planning Commission meeting time

Commissioner Munnerlyn said she believes that this has been brought up before, but 7:00 p.m. works fine for her.

Chair Gonsalves shared that 7:00 p.m. works fine for him, but staff is working after hours which costs the county money and then costs the tax payers. He said that he would be in favor of revising the meeting time.

Commissioner Bennett commented that the point about county expenditures is well taken and that this has been discussed before. He said that the priority is public attendance and believes that 6:00 p.m. is probably too early for most members of the public.

Chair Gonsalves stated that the City of Jackson changed their meeting time to 6:30 p.m. twice a month.

Commissioner Bennett said that people in the county have to travel much further.

Commissioner Munnerlyn stated that meeting at 6:30 p.m. could be a compromise and that 6:00 p.m. is not feasible.

Commissioner Wardall shared that he has mixed emotions and believes it is hard for staff to be available 2 or 3 additional hours. He said to look at how the public has to attend the meetings and that the public should take precedence.

Commissioner Bennett shared that there have been no complaints to his knowledge about the meeting time.

MOTION: It was moved by Commissioner Curtis, seconded by Commissioner Wardall, and carried to leave the Planning Commission meeting time at 7:00 p.m.

AYES: Curtis, Wardall, Bennett, Munnerlyn

NOES: Gonsalves

Public Hearings

Item 1 - Request for a variance (V-23;11-1 Gallaher) from the front (25 ft.) setback requirement to allow construction of an entry addition to the existing single-family residence 13.17 feet from the front property line and a pedestrian access bridge. (APN 026-163-005)

Property Owner: Gallaher Living Trust

Applicant: Gary & Elaine Gallaher (Ecosense Designs Architecture, Representative)

Supervisory District: 3

Location: 33951 Danburg Drive, Kirkwood, CA 95646

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.

Chair Gonsalves asked if the applicant is present.

Jennifer Brumm, project manager representing Ecosense Designs, introduced herself.

Chair Gonsalves asked if there are any comments.

Reid Bennett stated that he emailed comments earlier and owns two properties across the street from the proposed project. He said that there is already a significant snow storage problem and that his concern is that his property already gets a disproportionate amount of snow stored on it. He shared that there is not much of an area for the snow to go on the proposed project property, that the proposed driveway and garage take away any effective snow storage for that property, and that there really should be a workable snow storage plan. He stated that per the Davis-Sterling Act that variances can be detrimental to neighboring properties and should only occur when necessary and possible. He added that Susan Grijalva years ago said there are no snow storage easements within KMA.

Ms. Brumm pointed out that they received approval from the Kirkwood Meadows Association (KMA) at the July meeting where the project was dramatically decreased. She said that the project now is just a small entry where the building footprint does not go into the front setback and that they are only asking for a variance for a five ft wide pedestrian access bridge made with a metal grate material that the snow can fall through. She added that they are not changing anything in the front setback. She shared that the existing road to the front property line is 35 feet away and that there is almost an 8 ft. drop in elevation from the road to the main level of the property. She said that when the snow is cleared that a lot of the excess snow is, in part, because of the higher elevation of the road on Mr. Reid Bennett's side of the road. She added that there are a lot of areas where snow can be stored and that they are only moving the residence access from the right side of the property to the left side of the property so they do not have to walk down a 52 feet gravel pathway to their property.

Chair Gonsalves asked if there is any further public comment.

Mr. Reid Bennett said he is confused about the scope of the project and sounds like it is for just a five ft. walkway going to the road.

Ms. Sheppard confirmed that the variance request is for an entry addition to the front of the existing dwelling along with a pedestrian access bridge and that there is no proposed garage or driveway.

Mr. Reid Bennet indicated that he is okay with the smaller project.

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

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

Commissioner Curtis asked to confirm that Mr. Reid Bennett is removing his objection.

Commissioner Wardall said that is his understanding.

Chair Gonsalves stated he also understands that.

Commissioner Wardall shared that this is pretty straightforward and that a five ft. walkway is not a big infringement.

Commissioner Munnerlyn said that the proposal says that the parking pad is to be built up and asked if there is a parking pad in that location now.

Ms. Brumm responded that there is not one.

Commissioner Munnerlyn asked if that location traditionally has been where snow is stored and if this is the only location.

Ms. Brumm replied that there is an area to the south and another area to the north side to the right of the parking pad.

Commissioner Munnerlyn said that really would not be accessible for road snow removal equipment to dump it there.

Ms. Brumm responded that they could pull slightly into that parking pad and move the snow over the edge of it.

Commissioner Munnerlyn asked if the existing gravel walkway that it used now can be completely covered with snow.

Ms. Brumm said that it can.

Commissioner Bennett made reference to Mr. Reid Bennett's letter and asked if people used to park on the street.

Ms. Brumm responded that is correct.

Commissioner Bennett said since he has been on the Planning Commission there have been several requests for variances in the Kirkwood area based on topography and that it appears that someone came up with some standards that ignored topography. He asked if that can be corrected.

Ms. Brumm replied that the KMA Board is working on making some modifications to their design guidelines to reduce the number of variances they are seeing in the Kirkwood area.

Commissioner Bennett said that is good to hear and that he is not sure what the Commission can do and reminded that the General Plan is coming up to be redrawn where there will be an opportunity to straighten this out.

Commissioner Curtis said that the applicant's plan is difficult to read, that he cannot see any topography, and that it is hard to grasp what they are asking for.

Ms. Brumm said they had difficulty getting everything on a 11x17 piece of paper and that it was scanned resulting in lesser quality. She then referred to the map and clarified the elevation sharing that it drops about 40 feet from the property line to the curb.

MOTION: It was moved by Commissioner Wardall, seconded by Commissioner Curtis, and unanimously carried to approve the adequacy of the Categorical Exemption and to recommend approval of V-23;11-1 to the Board of Supervisors subject to the findings in the staff report.

Ms. Sheppard stated that the Planning Commission has recommended approval of V-23;11-1 to the Board of Supervisors and that a hearing will be heard at a later date.

Item 2 - Review and possible approval of an Interim Management Plan (IMP) renewal for the South Arkansas Creek Mine pursuant to County Code Section 7.36.185 and Public Resources Code Section 2770.

Mine Operator: Crosspointe 2, LLC (Jason Smith, representative)

Property Owners: Sandra Ballard and Crosspointe 2, LLC

Supervisory District: 5

Location: 1360 Highway 16, Plymouth, (on the south side of Hwy 16 approximately two miles east of the Sacramento/Amador County line)

Mr. Beatty 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 applicant is present.

Jason Smith was present but had no comments.

Chair Gonsalves asked if there is any public comment or questions from the Commission. There were none.

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

Commissioner Munnerlyn asked Mr. Beatty if the mine has been up to date with their inspections.

Mr. Beatty responded yes and that they undergo an annual reclamation inspection to make sure that the cost to reclaim the mine is backed up with a bond pledged to the County and the Department of Conservation. He added that the inspection occurs every fall.

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Bennett, and unanimously carried to find that the IMP renewal meets County Code Section 7.36.185 and Public

Resources Code Section 2770 and approves the IMP renewal for a period of 5 years commencing from November 30, 2021.

Mr. Beatty stated that the Planning Commission has approved a second renewal of the Interim Management Plan for the South Arkansas Creek Mine which will expire November 30, 2026.

MOTION: It was moved by Commissioner Munnerlyn, seconded by Commissioner Bennett and unanimously carried to adjourn the meeting until the next regularly scheduled meeting on February 13, 2024.

John Gonsalves, Chair
Amador County Planning Commission

Mary Ann Manges, Recording Secretary
Amador County Planning Department

Chuck Beatty, Planning Director
Amador County Planning Department