AGENDA ITEM X.A.

ATTACHMENTS

MISSING

FROM PACKET
COUNTY OF PLACER
GRADING PERMIT

APRN: 090-212-099-000
Project Location (Site Address): NO ADDRESS ON FILE

PERMIT#: DGP - 3871
Application Date: 06/16/2005

BARTHOLOMOW
Date Issued: 07/22/2005

Subdivision: LOTS 8 & 9 SUNSET PINES SURVEY M08 D-68
Date Expires: 10/15/2005

Lot Number:

OWNERS INFORMATION:
Name: BERTAGNOLLI ES & GERALDINE F
Address: PO BOX 9
City: CLAYTON CA 94517

APPLICANT INFORMATION:
Name: BERTAGNOLLI ES & GERALDINE F
Address: PO BOX 9
City: CLAYTON

Owner: CLAYTON
State: CA
Zip: 94517
Phone: 563-3322

PERMIT FEES:
Fee Code Descrip Total amount due on permit Total Fees Paid to date Total remaining Due Date Field Receipt

PLICA

1834.020 class 3 (D)

RELATED/OTHER PERMITS:
Fee 891 01/19/2005 OPEN
FVAA 3779 11/18/2004 OPEN
TCON 114183

PLACEY COUNTY REQUIREMENTS
PLICA Grading permit for roadway only per Steve Bucko and Allen Enoch.
No grading work for RPD permitted... VAA3779 still pending.

DPW

Properties installed erosion control required at all times during construction.

GRADING PERMIT:

Declarations:
"The Permittee, for him or herself, his or her contractors, and employees, agrees to save, indemnify and hold harmless the County of Placer or its representative from all liabilities and claims for damages by reason of injury or death to any person or persons, or damage to property from any cause whatsoever while in, upon or in any way connected with the work covered by this Grading Permit, and does further agree to defend the County in any claim arising out of or as a result of the work done under this permit."

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all County Ordinances and State laws, and the regulations of the State Department of Industrial Relations and Industrial Accident Commission relating to the character of work, equipment and labor personnel involved in the project.

This permit is not valid until the party to whom the permit is issued shall, whenever required by law, secure the written consent to work from any other public agency having jurisdiction.
Minimum Fire Safe Standards

Ms. Jeanne McNamara
Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449

Ms. McNamara,

The North Tahoe Fire Protection District remains neutral on land development. However, when projects are submitted for approval, the Fire District has an obligation to see that all current Fire and Life Safety Codes, Ordinances and Industrial Standards are met.

I have reviewed the Grading Plan by Foster Civil Engineering dated November 22, 2005, for the above referenced project. Negotiations with the developer have resulted in the proposed road with a turnout and turnaround that meet the minimum fire safe standards required for approval of the proposed single family dwelling.

For communication pertaining to the fire requirements for this project, contact Steven D. Hook, Fire Prevention Technician at (530) 583-6930.

DUANE WHITEHAW
Fire Chief

Steven D. Hook
Fire Prevention Technician

Cc. Bob Eicholtz, CDF Auburn
    Allen Breuch, Placer County Planning Department
    Matt Bartholomew, Placer County Department of Public Works
    E. Bertagnolli, owner Sunset Pines Subdivision
    Julie Basile, K.B. Foster Civil Engineering
    File
RE: Park Lane Right-of-Way (ROW) Paved Roadway Extension; Public Hearing

Jeanne, this is the statement I'm going to read today.

Allowing this ROW to be built might seem like a sensible thing. After all it's only one house and the developer is making giant improvements to the end of the road that will help fire safety there. However there are two major issues that must be addressed:

The first is what Park Lane looks like 100 feet back from where the proposed widening and improvements will take place. The road is only 10 and a half feet across in one place, and that is without any snowbanks. Today, right now, the road is infringed by snow banks and is under a foot of compressed snow. The county does not maintain the road. Think about an 8 foot wide fire truck trying to negotiate this road in a storm. Now think about the people who live on this road, especially those in the new house at the end of the road, the house that's proposed here, trying to escape a fire at the same time.

I call your attention to Page 4 of the TRPA Staff Summary, point b under Chapter 18-Special Use Findings. It says, in part that: "The project to which the use pertains, will not be injurious... to the health, safety of persons in the neighborhood." I'm saying that putting any more houses at the end of Park Lane will DECREASE SAFETY, putting neighborhood people in life-threatening jeopardy-- especially the new people in the new houses at the end of the right of way.

You can make the road at the end 18 feet wide, or 80 feet wide, but there is no other way out than through a 10-and-a-half foot bottleneck. Think about how the TRPA or any planning agency would be seen if there was a fire, people got hurt or killed, and such an obviously flawed plan had been approved.

The Fire Department has turned away from this issue, because it can't force the developer to upgrade the entire road. But that doesn't mean it's safe, it just means that the Fire Department says it can't do anything to stop it.

The second issue that the neighborhood has with this proposed ROW is that this project, is not just the building of one house. This is the first step to the building the first of 20 to 30 houses on a the tract at the end of Park Lane.

Six years ago, Mr. Bertagnolli tried to get permission to build 20-30 houses on this tract as a "development," and was turned down, largely because of fire access. The access has not changed, but now Mr. Bertognolli is attempting to build the very same project proposed 6 years ago-- except this time he is skirting regulations by doing it one house at a time, starting with the house and the ROW in question.

3/30/2006
I asked Mr. Bertagnolli if he intended to build out his property and he said "yes". Why else would he spend such a huge amount of money on road improvements? Would he do it for just one house? No! But he would do it for an eventual 30 houses. I refer again to the memo, Chapter 18-Special Use Findings. Point c says: "The project to which the use pertains, will not change the character of the neighborhood detrimentally affect or alter the neighborhood."

I think that adding 30 houses at the end of the only road that serves the neighborhood, a road that is far substandard in width would very much alter the neighborhood. Think of the traffic, the noise. Think about the steep hill at the other end of Park Lane where the road hairpins into North Lake Boulevard. Think about 40 cars trying to make it up that road in a snowstorm. Or worse, think about 40 cars sliding into North Lake Boulevard, coming down a steep hairpin turn in a snowstorm, and potentially getting stuck, or causing a crash, and blocking access to the entire neighborhood.

All I'm saying is, it would not be a big deal if we were talking about one house here, but we are not. Mr. Bertagnolli wants to develop the entire parcel, and that would dramatically change the character and safety of the neighborhood, and that should not be allowed.

I'm all for neighbors having the right to improve their property. The key thing is that the "improvements" don't come at everyone else's expense. We have a one-year-old daughter. If we can protect her from any threat, be it increased traffic on the road where she learns to ride her bike, or from any emergency situations where an ambulance or fire truck needs to get through, we are going to fight hard to do it.

Thank you.

Gil Gaus and Michelle Nowicki
306 Park Lane
Kings Beach CA 96143

3/30/2006
> Dear Jeanne:
>
> RE: Park Lane Right-of-way (ROW) Paved Roadway Extension

> Attached are photos of the section of Park Lane that just precedes the ROW in question. These photos were taken this morning and last Fall. As the case most of the winter, this road is even narrower due to the infringement of snowbanks. Also, since this is not a county maintained road, it has not been plowed all winter. There was, this morning a van stuck in this section of road for an hour.

> Widening the road, at the end, with the ROW proposed, would not at all alleviate the bottleneck pictured here.

> Gil Gaus & Michelle Nowicki
> 306 Park Lane
> Kings Beach
> 530-546-5536
INSERT
PICTURES
HERE
Jeanne Mcnamara

From: R Allen Breuch [abreuch@placer.ca.gov]
Sent: Thursday, March 30, 2006 8:56 AM
To: Jeanne Mcnamara
Cc: Hook@nfire.net; Matt Bartholomew; Todd Wees; Richard Reeder <rereeder2@surewest.net
Subject: Re: FW: Bertagnoli - Park Lane - DGP3571

Jeanne,

I would like to bring to your attention the subdivision issues the County has for the vacant lots on Park Lane. It is our position the applicant, and potential new lot owners, may perform lot adjustments and voluntary mergers to create up to 4 new lots. If existing vacant lots are rearranged to create 5 or more new lots, we will consider this a new subdivision in the area. This modification of creating five or more lots will require environmental review and public hearings through a map modification process with the County.

Currently the existing subdivision's vacant lots have not been changed more than 4 times. Therefore the current application before you is not a concern at this time.

However, in the future, if 5 new lots are created within this area, the County would like to coordinate with your agency during the conditioning of projects. A modification to the subdivision may require the subdivision to meet current code which includes roads and infrastructure.

If you have any questions, please let me know.

Thank you,

Allen

>>> "Richard Reeder" <rereeder2@surewest.net> 03/29/06 7:02 PM >>>
Allen,

Jeanne forwarded this to me.
Permit issues were handled by Matt Bartholomew...

Thanks for your help today.
Richard Reeder

-----Original Message-----
From: Jeanne Mcnamara [mailto:jmcnamara@trpa.org]
Sent: Wednesday, March 29, 2006 4:42 PM
To: Richard Reeder
Subject: FW: Bertagnoli - Park Lane - DGP3571

As we discussed today, I am forwarding you a copy of the email from Matt at Placer County outlining the status of the Placer County grading permit.

Jeanne

Jeanne McNamara
Senior Planner
Tahoe Regional Planning Agency

128 Market Street
Post Office Box 5310
Stateline, NV 89449
(775)588-4547 extension 252
Fax: (775)588-4527

-----Original Message-----
From: Matt Bartholomew [mailto:MBarthol@placer.ca.gov]
Sent: Thursday, March 23, 2006 9:50 AM
To: Jeanne McNamara
Cc: julie@kb foster.com
Subject: Bertagnolli - Park Lane - DGP3371

Jeanne-

The proposed road construction depicted on the above referenced grading permit has been reviewed and permitted by Placer County. The grading permit will be extended at the applicant's request, as soon as all other agency permitting issues have been resolved and the project is ready for construction. We typically expire grading permits on October 15, ideally to prevent any confusion on the part of permittee regarding the TRPA grading deadline, and then extend them additional seasons as needed. Please let me know if you have any other questions or concerns.

Matt Bartholomew, P.E.
Associate Civil Engineer
Engineering & Surveying Division - Tahoe City Placer County Community Development Resource Agency P.O. Box 1909, Tahoe City, CA, 96145
Phone: (530) 581-6227
Fax: (530) 581-6228

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Allen Breuch
Supervising Planner - Lake Tahoe
Placer County Planning Department
530-581-6280
Abreuch@placer.ca.gov
Dear Jeanne McNamara,

I am a Beaver Street resident opposed to further development at the end of Park Lane for the following reasons:

1. Park Lane is far too narrow to allow emergency vehicle access. A house fire could endanger the whole neighborhood. Sprinklers won't take care of fire that has spread to brush. The people who live in the newly developed area may have a very hard time getting out in an emergency, especially in winter when cars regularly get stuck at that narrow end of Park Lane.

2. Many property owners along Beaver Street have been counting on county and regional agencies to enforce existing rules that prevent the land behind them from being developed. The whole neighborhood enjoys the peaceful setting and the access to Forest Service land. Allowing homes to be built and cars to drive behind us would us cut us off from the primary reason we decided to settle in the neighborhood.

3. The idea that building one house at a time makes it okay to bend the rules does not make sense. We do not want to be piece-mealed into a bad planning situation.

4. The person proposing the development has no special attachment (besides profit motive) to the land. He is not planning on living there. He is developing it for speculative purposes and not with the intent of improving the beautiful natural setting or joining the neighborhood. He has no stake in the negative impacts that development would cause.

Please, do not make any exceptions to any rules for this project. A whole neighborhood is watching carefully and intently to see what happens. The outcome will affect us immensely. Thank you for considering my thoughts on the matter.

Sincerely,
Carina Cutler
TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449

HEARINGS OFFICER

Tahoe Regional Planning Agency
128 Market Street
Stateline, Nevada 89449

Date: March 30, 2006
2:00 p.m.

REGULAR MEETING MINUTES

I. CALL TO ORDER

Mr. Jim Baetge, Hearings Officer, called the meeting to order

II. APPROVAL OF THE AGENDA

Mr. Baetge approved the agenda with the following continuances and changes. Item V.C. Abbasi Family Trust, Sohaib and Sara Abbasi Trustees is being continued to the April 13, 2006 hearing at the request of the applicant’s Associate planner, David Landry. Senior planner, Melissa Shaw, requested her item V.D., South Tahoe Public Utility District, Dollar Point Subdivision, to be heard first due to time restraints.

III. PUBLIC INTEREST COMMENTS

The Hearings Officer opened the meeting to public interests comments and since there were none; he closed that portion of the hearing.

IV. ANNOUNCEMENT OF APPEAL RIGHTS

The Hearings Officer explained the Appeal Rights process and advised that Appeal Rights Application, Procedural Guidelines and copies of the staff summaries were available for those who might be interested in the information.

V. PUBLIC HEARING ITEMS

D. South Tahoe Public Utility District, Dollar Point Subdivision, Placer County, California, Assessor’s Parcel Number (APN) 510-302-03, TRPA File #20051258. The applicant is proposing a waterline replacement project to replace approximately 4,000 feet of existing 2” waterlines with a new 16” waterline among Modesto Avenue and portions of Belevue and San Francisco Street. The new well-head was previously approved by TRPA. The waterline project is a special use within Plan Area 099, Al Tahoe Plan Area Statement.

Senior Planner, Melissa Shaw, noted a typographical error under Special Conditions #8 referring to sheets 9-21 are not part of the plans. She also wanted to clarify that the project is located in El Dorado County.
Mr. John Thiel from the South Tahoe Public Utility District stated there will be no open trenches during the night. Whatever is dug up during the day would be covered up at the end of the day. Mr. Thiel replied that it will be a 20-24 inch wide trench with a standard pipeline installation and will progress at the rate of about 100 feet per day.

The Hearings Officer opened the hearing for public comments, seeing none, he closed the public hearing.

The Hearings Officer approved the findings contained in the staff summary and the finding of no significant environmental effect and approved the project based on the staff summary and subject to the conditions contained in the attached draft TRPA permit.

A. Norman Curci and Rich Stefkovich Land Capability Challenge, 515 Eagle Drive, Washoe County, Nevada, Assessor’s Parcel Number (APN) 131-224-11, TRPA File #20060054.

No changes to the staff summary were noted by Senior Planner, Tim Hagan.

The Hearings Officer opened the hearing for public comments, seeing none, he closed the public hearing.

The Hearings Officer approved the land capability challenge change of designation from class 2 to class 4 contained in the staff summary consistent with the March 23, 2006 Memo and the two attachments with it.


No changes to the staff summary were noted by Senior Planner, Tim Hagan.

The Hearings Officer opened the hearing for public comments, seeing none, he closed the public hearing.

The Hearings Officer approved the land capability challenge change from class 3 to class 4 contained in the staff summary consistent with the March 23, 2006 memo and the two attachments.

C. Abbasi Family Trust, Sohaib and Sara Abbasi Trustees, 65 Shoreline, Incline Village, Nevada, Assessor’s Parcel Number (APN) 122-162-21, TRPA File #20060192. The applicant is proposing the construction of a buttressed shoreline boulder revetment structure to be installed along the edge of an existing lake front retaining wall. The proposed work involves the reduction in height and concealment of the retaining wall, the removal of access stairs on the
east side and the removal of railroad ties in addition to the construction of the
dynamic shoreline protective structure to match the characteristics of the
surrounding natural shoreline. The proposed work is for the purpose of reducing
the visual impact of the protective structure and accommodate the growth of
native vegetation to be used as scenic mitigation. The project involves the
introduction of a new shoreline protective structure and therefore requires
Hearings Officer review per Chapter 4, Appendix A, of the TRPA Code.
(Continuance)

E.  Ett Bertagnolli, K.B. Foster Civil Engineering, Inc. as representative, a portion of
the Park Lane Right-of-Way, Placer County, California, Assessor's Parcel
Number (APN) 090-212-39, TRPA File #20051523. The applicant is proposing
improvements to a portion of the Park Lane right-of-way (ROW) in order to
facilitate construction of a new single family dwelling to be located at 361 Park
Lane in Placer County. The ROW currently contains a dirt roadway but the
applicant is proposing to pave a portion of the ROW in order to meet the basic
service requirement under Chapter 27 of the TRPA Code of Ordinances which
requires that all new structures be served by a paved roadway. The paved
roadway will be 18-feet in width with 1-foot shoulders and will include a new
turnout and a turnaround in order to meet minimum fire safe standards.
Permanent Best Management Practices (BMPs) will also be installed for the new
ROW improvements.

No changes were noted to the staff summary by Senior Planner, Jeanne
McNamara.

Ms. McNamara noted two e-mails in opposition of the project. One contained
photos for the Hearings Officer's reference and the other from Allen Breuch from
Placer County outlining their process for the subdivision in terms of
modifications.

The Hearings Officer wanted some clarification as to why it was not an EIP
project and if 18 feet is a standard on the width of the new road to be built.

Ms. McNamara stated that the County is not the applicant on the project in terms
of taking it forward to use EIP funds to do the project. The proposed width of
the road is on the November 22, 2005 plans approved by fire safety standards
set by the Fire District. According to Mr. Jim Rienstra, of K.B. Foster Civil
Engineering representing Mr. Bertagnolli, they did the design and went back and
forth with the Fire District. It was determined due to the length of the road the 18
foot width was the minimum requirement with enough room beyond the property
for emergency vehicles to turn around safely. They are required to in case of an
emergency to have a fire truck and an ambulance and there needs to be plenty
of room to turn around. Mr. Rienstra noted that it will be the homeowner's
responsibility to keep that portion of the road plowed to keep clear for
emergency vehicles to operate.
The Hearings Officer noted if a turnaround is to be built then it should be noted in permit conditions that it is a requirement to have it plowed and cleared at all times.

The Hearings Officer opened the hearings for public comments.

Mr. Richard Reeder, a homeowner below the construction site, had concerns that the existing road does not meet the fire safety standards. He wondered as to how a road that doesn’t meet safety standards can be built upon and as to why the existing road will not be first constructed to meet fire safety standards.

Mr. Jim Rienstra noted it was brought to the attention of the Fire Department and it is being approached as an exiting condition and not required to upgrade that portion of the road just for the one house. If more houses are proposed further down the road then the issue will have to be revisited with the Fire Department.

The Hearings Officer noted that if the Fire Department determined it is adequate that is what he has to go from.

Mr. Richard Reeder also noted the new paved road will be in the back area of his house and will affect the enjoyment of his property and will not be happy along with other homeowner’s in the area. He requested to not go forward and approve the project.

Mr. Gil Gaus, property owner about 100 yards where the right of way is planned, noted the existing road is 10 ½ feet wide in one part and 11 ½ feet in the rest of the road. He pointed out that the city does not maintain the road during the winter and believes putting any more houses at the end of Park Lane will decrease safety in case of a fire especially to any new houses at the end of the right of away. Mr. Gaus believes this project is to not just provide access to this one new house but this is the first step to building 20 to 30 houses. Six years ago Mr. Bertagnolli tried to get permission to build 20 to 30 houses on this track as a development but was turned down due to largely to fire access and pointed out the access has not changed. Mr. Gaus noted Mr. Bertagnolli is now going about it one house at a time. He is all for neighbors to approve their property but believes the key is the improvements don’t come at everyone’s expense.

Ms. Sara Weinstock, property owner, voiced concerned on having beautiful standard neighborhood dropped down to a standard neighborhood.

The Hearings Officer noted that it shouldn’t be continued until it is known where the County and the Fire Department are at with this and believes it needs to go to the Governing Board.

Mr. Jim Rienstra pointed out that this hearing is for just this one house and what shows on the plans does meet fire safe standards to allow this one house to be constructed.
The Hearings Officer noted the access requirements need to be determined and if it is safe. He noted that the existing road does not have BMPs and stated that it should be included into the project.

Ms. McNamara noted there were numerous conversations with the County about it but they have not accepted the maintenance and placed it back onto the owner.

Et Bertagnolli commented in his defense that his intention is to live in the house to be built. Most of the lots in the area his family own would have to be consolidated to be considered buildable lots. There are also negotiations with the Conservancy to buy a portion of his property.

The Hearings Officer noted that it will go to the Governing Board and suggested someone from the Fire Department and Placer County should be in attendance.

Mr. Manuel Pastor, property owner, noted the serious environmental impact the project would have if approved according to what he saw.

VI. ADJOURNMENT

The Hearings Officer adjourned the meeting.

Respectfully submitted,

Sharon Sweet
Clerk to the Hearings Officer

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call (775) 588-4547 to make an appointment. In addition written documents submitted at the meetings are available for review at the TRPA office, 128 Market Street, Stateline, Nevada.

Approved:

Hearings Officer