

**JAMUL DULZURA
COMMUNITY PLANNING GROU**

December 8, 2015

FINAL Minutes

Approved January 12, 2016

Oak Grove Middle School Library

7:30 p.m.

1. **Joe Stuyvesant, Chair, called the meeting to order at 7:30 p.m.**

2. **ROLL CALL** Elizabeth Kelly, Janet Mulder, Joe Stuyvesant, Richard Marzec, George Novinger, Michael Casinelli, Eileen Poole, Jean Strouf, Steve Wragg, Joan Kouns, Judy Bohlen, Preston Brown, and Bill Herde.
Excused: Randy White

Absent: Earl Katzer

3. **APPROVAL OF AGENDA for December 8, 2015 and the minutes of November 10, 2015 as sent via email with a correction of name spelling as reflected in Final Minutes.** Motion carried unanimously.

4. **OPEN FORUM: Opportunity for public comment on any item not on the agenda – 3-minute time limit**
 - a. **Joe Stuyvesant asked everyone to keep their comments to under 3 minutes as our agenda is so long this evening.**

 - b. **Michael Casinelli stated that the ABC received 1000 letters even though we only had 5 days in which to respond to the proposed casino's application.**

 - c. **Don Parent, SDG&E, gave an update** – they are working days from Lyons Valley East and the night work is on SR94 and waiting on Caltrans for the bridge. They hope to work on the highway in front of Steele Canyon High School during the winter school vacation. The temporary paving has been commented upon, and he gave an explanation which stated that that is the way the temporary paving has to be and apologized for any problems driving across the temporary paving. **Michael Casinelli** pointed out that there was dirt being taken out of the road and dumped without permission. **Don Parent** said that the process has been stopped. **Janet Mulder** asked about the steel plates...could they be more flush as they make driving quite difficult as they are uneven? Don Parent will check into this for us.

Janet Mulder recused herself from discussion on Agenda Item 5, due to the possible conflict of interest due to her elected position on the Jamul Dulzura School Board of Trustees.

5. **PLDO FUND DISBURSEMENT RECOMMENDATIONS AND DECISION – Joe Stuyvesant reporting.** He introduced **Nadine Bennett, Superintendent,** who thanked

the Planning Group for help with the synthetic field, and reported that the School District's water bill was reduced by almost 75% after the installation of the artificial turf field. They need to upgrade the decomposed granite track to a synthetic track in order to maintain the integrity of the artificial field and are hoping to finish by June or the end of this summer. **Mrs. Bennett** requested that the PLDO funds in addition to the amount promised from Supervisor Jacob and additional monies from the District be used to create the track. The Planning Group asked questions including drainage, and was told that **Steele Canyon High School's** track had some problems with rabbits on it. **Michael Casinelli** stated that he had run the track many times and saw horse tracks and bicycle marks. He suggested signing needed to be improved prohibiting bicycles and horses on the track. He asked about the restrooms and snack bar and **Nadine Bennett** told us that was in phase three after the softball. **Preston Brown** suggested fencing the track and field to avoid horses. **Joe said that the estimate was between \$350 and \$400,000 to complete the track, and they received from the Board of Supervisors \$250,000 and JDUSD up to \$50,000. Michael Casinelli recommends that the JDCPG utilize up to the PLDO funds of \$105,000 for the use of the synthetic track at Oak Grove Middle School campus. Motion Carried: 12, Yes; 0, No; and 1 Abstention (Janet Mulder possible conflict of interest)**

6. **PDS2005-TM-5460, SIMPSON FARMS DEVELOPMENT, SINGLE FAMILY RESIDENCES AND COMMERCIAL USES, applicant Gotham Mgt - - Steve Wragg, Richard Marzec, Preston Brown and Eileen Poole reporting. Joe Stuyvesant stated that we would have a report from sub-committee members, followed by the County and then the applicant, and then the community input. Sub-committee's comments – Michael Casinelli pointed out that the reason he ran for this planning group is to help maintain our rural community. He has two problems, one with the alternative septic ...no one has been able to tell him how they will work in this quantity and he would recommend that the County look into it and make sure that they can be utilized for several years and report back to us. The second problem he sees is with community character and he looked at two of the Jamul developments: Indian Springs and Skyline Ranch, as both of them have a different flavor and he would suggest we put conditions on our approval if we decide to approve, in order to retain the community character, utilizing different elevations, different styles of homes, etc. as well as re-looking at the street lights and the necessity for same. People move out to our area because it is rural and we want to be careful not to jump ahead 50 years and become more suburban than we need to at this time. **Preston Brown** has been looking at the septic system as his part in the sub-committee. He spoke to the County, the developer, and the Department of Health sent a letter summarizing the requirements to which the developer will be accountable and responsible for. This letter synthesizes the information from the analysis of the site by Geocon. The DEH has taken that report and finalized with the developer the max limits of bedrooms, which are 4 bedrooms on a one-acre and 5 bedrooms on a two-acre. **Scott Rosecrans**, DEH, has completed the calculations based upon available information. He pointed out that it is part of the scoping letter he submitted to PDS which outlines what DEH is recommending for approval. **Preston Brown** feels that if all of the analysis is correct this system will work for the proposals and has no objection to the project as proposed. Geocon specified that they did 22 test holes in the areas where the septic systems will be located. **Steve Wragg**, Chair of the Sub-Committee, stated that in October when they appeared before us there were a few things that needed to be addressed in the Scoping Letter and the Septic Systems. Since then, we have received letters from DPS regarding the Scoping**

Letter and the DEH on the septic systems. Regarding lot sizes, **Steve Wragg** pointed out that the road patterns followed topography diminishing the need for grading. Landscaping enhancement around the edges, provide a buffer and the noise barrier along SR94, and it was reduced from 8' to 5' and made it more fitting into the area. They have an internal trail system network which will not be gated. There will be a homeowners association to take care of common areas including roads and trails. The developer is willing to come back to our JDCPG with floor plans and elevations, which will encompass 12 different floor plans, as affirmed by **Chad Harris**. **Steve Wragg** thanked the staff for appearing as well as the developer and the **Preston Brown** pointed out that the landscape architect has included trees and he would like to see that requirement in the CC&Rs. Lighting needs to be part of the CC&Rs in order to maintain our dark skies policy. The new technology that is helping this developer could be helpful to members of our community who wish to expand their houses and need to replace their non-working septic systems.

Marisa Smith and Scott Rosecrans were here representing the County DPS stated that they have accepted all of the studies and will get the final recommendation of approval for the septic systems and are ready for the vote from the JDCPG.

Chad Harris, Gotham Management, thanked us for our comments and appreciated the work put in by the sub-committee. They plan to utilize the contours of the land with landscaping and address the concerns of the group and have tried to satisfy any concerns. He wants this to be a shining example of what Gotham can build.

Frank Hoff, resident, asked what the actual footprint of the project and was told the location, shown a map and told it was 160 acres with 95 homes.

Joan Kouns stated that she feels they have stayed within the plan and it is good.

Steve Wragg pointed out that the septic system would be better for the environment as it saves water as they are reclaiming water and it reduces the nitrates by 64%.

Preston Brown feels that if they follow the commitments on landscaping plans and lighting it will be a good project as well as changes on the fencing.

Elizabeth Kelly– asked if animals would be allowed and it was pointed out that it is an “L” regulator and allows some. She asked would CC&Rs block this and **Chad Harris** said the CC&Rs will apply to the zoning.

Bill Herde – thanked them for their support and voiced his concern that the company that puts in the septic systems will maintain them and make sure there are others that can take their place. **Chad Harris** assured him that is true. Creative street lighting will be discussed.

Jean Strouf – asked what is plan B on the septic system and how will the cost for a system failure be absorbed. **Scott Rosecrans** pointed out that just like in a regular system it would need to be repaired and if the homeowner is not able to pay a lien is put against the property. He also pointed out they are designed to have a 24-hour holding capacity, and would need to make other arrangements if electricity were off for a longer period of time.

Eileen Poole –thanked the developer for working with the sub-committee and helping them to understand all of the problems.

Judy Bohlen – has some very serious concerns about the septic systems as she is afraid that this system does not have a longevity of life...15 years is not long enough. We are living in the rural area and we have wild fires and realizing that this septic system can only go 24 hours without electricity it could mean that we would have lots of failures and she cannot support the project as it is presented because of this.

George Novinger asked how many construction companies would be developing or building the homes. **Chad Harris** said that there are certain areas that they might sell

individual lots and then they would be custom built by someone else. The majority of the lots will be build under Gotham's tutelage. **George Novinger** asked if they would consider having them all built with solar systems and **Chad Harris** said that is their plan. **George** said that the developer has been working hard with the sub-committee and appreciates what they have done and that the sub-committee's suggestions have been followed.

Michael Casinelli – important for the Group to discuss the CC&Rs and street lights, but would like the Board of Supervisors to acknowledge and approve the septic systems being applied in our county over time. **Joe** suggested to make this recommendation at the end.

Janet Mulder has a problem with the possible failure of the septic systems as we do not have sewer and it is not coming in the foreseeable future due to the fact we are beyond the urban limit line which has traditionally been the end of sewers. Our community plan calls for septic and we are aware that the addition of sewer line would be growth inducing and therefore not advisable.

Joe Stuyvesant – stated he is satisfied that the septic system will be maintained, and that his concern about community character will be satisfied by conditions that the JDCPG puts onto the project. Good example of the developer and Planning Group working together to come up with a workable solution.

Steve Wragg – The septic systems have been rated by NSF40 which means they will work. He suggests we think globally and green as they are being used nationally and internationally and it was the BOS who approved the LAMP.

Steve Wragg: Recommends approval of the project as proposed with the following conditions:

- 1) Developer submit floor plans and elevations to our JDCPG for review and approval prior to building permits (approximately 12 floor plans)**
- 2) Strongly encourages developer to utilize solar and/or other alternative energy.**
- 3) Dispersion fields must be landscaped and maintained.**
- 4) Utilize Street lights at intersections with public roads and smaller, shorter, less obtrusive, pedestrian lights along the trails.**

Motion carried: Yes, 10; No 3; 0 abstentions.

- 7. PDS2015-TM5605 – OWNER, BACK - RICH MARZEC reporting that on July 14 this project was started and the JDCPG has not seen the response to the scoping letter and we should receive information soon.**

Larry Walsh, Civil engineer on project, just submitted the answers to the scoping letter and he has spoken to the neighbor who has the drainage concern and that problem is not impacted by this subdivision. **Frank Hoff, neighbor**, has a drainage problem with water coming across the road and under a triangle onto Otay Ranch. He wants to be assured that nothing is happening that will impact him and add to his existing problem.

Larry Walsh said that there were no current plans for development – they are creating lots. **Mr. Hoff** wants assurance that there would not be an impact on his property.

Mr. Budvarson, showed photographs to prove that the topography shows that the drainage from the **Kistrup** property flows into his back yard. He realizes this was a mistake made 20 years ago, and is glad the JDCPG is taking the time to look at the project to make sure that all is well with today's proposal.

Steve Wragg asked if this project would exacerbate the drainage problem and **Larry Walsh** said no. So **Steve Wragg** told **Mr. Budvarson** that the problem would be

addressed. He suggested that **Larry Walsh** try to figure out what is happening to the drainage and make recommendations.

This item will be put back on the agenda and hopefully have a scoping letter and a report on the drainage problem.

STEVE WRAGG RECUSED HIMSELF DUE TO A POSSIBLE CONFLICT OF INTEREST ON THE NEXT AGENDA ITEM, AS HE IS DOING SOME WORK FOR THE APPLICANT.

- 8. PDS2015-TPM-21218, OWNER SHELLSTROM – Preston Brown reporting that he spoke with Michelle Chan who is the current project manager from the County.** The owner, **Doug Shelstrom**, and the **Engineer, Elliott May** and the **Contractor, Mark Hodges** were present. **Elliott May** reported that there was one family dwelling on the property and an additional pad. The County required widening of the road two feet for fire protection and the cut bank needs to be moved back about 5 feet. He distributed maps to show the site distance. The property is 8 acres and the County amended the GP and now able to divide into two lots. It had been approved as one lot with one dwelling and a stable. They came back for a lot split and avoided the resource protection ordinance. **Elliott May** said that they were required to do a biology study, which resulted in a 100 ft clearance for steep slope, blue is marked as open space on the map. All of the reports have been submitted. The County has required them to fill in the swale with concrete in parcel #1, remove the fill on parcel #1 which is where the reserve leach lines will be, and third they need to complete the driveway for parcel #1 and it has been approved as drawn.

Preston Brown moved that, based upon the conditions requested by the County and reflected on the map, we recommend approval assuming these conditions are met. Motion carried: Yes, 12; 0, No and 1 Abstention (Wragg – conflict of interest)

9. JAMUL INDIAN VILLAGE UPDATE:

Michael Casinelli – reported that there was an appeal hearing on Dec. 7 at the District Court regarding the injunction to stop the construction. The results could come within 90 days. You can see the trial on <http://www.ca9.uscourts.gov/media/> If you go down the list of archived hearings to San Francisco, it is the second case on Dec 7

Jamul Action Committee v. Jonodev Chaudhuri	15-16021	KOZINSKI, BYBEE, CHRISTEN	San Francisco
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10. JDCPG OFFICERS ANNOUNCEMENTS AND REPORTS

a. Joe Stuyvesant presented the Property Specific Requests General Plan Amendment and Resume – **Dan Neirinckx** will help us with this.

11. SCHEDULED SUBCOMMITTEE MEETINGS:

- **None currently scheduled. Check posted minutes for updates**

Adjournment: Chair Joe Stuyvesant adjourned the meeting at 10:08 p.m.

Respectfully submitted,
Janet Mulder, Secretary

NOTICE OF NEXT REGULAR MEETING:

7:30 P.M. TUESDAY, January 12, 2016

OAK GROVE MIDDLE SCHOOL LIBRARY

Meeting minutes and agendas can be accessed at

<http://www.sdcounty.ca.gov/pds/CommunityGroups.html>.