

JAMUL DULZURA COMMUNITY PLANING GROUP

Final MINUTES

February 28, 2017

Approved: March 28, 2017

Jamul Primary School Multi-Use Room

7:30 p.m.

1. **Bill Herde, Vice-Chair, called the meeting to order at 7:30 p.m.**
2. **ROLL CALL :**
Present: Jean Strouf, Joe Stuyvesant, Janet Mulder, Michael Cassineli, Steve Wragg, Bill Herde, Hannah Gbeh, Randy White, Eileen Poole and Preston Brown.
Absent: Earl Katzer,
Excused: George Novinger, Rich Marzec, Judy Bohlen
Open Seat: Seat 1
3. **APPROVAL OF AGENDA for February 28, 2017, and the Final Minutes of the JDCPG January 24 meeting, noting that the February 14 meeting was cancelled. Approved unanimously.**
4. **OPEN FORUM** – Opportunity for persons to speak on items not on the agenda:
 - a. **Randy White** suggested that the County Department look at cleaning out the culverts, the swales, etc working towards road improvement in our area as there were many many problems in our area today. Thank goodness there was not an emergency as it would have been a problem. **Michael Casinelli** will contact the County road people and ask them to come to the next meeting.
 - b. **Tim Abbott** introduced himself as a possible candidate for the JDCPG. **Bill** told him it would be covered in agenda item #9.
5. **PDS2015-GM5605 10 acre subdivide 1 acre lots in Poplar Meadows . Steve Wragg reporting. – Larry Walsh, Walsh Engineering, and Dave Beck, owner were introduced. Steve** passed out photographs of the site. Neighbors discussed the project at a meeting related to the storm water runoff and Mr. Walsh assured the neighbors of the current County regulations, and talked about the pre-existing conditions at which they need to work together. **Richard Marsec** worked with the owner, the engineer and the neighbors and recommended we recommend approval. **Larry Walsh** pointed out that the drainage problem on the neighbor's property was not part of this project. **Randy White questioned the location and took a long look at the map.** **Steve Wragg moved we recommend approval of this Back subdivision as proposed. Motion passed 9, yes; 1, No; 0 Abstentions.**
6. **PDS2016-MUP-16-018 LYONS VALLEY WIRELESS – Preston Brown reporting. Morgan Norville of M&M Telecom, Inc., presented the current design off of Lyons Valley Road. In 2014 a faux tree and brush were proposed. Today's design is quite similar and therefore**

Preston Brown moved we recommend approval of the ATT project with a pine tree, set the conditions regarding easement, removal of debris, brush and trash on site, and requiring ATT to maintain and repair the trees appearance within a reasonable period of time. Motion carried unanimously.

7. **AT&T at 1500 Mother Grundy Truck Trail (previously PDS2014-MUP-14-016) and AT&T at 15598 Leoney Lane.** **Morgan Norville** presented new simulations one with a 55' faux mono-broadleaf and a faux pine. There is an existing eucalyptus tree in the sims. **Preston Brown** has seen the sims and pointed out that the faux broadleaf trees do get damaged in the wind. The company is required to keep the faux trees in good shape and if it is out of compliance; the company needs to fix it. **Preston Brown** showed photograph of an existing faux pine tree that was quite full. **Michael Casinelli** suggested the tree needs to blend with the environment and **Preston** said it would. **Eileen Poole** asked what is indigenous to the area. Are the existing trees pine? She was told there are some. **Jean Strouf** said that some of the property owners raise pines. **Steve Wragg** asked where is the site plan and **Morgan Norville** showed him the site plan and pointed out that the neighbor has been contacted and ATT is working with them and **Steve Wragg** wants to make sure they have access. **Joe Stuyvesant** asked if we are making a recommendation on the site as well as the tree? **Bill Herde** said that the objective was to tentatively approve the site. **Tim Abbot**, pointed out that the weather has been difficult on his property and while he does not have any opposition to the site he would like to suggest that the pine tree would be more appropriate. Since the wind becomes quite a problem he can foresee 50 foot structure of any type to be impacted. There is a problem with clearing the dead brush and CalFire has concerns. The proposed easement may go across **Jay Haron's** property and has not been approved. There is at least one man who "lives" on the property. **Bill Herde** asked if it would have to be cleared before utilizing by ATT and was told yes. **Dan Neirinckx** asked about the 55 feet – why is that height necessary? **Morgan Norville** said that is a minimum height necessary to cover the whole valley with cell service. She then showed a cell tower proposed for 1500 Mother Grundy Truck Trail which they are looking to see if a water tank, faux tree or pole would work best. A straw poll was held and the majority of the Planning Group suggested that it be a water tank built sized for two so another cell company can co-locate.

Morgan Norville then introduced some photo sims for SD)700 Leoney Lane (overlooking Lee Valley) There is an existing water tank and they would have to use the legs of the water tank in order for the tank would work. They could place a new structure next to the existing water tank or a tree which would be the same height as the tank. A straw poll was held and "extra legs on the tank" was the popular choice. She will come back with the final choice. **Hannah Gbeh** asked Morgan to show the complete Mother Grundy Truck Trail and Deerhorn Valley Road on her photo sims when she returns.

8. **Nominations/vote for vacant Planning Group seats** – **Tim Abbott** introduced himself to the Group. He has been active in the community, holding many different positions, and was a former member of the Steele Canyon High School School Board. He is a civil engineer who has worked in the field for several years. He worked on several projects including LegoLand and Clint Eastwood's place as well. He has four children and can review maps easily. **Joe Stuyvesant** asked if coming to the meetings would be a problem for him. **Tim Abbott** said that his only pressing obligations were his daughter's health and his property and felt he could handle it. **Steve Wragg** asked his position on the environment and property rights as it relates to development. **Tim Abbott** said he had a few issues with eminent domain, but would probably not be part of this job. Most people move out here to have their "own space" and their property rights should be able to have some privacy and not expect County to come onto their property without a complaint. People should be allowed to develop their property, but it should blend into the community. **Hannah Gbeh** asked what are some of the important issues in our area? **Tim Abbott** said he noticed that graffiti is becoming more prevalent and would want to keep control of the type of activity going on in the area. We need to be diligent as to what we allow to be built here. **Michael Casinelli** asked his opinion on sewers in Jamul. **Tim Abbott** pointed out that as we become more densely populated we might need sewers to be able to continue. **Bill Herde** asked about JDCPG's ability to control development. What do you think downtown Jamul will look like in 50 years? **Tim Abbott** pointed out that we have the Reserve Land and the land fill at the bottom at Jamacha and so does not see us expanding much. **Jean Stouf** asked where he stands as far as trails is concerned? **Tim Abbott** stated he would support hiking trails and off-road trails as

well. **Preston Brown** stated that Tim's property was for sale and asked if he was thinking about selling. **Tim Abbott** said that he had been approached by real estate agents and the price was very interesting but never really wanted to sell. **Preston Brown** asked if he felt that the minimum acreage should increase as one moves out in the outer valleys as it is currently. **Tim Abbott** pointed out that the lack of water in the water table means we should have larger parcels as one moves out.

Dan Neirinckx has turned in his application as he has about two years he could dedicate to the JDCPG before he moves to Idaho. He was a JDCPG member for 15 years and chair for several. He feels that zoning laws tend to determine the density, and that the Planning Group has done a good job of expressing to the County via the BOS how this community wants to grow. Sewers should only be introduced where it is a health hazard, but prefers those septic systems that do not require power. Non-motorized trails are the ones we need to be looking at, but there might be ability to put motorized trails near Pio Pico or other farther out locations. The larger parcels are often purchased planning to lot split, but water table will be the determining factor. **Hannah Gbeh** asked where he lived. **Dan Neirinckx** said he had lived on Jamul Drive and now lives on Skyline Truck Trail. **Bill Herde** asked **Dan and Tim** to leave the room and a discussion was held on the candidates' positions. **Michael Casinelli** moved we invite **Dan Neirinckx** to take the open position and that we encourage **Tim Abbott** to continue his interest and apply again. Motion carried unanimously.

9. **Marijuana zoning ordinance – Report from Planning Commission meeting and discussion. – info- Bill Herde gave the following report: Marijuana facilities ban efforts.** Affected business storefronts plead **against ban** making the following points:

1) Existing facilities that have invested heavily and have complied with current ordinances would be forced out of business in 5 years. 2) A considerable tax revenue stream would be rejected. 3) A ban would remove all regulation and control of things like potency, pesticide contamination and more. 4) Ban would encourage disrespect for the law i.e. prohibition era. 5) Ban is counter to the voter initiative which passed with a near 57% majority in the state and county.

Teacher Groups and Youth groups support ban

1) Fear change in community character. 2) Fear access by underage via second hand acquisition. 3) Voiced opinion that all marijuana facilities are just about big money. 4) Voiced concerns of teens who fail to launch and other detrimental effects of MJ on youth. 5) In short do not want to see commercialization of MJ.

Farm and AG communities/outlying communities generally opposed ban.

1) It is a viable cash crop. 2) Provides jobs 3) When grown under canopy, uses less water than avocados. 4) Brings illegal growers out of the dark and into regulation controls and taxation.

Speakers representing the medical users argued that a ban would disregard and deny medication to those who need it, and focus entirely on abusers. If there are tax revenues being generated, there is additional fund available for enforcement and prevention.

Planning Commission concerns

Total ban does not address safety concerns or public vote.

Total ban brings in prohibition like situation.

No environmental or safety controls

Black Market will supply market.

Commission disagrees with the proposal of an outright and total ban as requested by BOS.

Motion was made and carried to recommend adoption of earlier 'item 8' version of restrictions with the addition of restrictions on signage, and revisit the issue in 2018 when

recreational use becomes legal.

What is before our Group tonight is our input on this proposal if we wish to give it.

Joe Stuyvesant suggested we alert the community to the vote of the Board of Supervisors on March 15 and that they are invited to make their points at the BOS meeting.

10. JAMUL INDIAN VILLAGE UPDATE

Bill announced that the JDCPG has received Response to Protestants Demand for an Impartial Law Judge. JIV response states their position that the ex parte communications which resulted in the recusal of Judge Lewis from hearings regarding ABC license do not constitute tainting of the hearing itself, and they want to continue by appointing final decision makers Ainley and Chief Albrecht to render decision based on transcripts and final briefs.

Bill announced that the JDCPG received notice re the Otay Water District Campo Road Sewer Replacement Project. This project will install 1.75 miles of new sewer main pipeline along SR 94 in Rancho San Diego, beginning in late summer of 2017.

Michael Casinelli reported that Judge Kenney ruled that the Jamul Action Committee's law suit against Caltrans has received a significant procedural victory in the case involving the Caltrans SR-94 Improvement Project. Judge Kenny affirmed his tentative ruling denying JIV's motion to dismiss the JAC lawsuit against the SR 94 Improvement Project. **He held that JIV is NOT an indispensable party and therefore the lawsuit may proceed against Caltrans on the merits.** However it probably won't be heard until the Fall.

11. JDCPG OFFICER'S ANNOUNCEMENTS AND REPORTS:

- a. PDS 2004-3300-0-047 – Pio Pico Thousand Trails Campground – given to Steve who worked on it in 2004.
- b. Caltrans has cleared the brush along SR-94 as per our request.
- c. Form 700 is due in by April 3, 2017. Please send to David Morton, Registrar of Voters
- d. Bill gave a "belated" welcome to Hannah Bjeh as this was her first meeting as a member of the group and he meant to welcome her at the beginning of the meeting!

12. SCHEDULED SUBCOMMITTEE MEETINGS: None currently scheduled. Check meeting minutes for any subcommittee meeting announcements or updates.

ADJOURNMENT: Bill adjourned the meeting at 10:10.

Respectfully submitted,

Janet Mulder, Secretary

NOTICE OF NEXT REGULAR MEETING:

7:30 P.M. TUESDAY, March 14, 2017

OAK GROVE MIDDLE SCHOOL LIBRARY

**Meeting minutes and agendas can be accessed at
<http://www.sdcounty.ca.gov/pds/CommunityGroups.html>**

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