

**City of Jackson Planning Commission  
Summary Minutes  
Meeting of April 16, 2007**

The Planning Commission of the City of Jackson met in the Civic Center Council Chambers, 33 Broadway, Jackson, California. Chairman Works called the meeting to order at 6:01 p.m..

**COMMISSION MEMBERS PRESENT:**

Dave Butow  
Warren Carleton, Vice-Chair  
Letitia Sexton  
Terri Works, Chairman  
Wayne Garibaldi

**CITY STAFF PRESENT:**

Mike Daly, City Manager  
Susan Peters, City Planner  
Karon Knuist, Administrative Clerk

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 materials, petitions, packets or comments received at the hearing also become part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the City of Jackson Planning Department.

**Pledge of Allegiance**

**1. Public Matters Not on the Agenda:**

Jeannie Plasse read a letter from John Plasse who was not able to attend the meeting. The Commissioners and staff received copies of the letter, copies were given to staff to distribute to the City Council. The letter outlined a possible solution for Jackson's wastewater situation.

Shirley Dajnowski wanted to know if public comment would be allowed during Agenda Item #4. Commissioner Works said that there would be public comment allowed.

**2. Approval of Minutes of January 16, 2007.**

**Motion** It was moved by Commissioner Carleton, seconded by Commissioner Butow and carried to accept the Minutes of January 16, 2007 with the exception of a change to changing the word "dissimilate" to "assimilate" at the bottom of page one. Commissioner Butow added that City Planner Peters stepped down from the dais during Item #3 because of a conflict of interest. Commissioner Works abstained because she was not present at the January 16 meeting.

**3. Public Hearing – Environmental Document Determination - Tentative Subdivision Map 150, Dolores & Fary Shealor and Scardina Trust, N. North Main, APN 020-090-011.**

Postponed at applicant's request. Applicants would like to wait until the draft EIR of the General Plan is released.

**4. Presentation of Sewer Issues in the City of Jackson.** City Manager Mike Daly updated the Commissioners on the City's wastewater status. We are still waiting for our draft permit from the Regional Waste Water Board. City Manager Daly reported that we are out of compliance with the Department of Health Services on levels of discharge pharmaceuticals, fertilizers,

pesticides, metals, (aluminum, copper). Studying the flows in Jackson Creek and based on 35 years of information from the Jackson Valley Irrigation District, we have maintained a 20-1 dilution ratio over the last 25 of 35 years. The ratio of 20-1 is the target set by the Department of Health Services. If we are directed by the Regional Waste Water Board to remove our effluent from Jackson Creek, Ecologic has identified three alternatives – improving our sewer capacity for effluent or increasing dilution available. Continue to discharge during rainy seasons, use the effluent for reclamation or irrigation, or discharge into Mokelumne River because the great flows in the river will cause greater dilution. The second alternative is total reclamation either onto a golf course or to irrigate pastureland. The third option is to develop a regional plan. We participated in a regional study done by Ecologic and funded by all the wastewater contributors in the county, including Ione. Sutter Creek has decided to go their own way and is increasing the capacity of their wastewater treatment plant, but there may still be regional alternatives. Ecologic came up with a list of Best Apparent Alternatives which includes maximizing our discharge to Jackson Creek, discharging into the Mokelumne, working with the Jackson Valley Irrigation District and using their existing water rights to possibly discharge into Pardee and bring in a better source of water for people using Jackson Creek as their potable water source, or reclamation to golf course or pasturelands. To use reclaimed water on the golf course, the water quality needs to be increased from secondary treatment to Title 22 level. To water pasturelands the water only needs to be secondary treatment level. We also need to work on source control to reduce the amount of contaminates entering the water supply, find where they are coming from and eliminate the source, and public education to keep pesticides and other contaminates out of the water.

The Commissioners questioned City Manager Daly on rate increases, water quality, treatment facility upgrade, contaminate sources, etc. Most of the questions cannot be answered until we get a response from the Regional Waste Water Board on our permit, to see what they will require.

Commissioner Butow brought up the issue of using water from Kennedy Mine in the dry months and he encouraged the city to explore the use of that water.

Commissioner Works opened the Public Hearing.

Mary Louise Solaja gave some history on the present water system and warned the Commissioners not to repeat the past mistakes.

Bill Condrashoff questioned the \$9million wastewater treatment plant in the Nolte report. He wanted to know if Jackson Hills residents would pay for the \$9M, or if it would be spread out among all the residents of Jackson. City Manager Daly replied that the issue had not been discussed. Mr. Condrashoff was very interested in the prospect of using the Kennedy Mine water and hoped that the city would pursue this avenue. The golf course is not the solution to our wastewater problem, it is a \$9M bill that the taxpayer would have to pay, and we have a local solution to use the water on local pasturelands.

Bob Devlin stated that the water content of the Kennedy Mine is unknown, but may be an option.

Thorton Consolo thanked Commissioner Butow for bringing the option of using the water in the Kennedy Mine to everyone's attention. He would like to see upgrades to our wastewater system made in an economical way to minimize the rate hike for the residents of Jackson.

Shirley Dynowski asked the Commissioners what the cost of the wastewater treatment plant would be and what percentage will Jackson Hills pay? She also stated that she felt a moratorium should be placed on building until we get our "ducks on a row" with the General Plan.

City Planner Peters explained that no dollar amount could be placed on the cost of the wastewater plant nor the amount the Jackson Hills would pay until they moved from the approval process and came to a development agreement.

Rich Bryant offered that the water in the Kennedy Mines was closed off in the 1940's and 80,000 gallons accumulated in 24hours.

Russ Evitt expressed his concerns about the financial issues with Jackson Hills and his feeling is that it is a project that we cannot afford and will not generate any revenue for the City.

There was more discussion about the number of available HEU's, wastewater plant capacity and building moratoriums. City Planner Peters explained that the Planning Commission can make recommendations to the City Council on how the HEU's are distributed, but just because they are available doesn't mean we have to use them. In order to get a building moratorium, it would also be a Council decision.

5. **Two-year review of New York Ranch Center, Inc. parking.** Commissioner Garibaldi stepped down because of a conflict of interest, but stayed in the audience. The Commissioners were instructed by City Planner Peters that they are voting to remove the requirements set forth in Planning Commission Resolution 2005-07 for parking lot reconfiguration and bonding be removed from the Planned Development for New York Ranch Center, Inc.

Bob Devlin, applicant stated that the tenants of the complex seem to be fine with the parking situation as it is and would like to have the bond revoked.

**Motion:** It was moved by Commissioner Butow, seconded by Commissioner Sexton and carried to a 4-0 (Commissioner Garibaldi abstaining) acceptance of Resolution 2007-06 revoking the requirements set forth in Planning Commission Resolution 2005-07, correcting the resolution number from 2007-05 to 2005-07.

6. **Public Hearing – Tentative Parcel Map 2762, John & Connie Gonsalves, 10 Smalley Ave., APN 020-312-049.** The Commissioners questioned applicant John Gonsalves about his plans for dividing the lot into two. They wanted to make sure that there were no adverse affects for his neighbors. John explained that if the Commission granted the division of his lot, that every home on Smalley Avenue would get a new water line, a new extension to the meter and a fire hydrant in the neighborhood.

Commissioner Butow felt that approving this request would show favoritism to City Councilmember Connie Gonsalves, but because of the improvements to the entire area and the added fire protection for the whole neighborhood he would vote to approve the request.

**Motion:** It was moved by Commissioner Sexton, seconded by Commissioner Butow Planning Commission Resolution 2007-07 approving Tentative Parcel Map 2762 dividing one 11,931 square foot site into two lots was approved with a 5-0 vote.

**7. Public Hearing - Conditional Use Permit 2007- 01, Sprint/Nextel, 1001 South Highway 49, APN's 020-500-001 & 007.**

Philip Hawtin, representing Sprint/Nextel, reviewed the site selection process that brought him to choose 1001 South Highway 49. Additionally, they would be able to reuse the footings that are already in place from the old mixing plant.

There was discussion among the Commissioners with questions to the applicant to clarify the look of the pole, the height, alternate locations and terms of the lease.

Commissioner Works opened the Public Hearing.

There was discussion about the noticing process. Thorton Consolo stated that Jim Laughton did not receive a notice and the Commissioners also talked about noticing the businesses in the area. The Commissioners would like to increase the noticing area, and decided that the businesses need not be noticed.

**Motion:** It was moved by Commissioner Butow, to accept Resolution 2007-08 providing that the top of the tower would be fitted with a wind turbine to make it look a little better, and that Sprint/Nextel would remove the equipment within 6 months after they discontinue using it. The motion and provisions were seconded by Commissioner Garibaldi and carried to a 4-1 acceptance of Planning Commission Resolution 2007-08 approving Conditional Use Permit (CUP) 2007-01 allowing for the construction and operation of a wireless telecommunications facility located at 1001 South Highway 49. Commissioner Carleton opposes.

**8. Public Hearing - Conditional Use Permit 2007-02, Lannie White & Linda Mello, 508 Broadway, APN 020-302-016.**

The applicants Lannie White and Linda Mello explained to the Commissioners and staff their plan for starting a catalog and internet business, shipping wine and associated gifts from the garage located at 508 Broadway.

There was discussion among the Commissioners, with questions to the applicants to clarify applicant's intentions and use of the property. Topics included; shipment and delivery times, employees, and merchandise storage.

Commissioner Works opened the discussion to the public. David McDaniels commented that their deliveries could be no worse than the deliveries to the Buy & Sell at 3:30am. He wished them luck in their adventure.

**Motion:** It was moved by Commissioner Carleton, seconded by Commissioner Butow and carried to a 5-0 acceptance of Planning Commission Resolution 2007-09 approving Conditional Use Permit (CUP) 2007-02 allowing the operation of Two Sisters, a catalogue and internet business to receive and ship wine and associated gifts from the garage and office on the site. The Commissioners imposed the following restrictions: delivery hours will be from 8am-5pm, no paid employees and no product can be stored outside the locked storage area.

**9. Administrative Reports** – City Planner Peters had no new items to report at this meeting.

Meeting adjourned by Chairman Works at 9:25p.m.

Attest:

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Karon Knuist, Administrative Clerk

Date Approved: May 21, 2007