



NORTH VALLEYS CITIZEN ADVISORY BOARD

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where these minutes are approved by the CAB. Minutes of the regular meeting of the North Valleys Citizen Advisory Board held June 11, 2018 at the North Valleys Regional Park, 8085 Silver Lake Road, Reno, NV.

1. *CALL TO ORDER/ DETERMINATION OF QUORUM - The meeting was called to order at 6:38 p.m. by Ray Lake. A quorum was present.

Present: Teresa Aquila, Ray Lake, Jean Harris, Jennifer Salisbury, Roger Edwards.

2. *PLEDGE OF ALLEGIANCE - Ray Lake led the pledge.

3. *PUBLIC COMMENT –

Roger Pelham, Washoe County Planning said the County is interested in your opinion on how the County should grow. He handed out post cards to complete a survey.

4. APPROVAL OF AGENDA FOR THE MEETING OF MAY 11, 2018 – Roger Edwards moved to approve the agenda for **MAY 11, 2018**. Teresa Aquila seconded the motion to approve the agenda. The motion passed unanimously.

5. APPROVAL OF THE MINUTES FOR THE MEETING OF APRIL 9, 2018 –Teresa Aquila moved to approve the minutes of **APRIL 9, 2018**. Jennifer Salisbury seconded the motion to approve the minutes. Roger Edwards abstained. The motion passed.

6. DEVELOPMENT PROJECTS – The project description is provided below with links to the application or you may visit the Planning Program website and select the Application tab and then the Applications Commission District Five. https://www.washoecounty.us/csd/planning_and_development/index.php

6.A. Special Use Permit Case Number WSUP18-0012 (Lemmon Drive Estates) – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on after-the-fact grading done without appropriate permits, that triggers Major Grading. The grading done includes the construction of a driveway or road that traverses a slope of 30% or greater. (For Possible Action)

- Applicant/ Property Owner: Chuck Bluth, Lakes at Lemmon Valley, LLC
- Location: On the east side of Lemmon Drive, approximately 700 feet south of its intersection with Military Road
- Assessor's Parcel Number: 552-210-18
- Staff: Roger Pelham, Senior Planner; 775-328-3622; rpelham@washoecounty.us
- Reviewing Body: Tentatively scheduled for the Board of Adjustment on July 11, 2018

The request is for a Special Use Permit for Grading. In association with Lemmon Drive Estates tentative map. Land was disturbed by grading. The boulders were removed for other uses.

Dave Snelgrove with AFC, applicant representative was present to answer questions.

Jean Harris said she was at the meeting when this excavation discovery took place. She said the property owner said he wasn't going to do anything with that land, which wasn't true. She asked if there are fines for illegal grading. She asked for the next step. Roger Pelham said the applicant can't take additional action until this is rectified. Roger Pelham said they are requesting this Special Use Permit to bring them into compliance, and applicant has appealed the denial of the tentative map by the Planning Commission. That appeal will go forward to County Commissioners. The applicant asked it to put a hold on the appeal until this Special Use Permit could take place.

Teresa Aquila asked if the road graded is part of proposed development. Roger Pelham said no.

Roger Edward said you cannot grade even if it's a new project. He asked why is any work being done before the appeal process is complete. Roger Pelham said the work was done without permits; that is why we are here today. If the Special Use Permit is approved, certain work can be conducted to restore the disturbed area.

Roger Edwards asked if we need code enforcement to stop them from driving them across the illegal road that was created. Roger Pelham said the code talks about grading, it doesn't address driving across the road. The road was graded illegally. If code enforcement was involved, they would have been involved at the start of the process; code enforcement would require the applicant to get a Special Use Permit which is what they are requesting today.

Roger Edwards said the Special Use Permit is to correct the violation. He asked what prevents the applicant from putting in the road for his project. Roger Pelham said permits are required and work has to be in compliance. Roadwork cannot be done.

Roger Edwards asked if code enforcement been notified. Roger Pelham said no, because we are now in the Special Use Permit process. We are already two steps ahead of code enforcement.

Dave Snelgrove, CFA, project representative said they discovered the illegal grading at the same meeting as the County. They didn't understand the magnitude. The equipment followed a sewer line road. Sage brush had been crushed. Survey crews went out to identify the disturbed land – they identified graded and exposed new earth which includes the rock pile and crushed sage brush. The Special Use Permit will rectify something that should not have happened. There will be Conditions of Approval for this process for restoration. He said the magnitude triggered a need for SUP. The grading done includes the construction of a driveway or road that traverses a slope of 30% or greater as well as boulders were disturbed. This is not a grading permit, it's a Special Use Permit. Dave Snelgrove said the applicant apologized. This sideswiped his project. Dave Snelgrove said they will re-grade the slope back to 30% and replace the rocks. It's a waste of time and money, but we are following the rules; this has to be fixed.

Ray Lake asked what the client proposes to do. Dave Snelgrove said it will come down to the County's Conditions. Dave Snelgrove said they will then have to file a formal grading permit for approval. Dave advised his client not to put another piece of equipment on the land until approved by the County. Dave Snelgrove said he is concerned the rock outcrop will get tagged with graffiti. He said he doesn't want it accessible, and he recommends the County be present when they are out at the property. Ray Lake said there are a few options – bite the bullet and approve the permit, or we could deny it.

Dave Snelgrove asked if anyone has gone out to see the property. Jean Harris said she has been out there. Dave said its helpful to get recommendations in a form of a condition such as replacing the boulders. He said whether you want to support it or not, we are trying to find a solution for something that should not have happened.

Teresa Aquila said if the owner had integrity, he would have be here. She said Mr. Bluth was hoping no one would see it. It's secluded. This is alarming. To take boulders and disturb the stability and change the grading, it could be a major impact during rain. She said it looked like they were planning on something. They graded it for a reason. Dave Snelgrove said he disagreed with her; there are existing roads on the site.

Jean Harris said her comment about untruthfulness, it was towards Mr. Bluth. She said Mr. Bluth stated he wouldn't touch the property, but he did. Dave Snelgrove said this is a fix-it. Dave said he wants to create a barrier to prevent access. There will be large equipment out there to create a block in the interim.

Jean Harris said she would support the Special Use Permit to fix it, mitigate what has happen. She said Mr. Bluth's integrity and all the nice things he was going to do for the neighbor is now in question.

Roger Edwards said we are confronted with projects that have not been approved, nor has it been approved as it happens. He said he is upset that Mr. Bluth thought he could press on while he waited for the appeal process. Golden valley is impacted by drainage. Mother nature will reclaim a drainage way. Dave Snelgrove said according to the timeline, this grading happen before the planning commission meeting. Roger Edwards said Mr. Bluth moved rocks to help drainage for a project that hasn't been approved yet.

Teresa Aquila asked how long has Mr. Bluth been in the grading company. Dave said he said doesn't know how long the grading company has been in the business. She said they should have known better.

Ray Lake said asked if the drainage channel that was disturbed was part of the proposed project; Dave said not as designed. Dave said earth needs to be pulled back up on the slope, and slope needs to be restored and fixed.

Public comment:

Denise Ross said she questions Mr. Bluth's integrity. She said when Mr. Bluth was questioned by the council if he knew if he wasn't supposed to do it. Mr. Bluth said yes. He is a snake in the grass.

Danny Cleous said he doesn't believe a Special Use Permit should be issued. Mr. Bluth needs to be fined a lot of money. Make him do the work himself by hand. Developers think the rules don't apply to them.

Tammy Holt-Still said the county staff that processes the tentative map didn't do the proper things per standards. You job isn't legal by NRS standards. Maybe the man needs a million dollar bond posted. All developers need bonds posted. The staff needs to stop working so closely with the developers and stop being so friendly and make them follow the rules.

Dan Harold said he owns property adjacent to the subject property. He said he attended the meeting where Mr. Bluth spoke about the drainage; he has been telling lies. There is no faith it will be completed as it's supposed to. Make sure it gets restored before the appeal is approved. He said he is concerned with his integrity. He asked if he will do anything to restore it. Mr. Harold said he walks the property all the time. He

said the owner entered the area after the Planning Meeting in order to try to dress it up best they could and clean up the mess they started. You can see the amount of rocks that were moved.

Ray Lake as it's been said, the rocks cannot be put back. Possible Conditions could be: The drainage be restored to original condition. He said the CAB denied the original project, and the project shouldn't be considered until this is restored. Dave said the appeal is held until this is addressed.

Ray Lake said we approve permit with condition that drainage be restored. Knowing the kids are out of school, its a concern. There should be a stipulation to prevent the kids from accessing the area. Sheriff and Fire Department cannot access the area. Jean Harris said she would like the disturbance be restored as much as possible – drainage, vegetation and roadway, what is feasible. She understands if it's not feasible to put the rocks back to their original state. She also asked to put a fine on it. Roger Edwards said the permit request is to reestablish everything within reason, but understand the rocks can't be put on the hill, but it created an unstable cliff. The area needs to be made safe, block road, restore drainage and vegetation.

MOTION: Roger Edwards moved to approve with the conditions which include making the area, restore drainage and vegetation, and block access. Teresa seconded the motion to approve the Special Use Permit with conditions discussed. The motion passed unanimously.

Roger Pelham said this item will be heard on July 11 at the Board of Adjustment meeting, 12:30 p.m.

7. *PUBLIC OFFICIAL REPORTS

7.A.*Washoe County Commission Update — Washoe County Commissioner, Jeanne Herman, may be available to provide updated information on discussions and actions by the Board of County Commissioners (BCC). Following her presentation Commissioner Herman will be available to address questions and concerns from the CAB and the audience. Commissioner Herman can be reached at (775) 501-0002 or via email at landfindercountry@gmail.com. (This item is for information only and no action will be taken by the CAB).

There were no updates from Commissioner Herman.

8. *CHAIRMAN/BOARD MEMBER ITEMS — This item is limited to announcements by CAB members.

Ray Lake said he requested briefings from the City and County regarding sewer. He received a tour from Commissioner Herman. He said he has seen the Planning Commission meetings regarding Swan Lake. He said we cannot make that worse. Cannot continue to dump affluent water into Swan Lake to bring it up to the 100 year flood level.

He said he attended the NDOT board meeting – they decided they will name the early action project 'Spaghetti Bowl Express.' The draft Environmental Impact Study should be ready late this summer with the final one being mid-2019. He said he has seen re-paving, and they are supposed to do re-alignment on Clear Acre.

9. *PUBLIC COMMENT — Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. The public are requested to submit a "Request to Speak" form to the Board chairman. Comments are to be addressed to the Board as a whole.

Sherman Boxx said he is running for Washoe County Sherriff. He said tomorrow is the vote day, and the only way to change things is to change those you aren't happy with.

Commissioner Herman said we will have vacancies on this CAB board. Ray Lake said Jean Harris isn't seeking re-appointment. Ray thanked Jean for her service. There will be vacancy on this board. Call the CAB board (775) 328-2720 if you are interesting on serving on the CAB board.

ADJOURNMENT - Meeting was adjourned at 7:32 p.m.

Number of CAB members present: 5

Number of Public Present: 21

Presence of Elected Officials: 1

Number of staff present: 1

Submitted By: Misty Moga