

Cayucos Citizen's Advisory Council Minutes May 5, 2010 Vet's Hall

Meeting called to order by President John Carsel - 7:05 PM approx. 25 in public attendance

Present: John Carsel, Carol Baptiste, Arley Robinson, Paul Choucalas, Bill Shea, Jim Christiansen, Roland Hutchison, Margaret Ambrosavage, Steve Beighler, DeeAnne Harland, Marie Jaqua, Chris Pope, Larry Fishman and Clay Selkirk.

Cyndi Malmen and Greg Bettencourt were absent and excused.

Minutes Motion to approve the minutes by Jim Christiansen, seconded by Roland Hutchison. Verbal approval unanimous.

Treasurer's Report: balance \$1,570.66 .

Announcements:

John Carsel: Last month, on April 30th, some of us attended Planning Department training. The new website for the Planning Department is great. It is easy to use with a lot of information.

On May 13th the Planning Dept. is having a Land Use Town Hall type of meeting at 6:00PM at the County Government Center. There will be refreshments and a raffle.

Correspondence:

Nothing.

Public Comments: use the microphone, state name and residence, 3 minute limit.

David Dabritz, 3650 Studio Dr.: I live at the forgotten end of town. With regard to the projected Morro Bay to Cayucos connecting trail, has the CCAC received the EIR and if so, have you responded.

Larry Fishman: We just got that in last week.

David Dabritz: Well it has been out fifteen days and I think you have thirty days to respond. County Parks has decided to put a bike trail from Morro Bay to S. Studio Dr.. The bikeway is supposed to go from Morro Bay to Rose Park. An alternative path on the East side of Hwy 1 would be better. My concern and the concern of my neighbors is that the bikeway on Studio Dr. would be hazardous. It is a narrow and congested area. I am proposing an alternate route on Ocean Ave.. There is a better view from there as well.

Jim Christiansen, Studio Dr.: From what I recall from the EIR, both sides of the freeway were being considered. Why is now only the Studio Dr. option being considered?

Bruce Gibson: You have thirty days to offer comments. There should be a section in the EIR on alternatives. County Parks is inviting your comments.

John Carsel: Is this on their website?

David Dabritz: It should be. There doesn't seem to be an alternative but this is the draft. I got my copy on the internet and it is 46 pages.

Bill Shea: If the alternative isn't on the internet, we should at least tell them we need more time.

Bruce Gibson: This is the initial study. The EIR comes after this.

John Carsel: Would that be under "Parks"?

Paul Sittig: I will look into it.

Paul Choucalas: The proposed underpass would bypass Studio Dr.. Are they tied into this?

John Carsel: Logically they should be but the timing could be off. My understanding is that they need to get the EIR through the county because of a time limit on the funding.

Jim Christiansen: Is this council going to respond to the EIR?

Larry Fishman: As I said, we just got it.

John Carsel: Could you see if we have time to respond at our next meeting?

Larry Fishman: The next Land Use Committee meeting is June 1 and the next CCAC meeting is June 2nd.

David Dabritz: The Board of Supervisors meeting is June 22d.

Bruce Gibson: An email response would be acceptable.

John Carsel: Thank you for that presentation.

Barry Branin, Morro Bay: we have a common interest in the WWTP. Newer and less expensive technology has become available. We could save eight to ten million dollars. I visited the plant in Santa Paula. You could get a design answer in three months. The current project has a ten day cancellation clause. The Santa Paula plant was built in sixteen months. PERC didn't come in with a bid. Ask the Cayucos Sanitary District to look into this.

Donna Dawson, Orville St.: "If you build it, they will come". Our dog park is built and they are coming. I have had a lot of positive comments. The ribbon cutting will be this Saturday. There will be an opening ceremony. Tickets are \$1. They will be on sale Saturday and I have them tonight.

David Dabritz, Studio Dr.: I want to thank County Planning and Roads for posting the parallel parking signs on S. Studio and the signs for no parking after hours.

Larry Fishman: The Cayucos Lions and Lionesses have completed the interview of seven local high school students for scholarships. All seven applicants will receive scholarships.

DeeAnn Harland: I am still collecting box tops for our schools.

Public Agencies

County Sheriff: Commander Ben Hall, Coastal Patrol Division

This last month there have been 100 calls and 2 reports. Last year at this time there were about twice as many. The calls were traffic, alcohol and marijuana related. We are starting to plan for July 4th.

CHP -

No report.

Parks -

No report.

Co. Planning - Paul Sittig

This Friday, May the 7th, there will be a hearing in the Bd. chambers regarding a demo and rebuild at 1902 Pacific. The DeVea project was approved last year in January and is valid through 2011. The first obstacle is road improvements. The cost will be substantial for that. With regard to Stenner, the owners have paid for a time extension that is valid through May 2011. Their engineer will have to talk to the county and establish that the existing structure is sound. Once it is determined to be a hazardous structure, they will have to tear it down.

Connie Paine: Why did he get an extension?

Paul Sittig: It looks like because he paid for an extension.

Connie Paine: What is the chronological history of that structure? We heard there are lawsuits, etc.

Paul Sittig: I have heard the same rumors. The lawsuits seem to be between the architect and engineers rather than with the county. The extension does not mean they can proceed with what they have.

Public Comment: My understanding is that it was partly the fault of the county that the thing is over the height limit. Now, we in the neighborhood are the ones who have to live with this another year. Is there anything we can do?

Paul Sittig: The county was not at fault with regard to the height. We measure after it is built. The misunderstandings are between the architect and the builder. What got built was not what was presented to the Planning Department. The Planning Department has guidelines it has to follow. I agree that it is ugly and an eyesore. We don't have the authority to do anything at this time. There will be deadlines that come up.

Public Comment: People were notifying the Planning Department that it was too tall early on. I don't understand how our building codes help us if they can't be enforced.

Paul Sittig: We don't have anything to help with interim appearances.

Bill Shea: Is this extension the end of it?

Paul Sittig: Long Term.

John Carsel: Has anyone examined the building for black mold? That would be a health hazard.

Maryann Carnegie: Is there a public comment available with this extension?

Paul Sittig: No.

Kat Kennedy: I heard that DeVeau doesn't own that property anymore. Does the permit go with the new owner?

Paul Sittig: Yes. The permit is good until February 2011.

Connie Paine: When Stennerson was being built, we asked the building code inspector about it being over height. He said that wasn't his job.

Mac Van Huzer: I spoke with Stennerson and he said it is going forward with the project.

Co. Public Works - Jeremy Ghent

Nothing.

Chamber of Commerce - Bill Shea

There was a Chamber of Commerce mixer at the Sea Shanty on April 29th. It was cold and windy and it saved me money for wine. Coming up May 19th, there will be a mixer at Remember When. The regular meeting will be May 20th. May 29th is May Madness, tickets are \$150. On May 29th there will be a Peddler's Faire. The Ocean Ave. Antique show was a success.

County Supervisor - Bruce Gibson

We have approved a contract to get an EIR on the Loperena project. This will likely go before The Coastal Commission. With regard to Stennerson and De Veau, I sympathize with the neighbors as I drive by. The DeVeau land use permit has it's own dates. It raises an interesting question about property that has been abandoned and what do we do with that retaining wall. Stennerson is wrapped up in property rights that are controlled by county and state permits and extensions. This building is not in conformance with building requirements. It has a right for an extension. Should we be granting an extension if the project is not in compliance with building requirements. I understand the frustration and I will be looking into this. Keep an eye out for hazards with these projects and report to code enforcement. That is one area where we can intervene. We need to honor both property rights and community rights.

The Board took up CSA 10-A. Nacimiento is nearing completion. That removes water restraint conditions. We have found that infrastructure, piping, and storage is not in compliance. Today we took action that water supply ceases to be the problem and infrastructure is the problem. We have asked Public Works to provide information. Costs for improvements will fall on existing residences and new residences. We first need to know what we need and what it will cost. Per our ordinances, a certain number of "will serves" can be issued per year. We are going to review that. Fire standards are 1,000 gallons per minute. It can be 500 gallons per minute with a sprinkler system. We need to know fire flow. We need to go out and do some ground trooping and we need to ask the fire department. With that information, we will be in a better position to assess "will serves". Information should come in mid August or mid September.

John Carsel: Could I get a motion to move CSA 10-A from Old Business up to now?

Larry Fishman: I move that CSA 10-A be moved from Old Business to now.

Bill Shea: I second it.

Motion passes.

Paul Choucalas: I have a question about "will serves". Some people are planning to build and live there and some what to get "will serves" and then re-sell the property. Is there a process possible to approve those who want to live there first?

Doug Bird: No. We can't juggle those people around. We don't differentiate between who wants to build and who wants to re-sell.

Bruce Gibson: The key process is we have to coordinate with the fire department. We have to insure that fire prevention is adequate. We have to think hard about issuing will serves to properties that aren't fire safe.

Doug Bird: In October, your Board voted 12-0 on a motion that there should not be will serves unless the property had 1,000 gallons per minute.

John Carsel: I'm looking at the letter we sent to the Board of Supervisors on October 15, 2009, regarding "will serves" wherein we passes 12-0, the motion that "CSA 10-A water "Will Serves" only will be issued where the property has 1,000 gallons per minute water flow for fire protection".

Even though 500 gallons per minute is claimed to be sufficient for a house with sprinklers, that does nothing to protect/affect the surrounding houses and the house with sprinklers is draining water from the supply to others.

Bill Radke, Fire Department Chief: CSA 10-A has done well for improvements in some areas. There are two strongly deficient areas. Shearer Avenue and a section of Richard and Stuart Avenues. Most other areas will meet the 1,000 gallon per minute requirement. Water storage is a different issue and a serious problem. These things are being investigated. We will have a lot more answers by the end of summer.

Bruce Gibson: We are trying to make sure new developments are safe and the communities they go into are safe.

Bill Radke: Some areas are deficient, some areas are not. We are looking into it.

Public Comment: How many build-able lots are there in deficient areas? Is it a big enough number to have and impact?

Doug Bird: The idea of going ahead with sprinklers doesn't effect the outside of the house. Size of lots and proximity of other houses are things we have to take into consideration.

Bruce Gibson: We are trying to work together and within the rules consistent with the health and welfare of the community. We will come back with an answer as soon as we can.

Public Comment: If there is not a water shortage it is frustrating as a lot owner. We are paying property taxes but we can't live there.

Bruce Gibson: I understand your frustration. We have this situation throughout the county for a variety of reasons. We are going to get the answers right and squared away as soon as possible.

Public Comment: We would like a time line.

John Carsel: Is there any news on the new water storage tank siting?

Doug Bird: No, and tank siting will affect the infrastructure needs. One big hang up is that The Coastal Commission is likely to be involved with some of the site proposals. It is difficult to second guess The Coastal Commission. Shearer Avenue has 4" lines and that has been in there a long time and needs to be upgraded.

John Carsel: That ties in with infrastructure improvements.

Doug Bird: The water tank location is going to affect the infrastructure needs.

Bruce Gibson: Doug is on the right track with personal contact with The Coastal Commission. I would leave you with the thought that infrastructure is a big issue all over in the upcoming years.

Paul Choucalas: Since the water tank has insufficient water, is this something The Coastal Commission could expedite?

Bruce Gibson: It is a complicated thing.

John Carsel: A sub-committee of Bill Shea and Steve Beightler is appointed as the liaison for the CCAC to work with Fire Chief Bill Radke.

DeeAnn Harland: I want to thank Bruce for seeing that the swing set got rejuvenated.

Break

Steve Beightler: I'd like to make a motion to move the New Business item, a proposal to abandon/vacate sections of Cabrillo Rd. and Cayucos Dr., to now.

Margaret Ambrosavage: I second the motion.

Motion passed.

John Carsel: The Department of Public Works has sent a letter recommending vacating and abandoning sections of Cabrillo Rd. and Cayucos Dr., the portions just East of the freeway.

Marie Jaqua: What does it mean when they vacate or abandon?

John Carsel: It means the county no longer has to maintain those sections.

Bruce Gibson: Ownership reverts back to the property owners and allow gates to be moved.

Larry Fishman: Is there a significant cost to move the gates?

Bruce Gibson: The point is to abandon parts of the roads and save road maintenance money.

Larry Fishman: Is there hope that this will help with trail bike access?

Bruce Gibson: It was hoped this would make it more difficult to get trucks and motorcycles up there.

MaryAnn Carnegie: It's precedence setting for road abandonment and we have not been supporting those along the beach.

Bruce Gibson: You could make a comment that this abandonment not affect abandonment of roads that provide beach access.

Paul Choucalas: I saw a truck with trail bikes going up there and I called the sheriff and the sheriff did a great job trying but couldn't catch the guys on the bikes.

Larry Fishman: Is the county looking for a motion?

Bruce Gibson: Yes.

Marie Jaqua: I would propose that we support the proposed abandonment of the portions of Cabrillo Rd. and Cayucos Dr. East of Highway 1 conditional that the Board makes findings that distinguishes these vacations from others proposed in Cayucos with coastal access or adjacent to highway 1.

Steve Beightler: I second the motion.

The motion is supported unanimously.

Committee Reports

Land Use - Larry Fishman

Larry Fishman: Jim Christiansen has a request to modify an existing structure. This went to a re-design. A new MUP# has been issued, it's going through re-approval. Plans look good. The LUC voted 4-0 to proceed.

A couple of key areas with regard to 709 Lucerne; the exterior elevation, geological concerns of the fragility of the cliff, the underground garage. The conclusion is, we are going to be focusing on this at the next LUC meeting. We encourage attendance and expect to have a motion. We have asked the owner of the property to attend the meeting and to make a presentation. The next LUC meeting is June 1st. We are looking into how to notice the neighbors. There is a Cultural Assessment report for the Lucern house, water tower and windmill. A study was done. The house was not deemed to be of great historic value. The tower was deemed to have historic significance with the Cass family. The structure should be saved and moved to the Cass House property. Come to the LUC meeting June 1 or the CCAC meeting June 2nd.

John Carsel: This will be an agenda item.

Larry Fishman: One new project on the Boradori property. They want to put additional cell phone capacity built into the existing building.

Clay Selkirk: There would be some outside shed structure.

Larry Fishman: There were some visuals. We asked for more information. We will take a look at this next month.

And we will be looking at storm water and flood control.

John Carsel: I have talked with the storm water control board. We are going to get someone to make a presentation to CCAC. That has application to the feasibility study for Gilbert Avenue.

Larry Fishman: At the next LUC meeting, Coastal Trail and the Lucern project. An EIR for the Loperena project had to be authorized by the Board of Supervisors. The applicant is paying for it.

Public Safety - DeAnne Harland

Thank you for patching around the Post Office.

Rocks falling at 1000 S. St. Mary's is constant. The street sweepers won't touch it. With regard to the sanitary district, at 203 Bakersfield, the sewer filled up with roots. They had to re-install the line. Why haven't they told us about sewer problems around town? They had to dig up the street. The home owner has to pay. It cost me \$9,200.

Arley Robinson: Was all of the repair work on your property?

DeeAnn Harland: It was on my property connecting me to the sewer.

Arley Robinson: Did you have an option to have someone else do it?

Dee Ann Harland: I didn't check.

Arley Robinson: I had the same issue.

Sue Black: Is it my understanding that you will say yes or no regarding 709 Lucerne next month?

John Carsel: We won't say yes or no. We make recommendations. Next month will be the time to talk about it.

Recreational planning - Greg Bettencourt

No report.

Utilities - Margaret Ambrosavage

Nothing at this time.

Community Design - Bill Shea

I would like to have Margaret Ambrosavage be the chairperson of Community Design and I will remain on the committee.

CSA 10-A

Reported earlier.

By-Laws - Arley Robinson

No Report.

Traffic - Margaret Ambrosavage

There are a few things in the works coming up.

Old Business

a. CSA 10-A Water Tank/Lines.

Discussed earlier.

b. Our Pool.

Everything is okay.

New Business

a. Proposed vacation of portions of Cabrillo Rd. and Cayucos Dr. East of Hwy 1.

Discussed earlier.

John Carsel: The new CCAC calendar is now posted on the CCAC website.

Good of the Order

Next meeting of the CCAC will be June 2, 2010.

Set up and refreshments will be precincts 1&2.

John Carsel: Meeting adjourned.

Respectfully Submitted: Carol Baptiste

May 5, 2010