

TRINITY COUNTY PLANNING COMMISSION

Regular Meeting
September 10, 2020 at 7:00 p.m.
Trinity County Library Conference Room
351 Main St, Weaverville, CA

Chairman Dan Frasier
Vice-Chairman Diana Stewart
Commissioner Graham Matthews
Commissioner Duncan McIntosh
Commissioner Mike McHugh

MEETING MINUTES

***NOTE:** In order to limit any potential exposure to the COVID-19 virus, the Planning Commissioners and members of the public were invited to attend this meeting via Telephone Conferencing as provided By Governor Newsom's Executive Order N-29-20.

CALL TO ORDER:

Temp Chair Matthew called the meeting to order at 7:06 p.m.

Commissioners present: Mike McHugh, Graham Matthews, Duncan McIntosh.

Commissioners absent: Dan Frasier

***Commissioners Present via ZOOM:** Diana Stewart.

Staff present: Planning Director Kim Hunter, Planning Deputy Director Lisa Lozier, Associate Planner Bella Hedtke, Administrative Coordinator Mary Beth Brinkley.

Director Hunter made a request to appoint an alternate Chair for the meeting do to absence of Chair Frasier and Vice Chair Stewart using Zoom and possible technical difficulties. Motion/Second (2nd Chair Stewart/McHugh) to appoint Commissioner Matthews to chair tonight's meeting.

Vote 4-0: aye McIntosh, aye Matthews, aye McHugh, aye Stewart.

Director Hunter: Memo note to Item #2 P-20-25 Recommends that this item be pulled from the agenda and that any members of the public here to comment on this item be allowed to do so during the Public Comment period. Motion/Second, (McHugh/McIntosh) to remove the item #2 from the agenda.

Vote 4-0: aye McIntosh, aye Matthews, aye McHugh, aye Stewart.

PUBLIC COMMENT: During the Public Comment period members of the public may address the Planning Commission on any matter not listed on the agenda, this includes Item #2 since it has been removed from the Agenda that is within the subject matter jurisdiction of the Planning Commission.

David R., Alisha Vincent, Mr. McDonald, Mr. Ferguson, Mr. Wakefield, Mrs. Edwards- (Lewiston) All are property owners in the Mountain View subdivision which is related to Item #2/P-20-25. All have grave concerns of the increased traffic, speed of traffic and noise from such traffic day and night, depletion of area ground water, loss of quality of life, safety with regard to out of area persons and "guard" dogs used by and due to legal and illegal Commercial Cannabis businesses/grows that were allowed to conduct business a residential area. There is also great frustration and disappointment in the processes of the Commission of All in favor of the Directors denial of application.

Public comment closed.

REGULAR CALENDAR:

1. MINUTES: Approve meeting minutes of the June 11, 2020 and July 9, 2020 regular meetings.

June 11, 2020 Motion/Second to approve the minutes Comms. McHugh/Stewart. Vote: 3 to 1 aye McHugh, aye Matthews, aye Stewart. Abstain, McIntosh. & July 9, 2020 Minutes Motion to accept by Comms. Stewart/McIntosh. Vote: 3 to 1 aye-Stewart, aye Matthews, aye McIntosh. Abstain, McHugh.

2. APPEAL OF PLANNING DIRECTOR'S DECISION (P-20-25): An appeal of Planning Director's Decision to deny a Commercial Cannabis License application (CCL-649) for 800 Mountain View Drive in Lewiston. Appellant/Licensee: S. Sarkisyan. APN 025-200-19-00. (Item continued from 8-13-2020 meeting) REMOVED FROM AGENDA see above action.

3. EXTENSION OF TIME (P-20-21): A request for a one-year extension of time for a Conditional Use Permit (P-17-51) originally approved May 24, 2018 for SJH Timber, Inc. to allow the establishment of a Commercial Cannabis Nursery located in the Trinity Alps Business Park Specific Unit Development (SUD) district. The property has since been purchased by Kultured Cannabis, Inc. who is requesting an extension of time to commence development of the project. A Conditional Use Permit may be extended up to one year upon show of good cause by the applicant. The project is located at 271 Industrial Pkwy in Weaverville, Applicant K. Koffler APN 024-220-55-00.

Deputy Director of Planning, Lisa Lozier presented the staff report.

Chair Matthews opened the public hearing.

Tom Ballanko (Douglas City), feels the location is appropriate and would like to see the Commission grant the extension.

Mr. Brower (Junction City) is in agreement to grant an extension to this project.

Zoom: this is a 2-year-old CUP, can there be additional conditions added to this extension as it is old.

Public hearing closed:

Commissioner McIntosh: Is this one-year extension for a partial year and the reason of this. Deputy Director-Lozier; yes, the original extension ended June 7, 2020, and the owner submitted a request for an additional year and if approved will end on June 7, 2021.

Motion and Second: Comms. Stewart/McIntosh that the Commission finds the requested extension of time to be exempt from the requirements of the California Environmental Quality Act under the General Rule exemption 15061(b)(3) on the basis that there are no substantial changes to the project or to circumstances under which the project is proposed to be undertaken, and no new information has become available or been made known showing unanalyzed environmental effects; and 2. Makes the following map findings: A. That an extension of time to June 7, 2021, may be granted in accordance with the Title 17, Trinity County Zoning Code Section 17.32.050(D) B. That no evidence has been presented which would substantiate denial of the extension of time. C. That the Conditional Use Permit P-17-51 is substantially the same as the original approved project. 3. Approves the one-year extension of time set to expire June 7, 2021, for Conditional Use Permit P-20-21, subject to the conditions of approval adopted on May 24, 2018.

Roll call vote

Vote: 3-1 in favor: aye McIntosh, aye Stewart, opposed McHugh, aye Mathews,

4. ZONE AMENDMENT (P-20-01): The Planning Commission will consider recommending the Board of Supervisors adopt an Ordinance to amend the Riverview Drive Specific Unit Development district which has not been formally defined to the Hayfork Transition Specific Unit Development for the establishment of regulations and standards to facilitate an educational, recreational, and agricultural property to benefit citizens of Hayfork. The project would include a community garden and orchard, public walking paths with fire-safe native plants and drought tolerant landscaping, benches and picnic tables, two greenhouse structures not to exceed 3,000-square-feet, vegetable cooling room, tool shed, 2,800-square-foot multipurpose hall, perimeter fencing, required parking and caretaker's residence. The project is located at 541 Riverview Drive, Hayfork CA 96041. Applicant: C. Pierce. APN 014-030-06-00.

Deputy Director Lozier presented the staff report. Recommends that the item be pulled due to noticing issues.

Chair Matthews comments that it is not appropriate at this time to have a public hearing, so this should be removed from the agenda.

Commissioner McHugh: Motion to remove the Item 4 from the agenda.

Second, Commissioner McIntosh

Vote: aye McHugh, aye McIntosh, aye Stewart, aye Matthews,

Action: Motion passes unanimously (4-0)

5. APPEAL OF PLANNING DIRECTOR'S DECISION (P-20-28): An appeal of Planning Director's Decision to approve a Commercial Cannabis License application (CCL-691) for 150 Coffin Road, Lewiston. Appellant: E. Bell and K. Bell. Licensee: M. Konior. APN 025-180-37-00.

Chair Matthews: The Remote members can hear us however, we cannot hear them, taking a pause to check connections. Restored.

Director Hunter presented staff report.

Representative to Appellant Jim Underwood: see attachment #2 in Staff Report.

Representative to the Licensee Ana Wright: July 1st 2020- 10-day public 6 days after deadline I we should not be here. Everything has been done and this CCL should be allowed to go forward.

Public hearing:

Krystal Bell (Lewiston): Opposed to the approval of the CCL at 200 Coffin Rd, Lewiston. Other cannabis grows on the same road have had severe negative impact on our business and quality of life.

Tony Miller (Lewiston): Appreciates the need for business growth in Trinity County. However, the County Plan needs to reconsider how, where and under what federal, state and county ordinances cannabis operations are allowed to operate, and the negative impact these grows have in residential areas.

Dave Wilcox (Lewiston), Tony Miller (Lewiston), Mason Miller (Lewiston), Female (Lewiston): All express support of Ernie and Krystal Bell and their business (One Maple Winery). All also have suffered loss in quality of life due to the increased noise, traffic, foul smell, and most importantly the negative impact on available water the current current cultivations have and the increased negative impact of all these issues another grow will cause.

Michael Konier (Lewiston) Licensee: Expresses interest in working with neighbors, and being an owner who is

present in the community.

Dave Wellock (Lewiston): 4th generation land owner in the area. Concerns about well water levels, permitting, and smell.

Don Swanson (Lewiston): As a retired Forest Service Fire Investigator, letter on file.

Kathy Mitchell (Lewiston): Concerned that the Dept. (Planning)/Commission (Planning) need to reexamine the requirements to what businesses get approved and those that don't. (Referenced C.E.I. formerly in Lewiston).

Chair Matthews we will continue this item until date uncertain due to technical difficulties. Motion/Second to continue Item 5, Comms. McHugh/McIntosh.

Vote: 4-0 in favor: aye McIntosh, aye Stewart, aye Mathews, aye McHugh.

6. APPEAL OF PLANNING DIRECTOR'S DECISION (P-20-27): An appeal of Planning Director's Decision to approve a Commercial Cannabis License application (CCL-106) for 1050 Rowdy Bear Road, Post Mountain. Appellant: J. Coogan. Licensee: P. Petkov. APN 019-280-03-00.

Director Hunter recommends that item 6 be moved to a date uncertain, due to continued technical difficulties.

Motion/Second to continue Item 6 to date uncertain. Comms. McHugh/Stewart.

Vote: 4-0 in favor; aye McIntosh, aye Stewart, aye Mathews, aye McHugh.

Action:

PLANNING COMMISSION REPORTS:

Commissioner Stewart has an upcoming surgery scheduled for Oct 14 and may not be able to attend a second meeting in the month of Oct.

Commissioner McIntosh asks about when the Smith Pit meeting can be added to the agenda.

Director Hunter comments that the owner was notified the Item will be on the October 8 agenda.

PLANNING DEPARTMENT REPORTS:

ADJOURNMENT:

The Planning Commission adjourned at 9:17 pm.

Submitted by: Debbie Rogge



Kim Hunter, Planning Director
Secretary of the Planning Commission