



Incline Village Crystal Bay Citizens 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 changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held via teleconference on March 1, 2021

- 1. *CALL TO ORDER/ PLEDGE OF ALLEGIANCE** – Kevin Lyons announced that Judy Miller resigned and noted that Mike LeFrancois is unable to attend. He called the meeting to order at 5:30 P.M.
- 2. *ROLL CALL/DETERMINATION OF A QUORUM** - Kevin Lyons, Diane Becker, Denise Davis, Kathie Julian, (alternate filling in for Mike LeFrancois). A quorum was determined.

Absent: Judy Miller (resigned), Michael LeFrancois, Mike Sullivan

The pledge was recited by CAB member Lyons.

3. *PUBLIC COMMENT –

Kristina Hill asked when doe staff anticipate the approval of the Washoe county area plan. She said Washoe County adopted it and then it goes to TRPA. She asked the timeline. Chris Bronczyk stated Commissioner Hill is present. He said there are 3 hearings at TRPA with the potential for it to come back to the County for corrections if necessary. It goes to the Board of County Commissioners on the 23rd of March for second hearing. Then it will go to TRPA, then it will get approved. Commissioner Hill noted she thinks Chris was referring to the STR reading. She said the area plan will go to TRPA in May at their general meeting, then back to commission for a few updates and changes they will request in June.

John Bosh said he didn't have time to review the abandonment proposal. He said he can see the proposal but not sure what alternative use is being proposed. He said he noted it's a popular place to go walk, bike ride and to go up to the lookout. He said he hopes it is easily accessible along the same route.

Mark Alexander said he can provide information to help John out. He said this is a complete re-write of the Boulder Bay submission. He said the Wellness Way goes away; it's a re-layout of the project. He said he is on Lakeview which is where the trailhead is to get to the lookout. He said he is an impacted property. There will be access to get to the trailhead. He said our properties are impacted severely with the layout of the roads. He said he has several points during the item to discuss. It's a 200 + page package. There has been no public meetings or comments. He asked what the heck is going on. All the previous agreements have gone away. It's a completely different layout and orientation of the project. He said he doesn't know what happened. They are pushing this through. He said bless Roger and company, but this is different than what was originally agreed upon with community. He said he got the notice on Sunday. He said he hasn't been able to go through the packet with detailed review. He said Wellness way is going away which is his way down to the post office. He said he cannot get to the post office directly and has to take an alternative route.

Donald Morrison said he lives on Jackpine Lane. He said he would like to thank Duffield for funding the local substation. There are 19 people where there is normally 3 people. He will fund the whole staff. That is terrific. It's disgraceful with the tax we pay that a philanthropist has to pay for the sheriff in Incline Village.

Hearing no more requests public comments, Mr. Lyons closed the public comment period.

- 4. APPROVAL OF AGENDA FOR THE MEETING OF MARCH 1, 2021 (for Possible Action)**– Diane Becker moved to approve the Agenda for March 1, 2021 as submitted. Denise Davis seconded the motion. The agenda was approved by unanimous consent.
- 5. APPROVAL OF THE MINUTES FOR THE MEETING OF JANUARY 4, 2021 and February 1, 2021 (for Possible Action)**–

January 4, 2021 – Denise Davis noted her name is wrong; it's not Diane, it's Denise. Kathie stated on the January 4, she noted she was a member of the public and wasn't an alternate member yet. Diane Becker moved to approved the minutes of January 4, 2021 with corrections discussed. Kathie Julian seconded the motion. The motion carried unanimously.

February 1, 2021 – Kathie Julian said in the correction in the February minutes to remove her name in the January minutes needed to be corrected. She was a member of the public, not a CAB alternate yet. The requested correction was not correct. She sent an email to staff to get that corrected.

Diane Becker stated she asked if the public comments were included in summary. She stated she didn't feel all the public comments were included. She said she thought minutes were supposed to reflect what a board does, not what the public says, but was not certain. She asked for past practice. Mr. Lyons clarified that in the past, they haven't been this thorough in the past. These have been more thorough. He said there is a balance to accept with too much or not enough. He said if there is something critical or something missing, please bring it up. Diane Becker said she has seen what IVGID has done and wondered if that is what that is done in general. Mr. Lyons said IVGID isn't a model at this point. He said there is variety of recordings. It's tough to remember what was said from the recording. Kathie Julian said she thought it was an excellent thing to attach the comments. She said its something to consider. She said having a recording and the detailed comments is very useful resource to go out to public. Ms. Becker agreed with it. She said she is not familiar, but would normally see them as an attachment. She said she doesn't know what it means to approve the public comment. Mr. Lyons advised if there are errors, we need to call them out. He said it's fortunate to have a recording.

MOTION: Denise Davis moved to accept the minutes of February 1, 2021 meeting as corrected. Discussion: Mr. Lyons said board is five people. Chris Bronczyk noted it's a board of five, plus two alternates. Mr. Lyons noted for the February meeting, it looks like 6 members with an alternate filling-in. The actual attendance would be roll call of 5. He said we should make sure the five are there in the future and specify the alternates as filling in instead of the 6. Kathie Julian seconded the motion. The motion carried unanimously.

6. DEVELOPMENT PROJECTS- The project description is provided below with links to the application or you may visit the Planning and Building Division website and select the Application Submittals page: www.washoecounty.us/comdev

6.A. Variance Case Number WPVAR21-0001 (Boulder Bay) – For possible action, hearing, and discussion to vary Section 110.436 to address Street Design Requirements as allowed under 110.436.15(a). The specific variance request is related to street section, maximum road grades, street curves and vertical curves.

AND

Abandonment Case Number WAB21-0002 (Boulder Bay) – For possible action, hearing, and discussion to abandon 60,291 square feet of public right-of-way. The roadways where sections are proposed for abandonment are Wassau Road; Lakeview Avenue; all of Reservoir Road; and a sliver of Stateline Road. As part of the abandonment, replacement roadway alignments are proposed to perpetuate access.

- Applicant\Property Owner: Boulder Bay, LLC\Boulder Bay LLC; Big Water Investments, Inc; United States Forest Service
- Location: 0 State Route 28; 5 State Route 28; 0 Wassau Road; 101 Lake View Avenue; 47 Reservoir Road
- Assessor's Parcel Numbers: 123-071-04; 123-054-01; 123-053-04; 123-053-02; 123-052-04; 123-052-02; 123-052-03; 123-291-01; 123-053-06
- Staff: Chris Bronczyk, Planner, (775) 328-3612; cbronczyk@washoecounty.us • Reviewing Body: Tentatively scheduled for the Planning Commission on April 6, 2021

Dave Snelgrove, Applicant Representative with CFA, provided a PowerPoint slideshow.

Diane Becker asked what the reason for a request for an abandonment of the streets before the project is approved. She said she reviewed it over the weekend and felt the appropriate procedure would be to first get our input. She said she has done that on a number of projects. Mr. Snelgrove noted the development area will stay the same. They are under the pressure to move forward and part of that project is with the roadways. He

said the roadways was something they knew already and looking to move forward on that. Ms. Becker said she has developed projects in California, and would go before the entity for permits and ask for their thoughts. You are asking for an abandonment before talking about traffic signal, turn lanes. She said this looks like an interesting project. It's different. The last project project was much smaller. It didn't seem like the same project. She said the slopes are less that the current slopes which is attractive and safer. The whole reconfiguration might look good, but until we look at the entire project, it's irresponsible to abandon the roadways. She said she drove the whole area. She asked what happens to the roads if the project doesn't get approved. She asked about access. Mr. Snelgove said with the realignment, the final order of abandonment won't happen until the new roadways go in. He said his hopes the project would come forward before to show everyone. He said the Boulder Bay folks have been working on this for quite some time. He said he just started on the project a couple of years ago with the engineering teams and surveying team. He said this is the same alignment within the roadway. It allows for rejuvenation of the area. He said the land doesn't just get handed over to them. Ms. Becker asked if you could come forward with planning package to show traffic patterns and mitigations with traffic. She asked what would be the disadvantage for the applicant. Mr. Snelgrove said they have to move forward with this portion before doing the other aspects of the project. He said he will take the feedback to the client. He said he will also talk to the planner.

Kathie Julian asked about the compensation for the roadway. She said that is a critical element to provide the CAB when asking for their recommendation. She asked how much would it be. She said she is concerned the County gives away land to private developers without compensation. These are lakefront lands. These are valuable. We should look at it in a more systemic manner. She asked Mr. Snelgove about getting details and assurances about the payment. She said in regards to the concerns shared by Mr. Alexander about pedestrian access to the post office, she said she appreciates hearing about pedestrian access and would like to hear the assurances there will be paths through for Crystal Bay residents to go up to the lookout. Mr. Snelgove said he pointed out the development standards that were generated as part of TRPA and Washoe County planning area. Those are requirements and guidelines required to open up those sites as referenced in the purple arrows. He said it will be a tourist type area and you need the connectivity. All of it will be open and accessible. He said similar to NorthStar or Village at Squaw Creek and they are open and publicly accessible. Ms. Davis said by removing the road to highway, you are decreasing evacuation routes. Mr. Snelgrove said when this was redesign and past approval came forward, the road 'Wellness Way' hadn't been looked at by Sheriff or Fire department and they had concerned with steepness and narrowness. He said with this plan and access down to Stateline, they will be meeting with Fire Department about that. Ms. Julian asked who will you be consulting with in regard to other public agencies. Mr. Snelgrove said they will meet with the Fire Department and Sheriff's office. He said Chris Bronczyk has a list that he sends the project to. Ms. Julian said it seems that the application comes before the CAB prior to approval by other agencies. It should be reverse. You should come to CAB after consulting with agencies. Mr. Snelgrove said that is not typical. The CABs are the initial comments. The CAB knows the neighborhoods the best. When this goes to the Planning Commission, all the information will all be included. He said he sits on a CAB himself. He said our role as CAB members is to give initial comments. He said he appreciates the comments as a professional planner. He said he has volunteered as CAB and neighborhood advisory boards in the past. Those initial comments can help make a project better in the long run. Ms. Becker said she understands, but from our perspective, we want Crystal Bay to be protected. We want them to be in a safe condition. It's hard for us to assess that because we aren't fire experts. If it does get moved on, one thing we would like is what Fire says about it. We are asking for recommendation on something we don't know about. If we give final approval, and Board Adjustment gives approval, how does that happen without information.

Public Comment:

Kristina Hill said she has been a planner for over 40 year. She said she has been following the developments of Boulder Bay for a number of years. She said she represented Calneva in 2007 and later years. She said she is concerned with Mr. Alexander's comment about circulation of the neighbors in the area. That Reservoir Road

goes down to the post office and taking that away is a huge inconvenience for the residence in the area. The maps in the abandonment don't show anything to the north, past the project area. Where are these people going to go. Do they have to go over the Stateline to get out to the highway. It doesn't show access to highway 28 other than Stateline road which is inconvenient. It's very premature to do this evaluation. We don't know what is being proposed. How can we justify the impact of this abandonment of roadways because we don't know the density, we don't know how many people are going to be there, number of trips with new development, height of building, and parking. How can we evaluate the abandonment of the roads for project we know nothing about that is supposed to facilitate this project. It needs to be better analyzed following the adoption of the Tahoe Area Plan. Previously discussed in public comment of this meeting, it be May or June. It's been decades in the making. We can put off for a couple of months until the area plan is approved which is basically the zoning of the area. To approve it sooner is too premature. It's important to put horse before the cart to know the project for the roads that are being abandoned.

Mark Alexander said two minutes is ridiculous for public comment. He said he will give the bullet points of questions. He said this was short notice. He said he picked up the notice on Sunday. He said the report is 200 pages. Shame on you. Where did Wellness Way go? He said we agreed to a plan after a lot of dialogue. He said it's being thrown out like a baby with the bathwater. There is no mention of that. Where is the previous permit and agreements with community. There has been no discussion with the community for the new plan. Is stateline in Nevada or California? The drawing shows Nevada. He said he has a CCW. He said he pulls his boat up here, and cannot go up any of the other routes and only Reservoir Road to the house. He said if he goes up Stateline, he will be in violation, if the road is in California. He said who is responsible of Stateline in the winter. He said god bless the guys who take care of the county roads. California doesn't do the same level of maintenance. We get heavy winters. He said he was told the Cross walk at 28 was going away. He was told there wasn't going to be a signal. How are we supposed to get off the mountain in an emergency. You are creating more density. We are going to have to fend for ourselves. It looks with this new complex, how will be we get out of here. He said there was a fire on the ridge. He said it's hard to get on to the highway. How can we get the presentation that was given. He said it was a clear presentation. He said he has seen one other person, Ron Code, from Crystal Bay. We have 150 homes in Crystal Bay. There is only one other person who is aware of this presentation. Others are trying to participate, but they cannot get on the zoom meeting.

Kevin Lyons advised the public how to raise their hands for public comment.

Pete Todoroff said he was on the CAB as well. He said this Boulder Bay was approved 9 years ago. This is completely new. He said he doesn't know what they are talking about. This is the cart before the horse. They need to talk to Fire, Sheriff before coming before the CAB. He said Mark was Chairman of the CAB. This item shouldn't be on the agenda at all.

LA Waller thanked him. She said she is still helping in Tahoe projects. She lives in Carson Valley after living in Incline for 28 years. And we need to go back to the location and have the Fire and Sheriff there to participate like they had before. The proper people need noticing for meeting requirements. She agreed with Kristina Hill. If the heights are going to change, people need to know. Boulder Bay failed to do a water quality project. It needs to be a permit condition and come to the front of the line.

John Boshe said he doesn't have anything to add. The applicant isn't ready to have an abandonment at this time. It's a permanent move and premature at this time.

Susan Sanders said she is a Crystal Bay residents. Cart, horses, building and roads. It's apples and oranges. Two different issues. All roads converge into an old parking lot being used for construction storage. She said if she lived up hill, she would appreciate they are looking to widen the roads and looking for a safer grade coming

down the hill. All the safety is separate from permit for Boulder Bay. The safety of the grade, proper drainage, looking at more French drainage and water perking and not so much asphalt. She said for traffic, she said she can see using buses and trolleys in the summer with trailer behind them for bikes. She said she would like to see a plan where there is a space where the buses can pick-up and drop-off and overflow parking for tourists. This development and whatever is happening at the CalNeva, the angle is not a good road to enter onto highway 28. She would like to see a master plan for the roads and the issues. Once we see their perimeter, we can go through the process. The fire department is behind the post office. Reservoir Road is convenient and dangerous. We need to figure out traffic flow in anticipation of development in that space. Whatever happens at Crystal Bay, a bus drop-off would be good to encourage people to use public transportation. It is the cart and the horse.

Ryan Wexler said he echoes what has been said. He said he found out about this yesterday. It is too short of notice to vet through the public. Its land and history that the public is interested in. Granting a special kind of request of this nature with piecemeal approval should be rarely considered. It should be considered for only with a long and perfect history of development, who they do not. If it was that important, the owner should be present on the call. It's bad form. He said he hopes the board does not recommend it.

Kevin Lyons mentioned there are comments in the chat feature. He advised them to make public comment for the record.

Kathie Julian said she is new here. She said she might not know the rules. Why are residents only given a few days' notice. She asked staff when the notices were sent out. Chris Bronczyk said in this case, they were sent out on the 19th of February. He said the delay is the post office issues. He said this is the courtesy notice not a requirement to get public involvement at this stage. He said the only requirement is 10 days before the public hearing. With the abandonment, the notice will go to RGJ. He said he is surprised that people got it on the weekend which is a long time for delivery. She said the CAB members got the materials on the 23rd and wanted to know if the information was put on the website at the same time. Chris Bronczyk noted he wasn't certain. She said for good practice, the bi-laws, the roll of the CAB is to make sure the public has access. How do we reach out as broadly as possible to make sure the residents hear about these things through Facebook, Nextdoor. She said she received several inquiries because she sent one email. She said we are supposed to be advisory, and we cannot do that if the public isn't informed.

Ms. Becker asked Chris about the applicant request and the hearing. Chris Bronczyk said the 8th of the month is the intake day. There is a 3-day turn around to get things out to the applicant to determine if the application is complete, then admin staff works to get the notice out. She said it's a lot of information and asked if there is a way to get a package out earlier even if it's not the formal packet when it's something this large. Chris Bronczyk said he can request that to the CAB admin staff. He said abandonments rarely go to CABs, but it's packaged with the other item and therefore it's being heard by the CAB. Mr. Bronczyk said the scheduled hearing is April 6. Kevin Lyons said the other hearing is another opportunity for people to provide comment.

Kathie Julian said in terms of abandonment, it's when the county gives county lands to private parties. Chris Bronczyk said abandonment is when the county relinquishes rights to the property. She asked if its an acre. Dave Snelgrove and Chris Bronczyk said they don't have the exact amount. There will be land that will go to owner of Boulder Bay and other will be dedicated. He said in 2008-2009, they spoke about purchasing the land. Kathie Julian asked why is the public gift of property that people use is an abandonment. Chris Bronczyk said this is will go to Planning Commission then Board of County Commissioners. Kevin Lyons said there was abandonment in the past that was waterfront properties. Kathie Julian said she appreciated Kevin's comment about compensation for abandonment property.

Denise Davis said Mike Lefrancois is on the meeting. He didn't participate.

There were no discussion by the CAB.

Kathie Julian said she does not feel comfortable making a recommendation since it's premature. Ms. Becker agreed with Kathie. She said we don't want to recommend denial but cannot see how we can recommend approval. Denise Davis said she does not recommend approval.

MOTION: Diane Becker moved to not recommend this project and recommended to bring this matter back to the CAB when they have a full proposal that addresses the issues raised by CAB members and local residences. Denise Davis seconded the motion. The motion carried unanimously.

Dave thanked the Board.

7. *WASHOE COUNTY COMMISSIONER UPDATE – Washoe County Commissioner, Alexis Hill was available to answer questions and provide updated information on discussions and actions by the Board of County Commissioners (BCC). Commissioner Hill can be reached at (775) 328-2000 or via email at ahill@washoecounty.us.

Commissioner Hill gave an update. She said if you joined late, the area plan will be approved and come back to the Commission will be May/June. Short term rental first reading was last Tuesday, and March 23rd will be the second reading. She said there will be a meeting with TTD on Friday from 3-5 p.m. if you are interested to provide public comment.

8. *CHAIRMAN/BOARD MEMBER ITEMS-

Kathie Julian suggested making public comment 3 minutes allowed for public comment.

9. *GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF –

Courtney Welsh introduced herself. She said she is the new senior planner at the County. She said she comes from Mammoth and South Lake Tahoe and understand the unique circumstances of the mountains.

There were no further request for public comment, Kevin Lyons closed the public comment period.

ADJOURNMENT – meeting adjourned at 6:58 p.m.

Number of CAB members present: 4

Number of Public Present:

Presence of Elected Officials: 1

Number of staff present: 1

Submitted By: Misty Moga