

MINUTES OF MEETING
EAST COUNTY BOARD OF ZONING ADJUSTMENTS
FEBRUARY 10, 2005
(APPROVED FEBRUARY 24, 2005)

The meeting was held at the hour of 1:30 p.m. in the Conference Room of the Public Works Operations Building, 4825 Gleason Drive, Dublin, California.

FIELD TRIP: 9:00 p.m.

MEMBERS PRESENT: Members Jon Harvey, Chair, Larry Gosselin.

MEMBERS EXCUSED: Donna Flavetta

OTHERS PRESENT: L. Darryl Gray, Assistant Planning Director.

FIELD TRIP: The meeting adjourned to the field and the following property was visited:

1. **SUNOL VALLEY GOLF COURSE, CONDITIONAL USE PERMIT, C-8317** – Application to modify improvements to an existing outdoor recreation facility by the relocation of the existing maintenance yard and to up-grade the existing irrigation system, in an “A” (Agricultural) District, located at 6900 Mission Road, north side, end of Andrade Road, unincorporated Sunol area of Alameda County, bearing Assessor’s Parcel Number: 0096-0056-015-02.
2. **CLIFTON MATHEWS, CONDITIONAL USE PERMIT, C-8352** – Application to allow operation of an outdoor recreation facility (Paintball Park), in an “A” (Agricultural) District, located at 3726 May School Road, north side, approximately 0.35 miles west of Dagnino Road, unincorporated Livermore area of Alameda County, bearing Assessor’s Parcel Number: 0902-0004-007-00.
3. **CINGULAR WIRELESS, CONDITIONAL USE PERMIT, C-8365** – Application to allow installation and operation of a wireless telecommunications facility mounted on an existing PG&E transmission tower, in an “A” (Agriculture) District, located at 25030 Palomares Road, east side, approximately 0.4 miles south of Palo Verde Road, Castro Valley area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 085A-2700-013-00.
4. **NEXTEL COMMUNICATIONS, CONDITIONAL USE PERMIT, C-8366** – Application to allow continued operation of a wireless communication facility, in an “A” (Agricultural) District, located at 11600 Pleasanton-Sunol Road, northeast corner of the intersection with Paloma Way, Sunol area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 096-0376-007-02.
5. **DELWYN LOUNSBURY, VARIANCE, V-11895** – Application to approve as a building site one parcel reduced in size from 100 acres to 40.82 acres without frontage on an approved county road, in an A-CA (Cultivated Agriculture) District, located on Mines Road, west side, approximately 686 feet west of Del Valle Road, unincorporated Livermore area of Alameda County, bearing Assessor’s Parcel Number: 099A-2420-006-03. **(Continued)**.
6. **RICK RINETTI, VARIANCE, V-11900** – Application to construct an attached

addition so as to provide a 12 foot – nine inch front yard where 20 feet is required, in a P-D (Planned Development) District, located at 10 Castlewood Drive, west side, approximately 420 feet south of Hacienda Road, Pleasanton area of Unincorporated County, bearing Assessor's Parcel Number: 0946-4405-035-00.

REGULAR MEETING: 1:30 p.m.

MEMBERS PRESENT: Members Jon Harvey, Chair; Larry Gosselin.

MEMBERS EXCUSED: Member Donna Flavetta.

OTHERS PRESENT: L. Darryl Gray, Assistant Planning Director; Deric Licko, Planner; Nilma Singh, Recording Secretary

There were six people in the audience.

CALL TO ORDER:

The meeting was called to order by the Chair at 1:40 p.m.

OPEN FORUM: Open forum is provided for any members of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes. No one requested to be heard under open forum.

ANNOUNCEMENTS BY THE CHAIR: The Chair noted that there were no items under the Consent Calendar.

CONSENT CALENDAR: There were no items on the consent Calendar.

REGULAR CALENDAR:

1. **WINDWORKS, INC., CONDITIONAL USE PERMIT, C-8216** – Application to allow continued operation of an existing wind generation facility, in an “A-B-E” (Agricultural, 160 acres Minimum Building Site Area) District, located at 12251 North Flynn Road, east side of South Flynn Road, unincorporated Livermore area of Alameda County, bearing Assessor's Parcel Number: 099A-1810-001-00. (Continued from November 13, December 11, 2003; January 29, February 19, March 25, April 29, July 29, August 12, September 23, October 28 and November 18, 2004, and January 27, 2005).
2. **ALTAMONT INFRASTRUCTURE COMPANY/ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY, CONDITIONAL USE PERMIT, C-8243** – Application to allow continued operation of an existing wind generation facility consisting of 404 turbines, in an “A-B-E” (Agricultural, 160 acre Minimum Building Site Area) District, located at 11700 and 11701 North Flynn Road, east corner, southwest of South Flynn Road, unincorporated

Livermore area of Alameda County, bearing Assessor's Parcel Numbers: 099A-1770-002-01, 099A-1770-002-02, 099A-1770-002-03, 099A-1780-001-04, 099A-1790-003-00 and 099A-1810-001-00. (Continued from August 12, September 23, October 28, November 18, 2004, and January 27, 2005).

Mr. Gray announced that items 1 and 2 should be acted on simultaneously and further provided a timeline. Staff has recommended a continuance to March 24th to allow the Working Group, which is making significant progress on the monitoring issue, to meet on February 16th to consider the final modifications. The modifications will then be presented to this Board. The February 16th Working Group meeting is at 10 a.m. at Waste Management Authority, 777 Davis Street, San Leandro.

Although William Damon was available, no public testimony was submitted. Member Gosselin made the motion to continue both applications to February 24th. The Chair seconded the motion, which carried 2/0/1. Member Flavetta was excused.

3. **SUNOL VALLEY GOLF COURSE, CONDITIONAL USE PERMIT, C-8317** – Application to modify improvements to an existing outdoor recreation facility by the relocation of the existing maintenance yard and to up-grade the existing irrigation system, in an "A" (Agricultural) District, located at 6900 Mission Road, north side, end of Andrade Road, unincorporated Sunol area of Alameda County, bearing Assessor's Parcel Number: 0096-0056-015-02.(Continued from August 12, September 23, October 28, November 18, 2004, and January 27, 2005).

Mr. Gray summarized the staff report and introduced Deric Licko, the project Planner. The Chair pointed out that the staff report did not reflect that the Board was required to vote on the Mitigated Negative Declaration. Mr. Licko explained that a copy of the document was provided to the Board in November.

Public testimony was called for. Alisha Back, TRC Solutions, Inc., stated that it was important for the CEQA documents to be approved as soon as possible which would allow them to move forward with the other related agencies. The Chair recommended a break to review the document.

The hearing reconvened at 2:20 p.m. Mr. Gray suggested modifying Condition #4 to read: "All requirements of the following agencies and reports shall be met:" Member Gosselin made the motion to adopt the Mitigated Negative Declaration and approve the application subject to the recommended conditions with the above modification. The Chair seconded the motion, which carried 2/0/1. Member Flavetta was excused.

4. **DELWYN LOUNSBURY, VARIANCE, V-11895** – Application to approve as a building site one parcel reduced in size from 100 acres to 40.82 acres without frontage on an approved county road, in an A-CA (Cultivated Agriculture) District, located on Mines Road, west side, approximately 686 feet west of Del Valle Road, unincorporated Livermore area of Alameda County, bearing Assessor's Parcel Number: 099A-2420-006-03.

Mr. Gray pointed out that the matter was recommended for a continuance to February 24th. Neighbors have raised concerns regarding lack of access, water supply and placement of power lines over their properties. There was no physical entrance to the property and Measure D affect is another issue. Two letters have been submitted today. The Chair asked if there was a building on the property and Member Gosselin asked how a parcel would be created without access. Mr. Gray explained there was no building

but woodland and access was through prescriptive easement. The Chair recommended a site visit and in response to Member Gosselin, Mr. Gray confirmed that the Applicant was not the landowner.

No public testimony was submitted. Member Gosselin made the motion to move staff recommendation. The Chair seconded, which carried 2/0/1. Member Flavetta was excused.

Approval of Minutes – The Chair recommended that the Minutes reflect that the reason for moving Item #6 to the Consent Calendar was to continue the matter to March 24th to allow time for completion of environmental review work. He made the motion to approve the February 24th Minutes with the above modification. Member Gosselin seconded the motion, which carried 2/0.

STAFF COMMENTS & CORRESPONDENCE: None.

CHAIR’S REPORT: None.

BOARD ANNOUNCEMENTS, COMMENTS AND REPORTS: None.

ADJOURNMENT: There being no further business, the hearing was adjourned at 2:35 p.m.

CHRIS BAZAR - SECRETARY
EAST COUNTY BOARD OF ZONING ADJUSTMENTS