DEPARTMENT: Planning  
BY: Jay Pawlek  
PHONE: (209) 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes No XX)

Adopt a resolution denying the appeal and upholding the Planning Commissions Conditions of Approval for LDA #1458.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

See memorandum to the Board for background information on the project.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1. Uphold the appeal modifying all or some of the conditions applied to Land Division Application No. 1458.

2. No action will result in the denial of the appeal. There will be no change to the Planning Commission conditions of approval.

COSTS: (X) Not Applicable
A. Budgeted current FY $  
B. Total anticipated costs $  
C. Required additional funding $  
D. Internal transfers $  

SOURCE: ( ) 4/5ths Vote Required
A. Unanticipated revenues $  
B. Reserve for contingencies $  
C. Source description: Balance in Reserve for Contingencies, if approved: $  

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively: Memorandum with Attachments:
1. Site Map
2. Mcke Appeal Information
3. Public Works Comments
4. CDF Comments
5. Freeman and Seaman Correspondence
6. Black Hills Associates Correspondence

CLERK'S USE ONLY:
Res. No.: 95-482  
Ord. No.  
Vote - Ayes:  
Absents:  

( ) Approved  
( ) Denied  
( ) Minute Order Attached  
( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date:  
ATTEST: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By: Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

✓ Recommended
☐ Not Recommended
☐ For Policy Determination
☐ Submitted with Comment
☐ Returned for Further Action

Comment:  

A.O. Initials: C

Action Form Revised 5/92
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER
(Amended)

TO: ED JOHNSON, Planning and Building Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: PUBLIC HEARING Re Appeal of Conditions,
Application No. 1458, Black Hills, Applicant;
Res. 95-432

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on October 3, 1995

ACTION AND VOTE:

11:04 a.m. Ed Johnson, Planning and Building Director;
B) PUBLIC HEARING to Consider Resolution Denying Appeal and
Upholding the Planning Commission's Conditions Applied to Land
Division Application Number 1458, Black Hills Associates,
Applicant; Gerald Mack, Appellant
BOARD ACTION: Ed Johnson/Planning and Building Director, advised
that this and the next hearing both deal with fire safe
regulations and concerns - there are areas where the State PRC
4290 requirements conflict with the County requirements, so
Planning staff and Commission tried to reach a compromise with
the guidelines. Jeff Green/County Counsel, stated that if the
issue is which regulations pre-empt the other, he felt the matter
should be referred to him for research and review and to make a
legal determination. Ed Johnson recommended that Board hear both
appeals as the compromise recommended meets CDF's approval. Pete
Marquez/California Division of Forestry and Fire Protection,
stated he recently became aware of the conflicts with the
requirements and that the inconsistencies need to be reviewed and
dealt with. Board concurred with hearing the appeals. Jay
Pawlek/Planner, presented staff report, and responded to
questions from the Board relative to the proposed turnaround;
application of PRC 4290 to driveways; and grade, length and width
of the road. Public portion of the hearing was opened and input
was received from the following: Larry Mack/appellant and
property owner at the end of the driveway, stated he is not
opposed to the subdivision, but opposes the way the road is being
built; advised of his conversation with a Planning Commissioner
who advised that she felt the Commission made a mistake after
visiting the site after their consideration of the matter;
expressed concern with the impact the increased traffic will have on access to the driveway; advised of inaccuracies on the subdivision map relative to the road; stated he felt PRC 4290 requirements should be followed; and presented photographs of the road. Mr. Mack responded to question from the Board relative to ingress and egress during reconstruction of the existing road. Hearing was continued for the following hearing to be opened.

C) PUBLIC HEARING to Consider Resolution Granting a Portion of Appeal and Revision of Condition Number 8 of Land Division Application Number 1457, Frank Long, Applicant and Appellant

BOARD ACTION: Hearing was opened and continued to 2:00 p.m., with the concurrence of the applicant.

Board continued with the Appeal Hearing for LDA 1458. Robert Hayden stated he would not agree or consider a road being constructed above him as an alternate route during reconstruction of the existing driveway, and stated they want to use the existing road. Dick Seaman/Freeman & Seaman, representing the applicant, presented a map with an accurate scale and clarified the notation on the map with regards to the location of the driveway from the proposed turnaround; cited County and CDF requirements; and requested that the appeal be denied. Steve Sanders/son of applicant, stated they want to accommodate the neighbors and agree with placing the turnaround at the boundary of the Mack parcel, along with an additional one at their other property boundary; are willing to develop the road to a Class II standard and make sure that the neighbors have access during road construction; are concerned with fire safety; commented on the agreement with the neighbor relative to locking the gate; and requested the Board uphold the Planning Commission’s decision. Under rebuttal, Mr. Mack cited PRC regulations and stated he feels the State guidelines should apply to this project. Mr. Hayden stated he feels it would be better to finish the road all the way versus building two turnarounds. Public portion of the hearing was closed and Board commenced with deliberations. Staff responded to questions from the Board relative to the different guidelines - Ed Johnson advised that Planning, CDF, and Public Works all agree with the Commission’s recommendation.

(M)Balmain, (S)Taber, Res. 95-432 adopted modifying Condition No. 2 to require the developer to improve the easement to a Rural Class 1 SRA standard from Highway 140 to the northern boundary of Parcel D; modifying Condition No. 3 to require the developer to improve the easement to County standards from the southern boundary of Parcel D to the boundary with the Mack parcel, and install a turn-around at the Mack parcel boundary with turnouts
MINUTE ORDER
October 3, 1995
Page Three

every 400 feet; deny appeal with regards to Condition No. 10/penalty clause for access to the road; and deny appeal with regards to financial assurances/Ayes: Unanimous. Hearing was closed.

cc: Mike Edwards, Public Works Director
File
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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FROM:     MARGIE WILLIAMS, Clerk of the Board
SUBJECT:  PUBLIC HEARING Re Appeal of Conditions,
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              Pawleek/Planner, presented staff report, and responded to
              questions from the Board relative to the proposed turnaround;
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              of the road.  Public portion of the hearing was opened and input
              was received from the following:  Larry Mack/appellant and
              property owner at the end of the driveway, stated he is not
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MINUTE ORDER  
October 3, 1995  
Page Two

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every 400 feet; deny appeal with regards to Condition No. 10/penalty clause for access to the road; and deny appeal with regards to financial assurances/Ayes: Unanimous. Hearing was closed.

cc: Mike Edwards, Public Works Director
File
MEMORANDUM

October 3, 1995

TO: Mariposa County Board of Supervisors

FROM: Jay Pawlek, Assistant Planner
       Ed Johnson, Director

RE: Appeal of conditions applied to Land Division Application No. 1458, Black Hills Associates, applicant.

RECOMMENDED ACTION

Staff recommends that the Board of Supervisors:

• deny the appeal of Condition #2 to require the developer to improve the easement to a Rural Class I SRA standard from Highway 140 to the southern boundary of Parcel D;

• deny the appeal of Condition #3 to locate the turnaround at the southern boundary of Parcel D, based upon the lack of nexus between the subdivision and improvements beyond the point of access to a building site on Parcel D;

• deny the appeal of Condition #10 to add a penalty clause to the condition requiring the road to be passable for ingress and egress at all times, based upon the unenforceability of this type of clause and due to the existing enforcement methods for map conditions.

BACKGROUND:

Land Division Application No. 1458 proposes to divide a 196.5 acre parcel into four parcels of 10.1, 6.2, 36.0 and 23.7 acres each and a remainder of 120.5 acres. The Project site is located along Highway 140, approximately 8 miles southwest of Mariposa, in the Dials Rock Shop area (APN 12-160-065). Gerald L. Mack, a neighboring property owner, has appealed conditions 2, 3, and 10 imposed by the Planning Commission on LDA 1458.

March 9, 1995   Land Division Application No. 1458, Black Hills Associates submitted to Mariposa County Planning Department.
July 21, 1995   Planning Commission approves LDA 1458 with conditions.
July 31, 1995   Appeal of the conditions applied to LDA 1458 is received by the Board office.
August 8, 1995  Planning Department receives a copy of appeal.
DISCUSSION:

**Condition #2:** This condition relates to the level of improvement which must be completed to the on-site easement road.

*Appellant:* Rural Class I SRA (18’ roadway) to southerly line of Parcel D, the action should be based upon providing fire safety to the site.

*Planning Commission Action:* Rural Class I SRA (18’ roadway) to the northerly line of Parcel D, Rural Class I (12’ roadway with turnouts every 400’) from the northerly line of Parcel D to a minimum of 700’ south of that line, based upon providing adequate fire access without requiring the applicant to create a large cut and fill to construct the 18’ road from the northerly line of Parcel D down. There is no relationship between improvements beyond the point of access to Parcel D and impact created by the subdivision.

2. The easement from Highway 140 to the northern line of Parcel D shall be improved to a Rural Class I SRA standard and shall meet this standard at the time of parcel map recordation. The easement from the northern line of Parcel D to a location which is minimum of 700’ south of the northern line of Parcel D shall be improved to a Rural Class I standard with turnouts a minimum of every 400 feet and shall meet this standard at the time of parcel map recordation. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards.

**Condition #3:** This condition relates to the location of the required turnaround improvements

*Appellant:* The turnaround should be located at the southern property line of the project site in order to insure that there is a safe area to turnaround without driving on the grass. Should be based upon CDF recommendation.

*Planning Commission Action:* The turnaround shall be located a minimum of 700’ south of the northerly line of Parcel D, where physical access is possible. The applicant cannot be required to improve any further because the subdivision will not affect any further.

3. An improved turnaround with a radius of 40 feet shall be constructed at the end of the required 60 foot easement. The turnaround shall be improved to County standards and shall meet County standards at the time of parcel map recordation. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards.
Condition #10: This condition relates to the passability of the on-site easement at all times during the road improvement process.

Appellant: There needs to be “a penalty clause in the condition to prevent the contractor from ignoring the conditions”.

Planning Commission Action: That a penalty clause is not necessary and is not typically applied.

10. The required easement from Highway 140 to the required turnaround shall be passable for ingress and egress to APN 12-160-002 at all times during the road improvement process.

ATTACHMENTS:

A: Site Map
B: Mack Appeal Information
C: Public Works Comments
D: CDF Comments
E: Freeman and Seaman Correspondence
F: Black Hills Associates Correspondence
MARIPOSA COUNTY

NOTICE OF APPEAL

APPELLANT/CONTACT PERSON

NAME
GERALD L. MACK

MAILING ADDRESS
4981 GUADALUPE MTN FIRE RD, CATHE'S VALLEY

DAY TELEPHONE NUMBER
(209) 966-2237

☐ Check this box if the appeal form is being filed by additional appellants. Attach list with name, address, and signatures of appellants. You may designate two persons on the list to receive copies of all correspondence and staff reports related to the appeal. The list must contain a statement which states the person signing the list has reviewed the Notice of Appeal form.

☐ Check this box if appellant is also the application or permit applicant for the finding or decision being appealed.

APPEAL BODY

Decision, finding, or determination is being appealed to

☑ BOARD OF SUPERVISORS (Submit appeal form to Clerk of the Board of Supervisors)

☐ PLANNING COMMISSION (Submit appeal form to Planning Commission Secretary)

DECISION BODY

Decision, finding, or determination being appealed was made by

☐ PLANNING COMMISSION

☐ OTHER COUNTY COMMISSION OR BODY

☐ COUNTY DEPARTMENT HEAD OR OFFICIAL

DATE OF DECISION
7-21-95

(Name)

(Title)

(Date)
DECISION, FINDING, OR DETERMINATION BEING APPEALED
(Attach copy of decision/findings)

APPLICATION NUMBER OR
TYPE OF PERMIT

Land Division Application No. 1458

OTHER (Specify)

SPECIFIC CONDITIONS, FINDINGS, AND/OR PORTIONS OF DECISION OR DETERMINATION BEING APPEALED

1. Easement improvement with Class 1 standard from north boundary of Parcel A.
2. The improved transversal located at northern line of Parcel B.
3. No penalty for failure to keep ingress & egress open to Apr 12-00 during road construction.

STATEMENT OF GROUNDS OF APPEAL

If additional space is needed, attach additional sheets to Notice of appeal form. The grounds of appeal must clearly state those issues or portions of the finding, decision, or determination being appealed. The board of Supervisors or Planning Commission will consider only those issues which are raised in the appeal form.

CDF required road width be increased to a minimum of 18 ft.

to county standards and minimum 40 foot public turnaround at the property line on the north end of the Block tract, end of Parcel C & D.

The CDF requirement will provide the necessary emergency access and defensible space as authorized under section 4390 of the Public Resources Code.

The Planning Commission did not include the CDF requirement in the conditions when they approved application no. 1458.

☑ Check this box if you request the right to submit additional reasons for appeal and amendments or supplements to the appeal. This additional information must be submitted no later than twenty-five (25) calendar days prior to the hearing date of the appeal.

J. L. Mack
SIGNATURE OF APPELLANT

July 31, 1995
DATE

4/13/93

Attention: Ed Johnson, Planning & Building Director
Jay Pawlek, Assistant Planner

Dear Messrs. Johnson & Pawlek,

The conditions being appealed in the above subject area are as follows:

Condition #2 - Your letter of July 25, 1995 provides for both a rural class I SRA standard easement and a rural class I standard easement for roadway purposes.

The CDF requirement is a road width minimum 18' and to County road standards (rural class I SRA).

I concur with the CDF requirement.

Condition #3 - Your letter states "An improved turnaround with a radius of 40 feet shall be constructed at the end of the required 60 foot easement."

The CDF requires this turnaround be located at the south end of parcel C & D.

I agree with the CDF requirement.

Condition #10 states - The required easement from Hwy 140 to the required turnaround shall be passable for ingress and egress to APN 12-160-002 at all times during the road improvement process."

As the condition is written, it does not require the road
be passable for ingress and egress from the turnaround to my property line (APN 12-160-002).

And I request a penalty clause to prevent the contractor from ignoring these conditions.

The following is not a part of my appeal, however, you may be interested in knowing:

A. Condition #1 and Condition #3 conflict on the radius of the turnaround (90' vs 45').

B. The terminus of the 60' easement is not clearly defined.

Please call me if you have any questions on the above. 966-2237

Sincerely,

Gerald L. Mack,
4981 Guadalupe Mt. Fire Rd.,
Catheryn Valley, Ca. 95306
DATE: June 23, 1995
TO: Jay Pawlek, Planner II
FROM: Charlie Pratt, Associate Surveyor
SUBJECT: L.D.A. 1458, Black Hills Assoc.

After speaking with Richard Seaman, agent for the above applicant, I would like to change my recommendation for road improvements on this project. Please consider this memo an addendum to my memo dated April 3, 1995.

Since there are only five (5) parcels, proposed and existing to be served by the on-site road, I recommend that the easement road from State Hwy. 140 to "Parcel D" be improved to a Rural Class I standard in conformance with the Mariposa County Road Improvement and Circulation Policy.
COMMENT SHEET

PROJECT: LDA No. 1458
PLANNER: JAY PAWLEK

TO: Dave Conway, Health Dept.; Dan Tinnell, Co. Fire Chief; MCUSD; PG&E; Sierra Telephone: Charlie Pratt, PWD; CalTrans District 10; CDF

Applicant(s): Black Hills Associates Ltd. PHONE: 209-966-3926
Name/Address: P.O. Box 1920
Mariposa, CA 95338
Agent: FREEMAN & SEAMAN, L.S. PHONE: 966-3926

PROJECT DESCRIPTION/LOCATION: Minor Land Division of a 76.0 acre parcel (APN 12-160-065) into 4 parcels and a remainder containing:

- PARCEL A 10.1 ± acres
- PARCEL B 6.2 ± acres
- PARCEL C 36.0 ± acres
- PARCEL D 23.7 ± acres
- REMAINDER 120.5 ± acres

The parcel is located along Highway 140 approximately 8 miles southwest of Mariposa T 5S., R 18E., and portions of projected Sections 13 & 19. Access is proposed directly off of Hwy 140. Water is proposed to be via individual wells. Sewage disposal is proposed to be via individual septic systems.

Driving Directions: Highway 140 west of Mariposa in the Dials Rock Shop area. 3778 Hwy 140 (black mail box with green post).

NOTE: GATE TO ENTER PROPERTY IS LOCKED. PLEASE CONTACT PLANNING DEPARTMENT FOR KEY PRIOR TO ANY SITE VISITS.

RECOMMENDATIONS, REQUIREMENTS OR COMMENTS
(Use additional sheets if Necessary)

CDF HAS REVIEWED THIS APPLICATION & THE FOLLOWING ITEMS ARE REQUIRED:

1) ROAD WIDTH BE INCREASED TO A MINIMUM OF 18 FEET TO COUNTY ROAD STANDARDS
2) MINIMUM 40 FOOT RADII TURNAROUND LOCATED AT THE PROPERTY LINE ON THE NORTH END OF THE MACK TR. END OF PARCELS C & E
   ALL PARCELS WILL BE REQUIRED TO MEET A 4290 § 4291 REQUIREMENT
   AT TIME OF THOSE PARCELS BEING FURTHER DEVELOPED.

[Signature]

F cs
Title

4-3-95
Date

Please return this comment sheet to the Mariposa County Planning Department no later than 4-4-95. If this department does not receive your review comments within the 14 day review period, we will assume that your office has no comment or concerns. Should you need additional time to respond, please notify this department in writing or by telephone WITHIN the 14-day review period.
July 5, 1995
W.O.#: 941018

Mariposa County Planning Commission
P.O. Box 2038
Mariposa, CA 95338

ATTN: Jay Pawlek, Planner II
REF: LDA 1458, Condition No. 2 & 13

Dear Jay:

Condition No. 2

I discussed this condition on 6/23/95 with Charlie Pratt. He indicated that he was in error in his recommendation for a Class I SRA road since this is an existing road. He therefore stated that he should have recommended a Class I only and that he would write a letter to you to that effect.

Mr. Pratt's recommendation also was that the road improvements be constructed to Parcel D or to an alternate location at the "applicant's option." I believe this recommendation is consistent with County Code Section 16.12.170 and Planning Commission Resolution No. 88-15. I therefore feel that a modification of this Condition is in order.

Condition No. 13

On June 26, 1995 I had a telephone conversation with Dave Conway of the Health Department. He stated that the profile hole to be excavated on Parcel A & B and his on site inspection of Parcel C & D may indicate to his satisfaction that profile holes may be unnecessary on Parcel C & D. To make that determination in the field the wording of Condition No. 13 would need to be changed to allow Dave that flexibility:

The 1st sentence could begin "Soil profile holes shall be excavated on Parcels A & B and may be required to be performed on Parcels C & D to the .....".
The 2nd sentence could begin "If the County Sanitarian approves the parcel for septic disposal, a letter from the .....".
I believe Dave would be agreeable to this type of change. It would allow him the flexibility needed to make decisions based on the field conditions.

Please give me a call if you have any suggestions and/or comments on this matter.

Sincerely,

Richard A. Seaman, L.S. 5339

RAS/ec
In late July, a few days after our Planning Commission hearing, we discussed the lot split plan with Bob Haden, Son-in-law and actual resident of the neighboring parcel. We solicited suggestions from Mr. Haden about how we could mitigate some concerns that he, his wife and Mr. Mack might have. Mr. Haden expressed that his wife frequently needed to use the road, several times per day, and he suggested an alternate route for a temporary road that would run along the valley floor below the existing road.

He said that if we developed the above mentioned temporary road, then their needs would be met. We expressed our desire to accommodate them. We still have that desire. We planned and began building this temporary road, which will exceed 1500 feet and will be prepared at no small expense. It will be an 8' to 10' wide dirt road and will be maintained for the duration of the construction process by us, for the purposes of ingress and egress from the State highway. It may not be as convenient as the existing road, but it will be adequate to meet their needs.

We consider this a good faith agreement with the Haden’s and we are quite suprised by the nature of Mr. Mack’s appeal in light of our previous discussions. We are bending over backwards on their behalf and feel that their appeal is unwarranted.

Concerning Mr. Mack’s other issues, specifically: location of turnaround, width of the road, and monetary penalties, we believe that the Planning Commission’s views on these were quite in order, followed precedent to a large degree, and ultimately upheld Mr. Mack’s and our interests quite fairly.

They ruled that the turnaround be placed in the vicinity of Mr. Mack’s property line, which is where both Mr. Mack and I would like it. Because this road is an existing road, and should not experience a large increase of traffic in the rear section as a result of this split, and because of the large expense and environmental degradation as a result of widening it, the Planning Commission ruled that a waiver be granted based on precedent.

Bob Haden, who is an experienced heavy equipment operator, who has worked on roads for much of his adult life, built this road to accomodate their needs. I find it very odd that at this late date it is suddenly inadequate to accomodate them, their cattle, etc., and that they wish to widen it at our expense. We will accomodate all of their reasonable requests. This is unreasonable. We should only be required to widen the road to service the last parcel, not Mr. Mack’s property.

Finally, concerning Mr. Mack’s desire for fines or penalties for inconveniencing him or his family. Their certainly is no precedent for that. And I frankly feel it is not a reasonable request. Civil courts exist to settle disputes and give awards in the event that their are real damages. I do not believe that the Planning Commission or Board of Supervisors should take on that responsibility and mediate every little dispute. How much of a fine would be fair
for how long a delay? Can anyone really say? No blanket policy decision could cover all contingencies.

We believe we are being more than fair and generous in meeting Mr. Mack's needs. We are happy to build the temporary road as a compromise position. We feel that Mr. Mack should be quite satisfied with that. We believe that, with the construction of this road, he has no reasonable grounds for appeal.

Donna Sanders
General Manager
Black Hills Associates
A family owned Ltd. Partnrsip.

[Signature]
September 29, 1995

Marirosa County
Board of Supervisors
Mariposa, California 95338

Dear Board Members:

Regarding Land Division 1458 the Gerald Mack appeal of the Planning Commission Decision made July 21, 1995 to be heard by the Board on October 3, 1995, we wish to make several comments on how this will affect us.

1. We built a house on and live on the Mack tract.

2. The driveway, that is to be made into a road, was built to accommodate one family.

3. With the plans to turn this driveway into a road it means we will now face undue risk that did not exist before.

4. In all probability, parcels C & D will enter their parcels from the level area near our property line gate. Using 8 average daily trips per household there is the potential of 24 trips per day in and out of the road starting near our gate. Unless there are two lanes of traffic, I anticipate someone has to wait while another vehicle backs up. And, in the panic of a fire emergency with fire equipment coming in and residents evacuating there could be a catastrophe. And, in the winter backing up in the snow may not be possible.

5. The turnaround should be properly located near our property line gate to prevent vehicles from turning around on the dry grass and igniting the dry grass with their catalytic converters. A fire out here would be devastating to us. It is my understanding that both the appellant and the developer agree that the turnaround should be in this area.

6. Since it is imperative that we have ingress and egress during the widening of the road, what procedure is in place to enforce condition #10 so we will have ingress and egress during road construction?

The above comments are made in the interest of public safety and we ask for your assistance.

Thank you,

Sincerely,

Robert Hayden
Patricia Hayden
3778 Hwy. 140
Catheys Valley, Ca. 95306
MARIPOSA COUNTY PLANNING COMMISSION

RESOLUTION NO. 88-15

A RESOLUTION ESTABLISHING A POLICY FOR THE REVIEW OF BUILDING SITE ACCESS TO INDIVIDUAL PARCELS WITHIN PROPOSED SUBDIVISIONS.

WHEREAS, the Mariposa County Planning Commission is charged with the responsibility of reviewing all subdivision proposals within the County, and

WHEREAS, the Subdivision Map Act requires that the Planning Commission review the design of each subdivision to determine if the division is physically suited to the type and density of development, and

WHEREAS, the Planning Commission desires to clarify the review criteria for access to subdivisions,

NOW THEREFORE BE IT RESOLVED that the Planning Commission shall review each subdivision to determine if each parcel has access to an easement road, County Road or State Highway and an adequate encroachment from such road.

BE IT FURTHER RESOLVED that the Planning Commission will not review the design of or establish requirements for private driveways serving proposed building site(s) on individual lots.

PASSED AND ADOPTED by the Mariposa County Planning Commission on the 5th day of August, 1988 by the following vote:

AYES: Bagwell, Eskra, Kroon

NOES: Chernoff, Hotchklin

NOT VOTING: Fall

EXCUSED: None

CHARLES R. FALL, Chairman
Mariposa County Planning Commission

ATTEST:

BETTY CRISP, Secretary
Mariposa County Planning Commission