

MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of February 19, 2015

The regular meeting of the Solano County Planning Commission was called to order at 7:00 p.m. in the Board of Supervisors' Chambers, Fairfield, California.

PRESENT: Commissioners Rhoads-Poston, Cayler, Walker, Hollingsworth and Chairman Boschee

EXCUSED: -----

STAFF PRESENT: Mike Yankovich, Planning Program Manager; Jim Laughlin, Deputy County Counsel; Eric Wilberg, Associate Planner, and Kristine Letterman, Planning Commission Clerk

Items from the floor:

There was no one from the public wishing to speak

The Minutes of the regular meeting of January 15, 2015 were approved as prepared.

1. **PUBLIC HEARING** to consider an appeal of Zoning Administrator approval of Minor Use Permit Application No. MU-14-02 of **John Bessolo (Potrero Duck Club)** to permit a 1,344 square foot structure utilized in conjunction with an existing marsh oriented recreation facility (seasonal duck hunting club) located 3.5 miles southeast of the City of Suisun City in an "MP" Marsh Preservation Zoning District, APN: 0046-120-060. This consideration has been determined not to have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act. (Project Planner: Eric Wilberg) **Staff Recommendation:** Deny the appeal and affirm the Zoning Administrator's decision to approve the project.

Eric Wilberg gave a brief presentation of staff's written report. The report indicated that on December 29, 2014 the Solano County Zoning Administrator conducted a public hearing to consider the minor use permit application filed by John Bessolo. At the hearing comments were received by three members of the public as well as the project applicant. The appellant, David Marianno presented pictures of the site which depicted vehicles, heavy equipment and machinery, as well as cargo containers. He stated that these elements were an eyesore to the community. Two neighbors spoke in favor of the project. At the close of the hearing, the Zoning Administrator approved the project, with the added condition that: "*No junk, abandoned machinery or equipment, salvage materials or parts shall be stored outside of enclosed buildings.*"

On December 29, 2014 David Marianno filed an appeal of the decision identifying the following reasons for why the decision making body erred in its decision: source of electricity, sewage disposal, firearm discharge close to state Highway 12, signage location for rental of duck blinds,

parking of hunters personal trailers on property, parking and sale of equipment, and removal of equipment (box cars). The report contained staff's response to each of the appellant's concerns.

Mr. Wilberg stated that the project is consistent with applicable land use regulations, including the Solano County General Plan, Zoning Regulations, and the Policies and Regulations Governing the Suisun Marsh and as such, the department recommends that the commission deny the appeal and affirm the Zoning Administrator's approval of the project.

Since there were no questions of staff, Chairman Boschee opened the public hearing.

The applicant, John Bessolo, stated that he has owned the subject property for 30+ years. He said that there is a double-wide mobilehome on the property which he is still financing. He said the nearest duck blind is approximately 400 to 500 yards from the freeway. Mr. Bessolo noted that his property is approximately two miles from Mr. Marianno's property. He commented that he is an avid duck hunter and has been all his life. He noted that he has donated millions of dollars in the last 30 years to agencies such as Ducks Unlimited, National Wild Turkey Federation, and SCI. He said that he has hunted all over the world and ducks are his main concern. Mr. Bessolo mentioned that there are 53 hunting clubs located within the Suisun Marsh, 27 of them having a mobilehome or trailer. He said he was unclear as to why Mr. Marianno continues to complain over this issue. Mr. Bessolo noted that he has obtained all of the proper permits required by the Suisun Resource Conservation District and will install a septic and water system and do whatever else is required by the county.

The appellant, Dave Marianno, stated that he has lived in the area for 35 years and has always been concerned about the planning and activities that go on in and around the county. Mr. Marianno provided photos to the commission of the subject property. He said there has been a lot of storage of equipment, abandoned trailers and numerous other items on the property which have made it an eyesore. Mr. Marianno voiced concern about the marsh. He noted that in the application there is no clear definition of what the plan for the property will be. He said that he is also concerned with ingress and egress. He said that the road dividers which exist on Highway 12 have made it extremely hazardous when entering Mr. Bessolo's clubhouse from the eastbound direction because there is no turn lane. He commented that traffic on Highway 12 has quadrupled in recent years. Mr. Marianno stated that Caltrans should be notified of this hazard so that an exit could be marked. He stated that if this project is approved the county should require Mr. Bessolo to abide by the rules.

Commissioner Hollingsworth asked Mr. Marianno what his concern is with regard to the source of electricity and sewage disposal as listed in his appeal letter.

Mr. Marianno responded that it is the idea of what it is going to look like. He said that Mr. Bessolo could chose to put a diesel generator on the property and he would hope if he did that the generator would be small and compact and quiet. Mr. Marianno noted that the property has no power source or water.

Donald Lucas Lipary, 3963 Denverton Road, Suisun, voiced his concern with access onto the property. He said that he would like to see a turn lane or some type of signage to alert motorists.

Mike Marianno, 1861 Minnesota Street, Fairfield, stated that he owns the property directly bordering Mr. Bessolo's land. He stated that Mr. Bessolo has always been a great neighbor. He said Mr. Bessolo has a great love of wetlands and for developing habitat for upland game birds, water fowl and shore birds, and also for the fish the habitat helps to develop in the shallow waters of the managed wetland. He said that he has watched Mr. Bessolo's property develop over the last 10 years and the tidal wetlands have continued to grow. Mr. Bessolo has invested millions of dollars in developing his land and he shows a tremendous amount of love and care for the property and its maintenance. Mr. Marianno said that in order to really care for the land and provide maintenance it requires an onsite caretaker. An area for storage of equipment is also necessary. Mr. Marianno stated that he believed the sewage and electrical issues would be addressed through the county permit process.

Cynthia Pace, 2467 Cordelia Road, Fairfield, stated that she owns property on Branscombe Road and also farms 180 acres in the area. He stated that she has known Mr. Bessolo for 7 years and hunts at his duck club. Ms. Pace spoke to the issue of energy. She said that Mr. Bessolo will be researching alternative energy sources such as solar and wind power. He is also working with members of UC Davis who are using his property as a research source by studying fish by the levies on his property. She commented that there is a possibility that Mr. Bessolo will install sanitary toilets on the property. Ms. Pace stated that Mr. Bessolo has contributed to a lot of charities and has done a lot for the community and is an asset to the area. She commented that the entire area is blighted by the sight of storage containers, pointing out that Mr. Marianno has an abandoned oil tanker on his property. She said the whole Denverton Road corridor is an eyesore because there are no abatement restrictions. She said that for anyone to go after Mr. Bessolo because of the temporary blight is not fair. Ms. Pace noted that the nearest blind or nearest shooting is within 500 yards of the freeway. She noted that there has never been a complaint made to Fish and Wildlife or the Sheriff for unlawful discharge at the duck club.

Rudy Peruzzaro, 3770 Nurse Slough Lane, Suisun, stated that he owns the land adjacent to Mr. Bessolo's property to the west. He commented that Mr. Bessolo has to store his equipment on the front of his property because it cannot be stored on marshland. He commented that the location of the trailer makes sense where it currently sits. With regard to the property being an eyesore, Mr. Peruzzaro said that this is a work in progress and if Mr. Bessolo had more time to put this together it would not look in such disarray. He said the cargo boxes are necessary in order for Mr. Bessolo to store his equipment. Mr. Peruzzaro stated that he has known John Bessolo for 20 years and John has always been a very good neighbor. He agreed with the comments made by earlier speakers about the road hazard due to the lack of adequate access. In response to Chairman Boschee, Mr. Peruzzaro said that the highway is also divided by a barrier at Nurse Slough Lane where he resides, and when Caltrans installed the barrier they did not provide access or an exit lane off the highway.

Kathleen Marianno, 3915 Denverton Road, stated that her major concern is with the potential of raw sewage being leaked into the marsh. She said that she would like assurance by the commission that if this project is approved that all the terms and conditions of the county be met.

Since there were no further speakers, Chairman Boschee closed the public hearing.

Commissioner Rhoads-Poston wanted to know if the project could be conditioned to include a requirement that some kind of signage be installed alerting motorists of the exits off the highway.

Mr. Yankovich explained that since Highway 12 is a state road Caltrans would have to make the final decision on signage. He said that it is something staff could look into and maybe the county could work with Caltrans to remedy the situation.

Commissioner Rhoads-Poston inquired if the mobilehome is being used as a duck club or a private residence.

Eric Wilberg explained that it is proposed that the unit would be temporary in nature and would function as security quarters and a meeting place. It is not a permanent residential structure but it is still a mobile unit.

Commissioner Rhoads-Poston asked if a timeline for the removal of debris could be imposed with a date for compliance review.

Mr. Yankovich said the applicant previously agreed at the Zoning Administrator meeting to remove the containers but staff could put a timeframe on that as an added condition.

Mr. Bessolo reappeared before the commission and stated that he could remove the excess containers within 6 months.

Chairman Boschee commented that the property is somewhat of an eyesore and asked if the remaining containers could be painted a color that would blend with the environment. Mr. Bessolo said that two of the containers would be removed as soon as the mobilehome is secured on the property. He noted that he will work to make the property nice. In response to Commissioner Cayler he said that the mobilehome will be used as seasonal living quarters.

A motion was made by Commissioner Hollingsworth and seconded by Commissioner Cayler to deny the appeal and affirm the Zoning Administrator's approval of Minor Use Permit No. MU-14-02 subject to the recommended conditions of approval, including an additional condition to require a compliance review after 6 months to determine if the excess containers have been removed. The motion passed unanimously. (Resolution No. 4615)

The commission also asked staff to contact Caltrans to discuss the access issue of entering onto private roads along the Highway 12 corridor which cause dangerous conditions due to the lack of turn lanes.

2. **NOMINATION and ELECTION** of Chair and Vice-Chair for the ensuing year.

Two separate motions were made and seconded to nominate Commissioner Rhoads-Poston and Commissioner Cayler as Chairperson and Vice-Chairperson, respectively. Each motion passed unanimously.

3. ANNOUNCEMENTS and REPORTS

- Commissioner Walker provided the commission with some updated information on the study being done by UC Davis and Caltrans regarding Highway 37. He explained that two preferred alternatives have been chosen, one being to completely relocate the highway, and the second to elevate and expand the existing structure to a causeway facility all the way from Vallejo to Novato. He commented that this has been a slow process and that he will keep the commission up to date on any new information.
- Commissioner Hollingsworth informed the commission that the Airport Land Use Commission (ALUC) has been updating the Travis Air Force Base Airport Land Use Compatibility Plan (LUCP). He noted that the ALUC put together 3 subcommittees; a Technical Advisory Committee (TAC), Renewable Energy Working Group (REWG) and a policy committee. Commissioner Hollingsworth noted that he was asked to sit as a member of the REWG as a representative of the planning commission. The REWG recently met for the second time; the first being more of an organizational meeting, and the group was provided with a document referred to as the "White Paper".

Commissioner Hollingsworth said that he believed the White Paper is basically the backbone for what will end up being the final Travis LUCP. He stated that the consultants who prepared the White Paper are requesting any input that the commission may have. He noted that the Paper is available to the commissioners on the county's website or from staff. He indicated that the overall plan is moving forward rapidly and an administrative draft could be expected as early as June.

Mike Yankovich noted that the Travis Plan is going to have an effect upon what the county does in the future with regards to renewables, particularly wind because wind has been identified as a major issue with regard to the radar at Travis AFB. He estimated that the commission could be looking at the plan for review sometime in early fall.

- Commissioner Rhoads-Poston inquired about the solar project that was previously presented to the commission by the company named Solagra. Mr. Yankovich stated that the Solano Ag. Advisory Committee recently put together a letter that deals with some of the suggestions the committee has with regards to the pilot project that is being proposed by Solagra. The project is proposing to have solar panels that track in two directions and simultaneously be able to cultivate the land with some crops underneath the panels. The ag committee has put together some conditions that they thought should be attached to a project of this type. Those conditions will be included in a letter that will be forwarded onto the Board of Supervisors.
- Chairman Boschee announced that he and his wife are in the process of selling their home and he will have to resign from the commission at some point in the near future.

- 4. Since there was no further business, the meeting was **adjourned**.