

**MINUTES OF THE REGULARLY SCHEDULED MONTHLY MEETING OF THE**  
**TRINIDAD PLANNING COMMISSION**  
**WEDNESDAY, August 17, 2011**

**I. CALL TO ORDER/ROLL CALL (6:06pm)**

Commissioners Present: Becker, Johnson, Pinske, Vanderpool, Rotwein (arrives during agenda item 1 & leaves after agenda item 5.3)

Commissioners Absent: none

Staff: Planner Parker, Caldwell

**II. APPROVAL OF MINUTES**

*July 20, 2011*

Commissioner Becker gets clarification regarding comment #3 that “the new development will not enhance and or be in harmony with existing development” is most likely referring to a quote from the Plan. Commissioner Johnson will submit grammatical edits.

***Motion (Becker/Pinske) to approve the June 20<sup>th</sup> minutes as written.***

***Passed unanimously.***

**III. APPROVAL OF AGENDA**

***Motion (Pinske/Becker) to approve.***

***Passed unanimously.***

Later in the meeting it is decided that the “Council Liaison” item will be changed to “Commissioner’s Report.”

**IV. ITEMS FROM THE FLOOR**

none.

**V. AGENDA ITEMS**

1. **Caltrans 2011-03:** Grading Permit and Coastal Development Permit to conduct geotechnical drilling and perform an earthquake fault study to obtain data to be used in studies for a proposed seismic retrofit of the Trinidad Road (Westhaven) undercrossing on U.S. Highway 101. Located within State of CA and City of Trinidad rights-of-way, Westhaven Drive Hwy 101 undercrossing, southbound off-ramp and park-and-ride adjacent to Patrick’s Point Drive. Consideration of input and comments to provide to the Rancheria during the comment period for these draft documents.

Planner Parker responds to Commissioner concerns regarding the project:

- noise standards that Caltrans must adhere to are located within the grading permit, however, Caltrans did not submit noise information for the project;
- the project should take 2 weeks and work will commence after the appeal process;
- the Commission can condition approval on the basis that if Caltrans rips up the road, they have to repave it and replace native vegetation;
- it appears that the fault investigation will occur within the three boxes in the figure;
- trenches should be backfilled and repaved so there is no extra material to affect future development.

Commissioner Johnson is concerned about traffic and traffic control, but it is decided that they probably won’t be issues.

*Public Comment*

None.

**Motion (Becker/Pinske) to accept the Caltrans application for the proposed seismic retrofit study with conditions as recommended and including additional paving addressed in the 1<sup>st</sup> condition of encroachment.**

***Passed unanimously.***

**2. Trinidad Museum 2011-04:** Design Review for placement of directional / identifying signs for the Trinidad Museum. These 2-sided signs will be placed in two locations adjacent to Main Street and Patricks Point Drive at the entrances to the Park / Museum on North Coast Land Trust property; APN: 042-051-34

Commissioner Becker notes that the North Coast Land Trust is now the Trinidad Coastal Land Trust.

The Commissioners suggest that the sign stands out with the white background and clashes with the look and siding of the Windan Sea. They would prefer to see some designs that are more in line with the rustic, small town character of Trinidad, such as the Saunder's Shopping Center sign.

The sign will be painted wood.

*Public Comment*

S. Binnie (487 View) agrees with the Commissioners and thinks the sign designers should look at example signs in the community.

Commissioner Johnson clarified that the template sign they're referring to is the Saunders Shopping Center sign, not the Murphy's Market sign or kiosk.

K. Tayes (Trinidad resident) agrees. She likes the lettering but the white is too bright.

*Commissioner Comments*

Commissioner Johnson requests the museum tone it down a bit and Commissioner Becker requests design samples, stating that they could be done electronically.

The issue is continued initially but revisited later in the meeting. At 9:30pm, Commissioner Rotwein is absent but Museum staff is present for the Museum sign discussion. The Commission requests a few more rustic ideas be brought to the table. Scott Baker will do some different backgrounds and colors and submit them to Planner Parker.

**3. Rancheria 2011-02a:** Design Review and Conditional Use Permit to amend the previously approved permit to install a tsunami warning siren near the Seascape vacation rental. Due to the hazardous sound levels that occur at the existing location on the ground, the siren will be mounted on a pole approximately 35 ft. in height at the existing location. Located at 1 Bay St.; APN: 042-071-08.

Planner Parker announces that Jacque Hostler requested that a Trinidad Rancheria cultural monitor be used during ground disturbance.

Commissioner Johnson clarifies the height of the siren + pole + control box. Michael Hostler, Trinidad Rancheria Tribal Programs Director, states that the control box and antennae are in the vacation rental attic.

Commissioner Becker inquires as to if there has been further investigation into changing the siren. Planner Parker responds that the sirens are donated and to purchase another siren would add significant cost.

#### *Public Comment*

R. Vogel (Stagecoach Rd) gives a presentation outlining his concerns about safety issues, mainly that the siren will not reach highly visited secluded beaches. He thinks the siren is placed at a suboptimal height for the sound to reach beachgoers. He proposes an alternative site for better sound coverage, 500 feet to the southwest at 400' with a line of sight to College Cove and Trinidad.

S. Binnie submits printed comments. He inquires as to if a requirement of the grant is that the siren must be located on government property. He states that Tribal government land is private. Has anyone heard from the Coastal Commission regarding the waiver? He is in favor of a warning system but this cannot be accomplished with a single siren and he thinks other sites should be investigated.

M. Russo (128 Himalaya Dr.) thinks alternative sites should be explored. The siren degrades the look of Trinidad's most economic draw. With current media people can be contacted in other ways.

K. Tayes is not against tsunami sirens but doesn't want to see it mar a beautiful resource. She has visual concerns and believes the area is becoming degraded and viewsheds impacted. She would like to see it installed at the Trinidad Rancheria casino or seascape parking lot or bathrooms. She asks the Planning Commission to deny the project as proposed and seek an alternative location.

C. Lindgren (north of Trinidad) is distressed and asks the Planning Commission to look for alternatives. She is not against public safety but is for beauty. She suggests that a condition be added to the project that this is a temporary approval. She suggests grant avenues for additional funding.

B. Twoomey (128 Himalaya Dr) can't believe this is the only location. He is not sure that all the Planner's responses were good. The view is why people live in Trinidad and Trinidad Head is its most important resource. He questions the combined limitations of one siren being explained away as imminent need. Adding the siren to the already existing cell towers and research station will create a snowball effect.

J. Spyropoulos (79 Westhaven) thinks the answer is to disguise the pole and siren with artistic flare, such as a totem pole with a rockfish siren.

V. Sackville (364 Ocean) has encountered people shocked about the siren's placement. She hates to the location of the pole determined by the pressure of a grant's timeline.

J. Cuthbertson (840 Van Wycke) thinks the siren is a safety issue, but if people are worried about looks, it should be mounted on existing power poles.

#### *Responses*

Dan Larkin (Emergency Services Coordinator from the Humboldt County Sherriff's Office) addresses public concerns. His responses include:

-the grant does not require the siren be located on government property;

- siren placement on Trinidad Head was not the original, suggested location. It was eventually agreed upon by the grant team based on time, costs, power availability, and potential to reach the most people;
- power was the most limiting factor and too many issues exist(ed) for placement on private land;
- the siren is intended for a distance source event. Thirty-five sirens are needed along the coast—money for 10 was available;
- this grant was funded through NOAA and the Dept of Commerce. Humboldt County already receives homeland security grants and is trying to do the most with the funds they get while spreading it across the county;
- siren costs are about \$50,000-70,000 per site. The sirens installed in Humboldt County and at Trinidad Head are fully functional and not outdated cast-offs, they were simply replaced by more modern models elsewhere.
- The siren's decibel levels are too high; it is usable now if it is turned down, but the sound is diminished;
- They may get a grant extension but they won't know that until the end of September.

Mike Hostler (Tribal Programs Director) addresses public concerns. His responses include:

- he knows it's not the most attractive pole or optimal location, but is focusing on public safety over aesthetics;
- the Trinidad Rancheria stepped in on this grant because the City didn't have an emergency response team
- when the siren was tested, though loud, it did reach the target population
- the Rancheria does not plan on selling the harbor lands
- he doesn't object to different placement, but it has to be realistic and this requires immediate action
- he suggested the Planning Commission attach special conditions when approving the project such as stating that the Rancheria will move it with additional funding
- moving the siren will take funding, but the Rancheria does not have the resources to procure this
- the Trinidad Rancheria's concern is failing to fulfill the grant requirements, especially when they have invested so much of their own, un-reimbursable money
- he explains how the siren works in a distance source tsunami and how it involves rescue personnel
- the siren cannot be placed, even temporarily, on the casino land because of soil stability issues and it wouldn't serve its purpose of reaching people on beaches
- siren is designed to reach people within a ¼ mile radius

#### *Commissioner Comments*

Commissioner Pinske is new to this issue; his concern lies with public safety. He leans toward approving this project with the caveat that if future funding is found, the explore relocating the siren and put in additional sirens.

Commissioner Becker asks that if the siren is placed at the correct level up on the pole, will it cover more area. D. Larkin believes so because that is what it is designed for. He adds that during the test, though too loud, it did reach the beaches to the north and south, so it is successfully working to some extent.

Commissioner Vanderpool is hesitant about the lack of certainty. He favors looking into alternative sites as he is in favor of public safety, but also of protecting resources. He realizes the time crunch and suggests putting the siren up and looking into alternatives later.

Commissioner Johnson is not sure he has all the information to make a totally informed decision. He hasn't heard a definite fix yet and would like a sound analysis. He's questions changing the pole height if the sound isn't reaching College Cove or Baker Beach.

M. Hostler reiterates that the siren is designed to alert people within a ¼ mile radius, regardless of the sound propagation in that ¼ mile radius. The siren is designed to be elevated on the pole at a certain elevation to optimize sound travel. A sound propagation study would take time.

Commissioner Johnson thinks the time crunch and lack of information is unfortunate. He clarifies that the funding runs out at the end of September without the extension. Working within the constraints of the September deadline and modification/install times is challenging, but he would like to consider alternative ideas. His concerns, in order of importance, are protecting the public, providing a successful range of sound, and adhering to design parameters. He asks if M. Hostler or D. Larkin is interested in pursuing alternatives considering the last time it happened, they new idea came back in three days.

M. Hostler explains that the Rancheria is willing to discuss options but not willing to lose funding for emergency management. He feels that if they put it on any other property that the permitting process timeline will make it infeasible. He is willing to work with the community but if he thinks it's detrimental to the community if the end product is the lack of a siren. The site is only as permanent as the community wants it to be.

Commissioner Johnson recognizes the September 30<sup>th</sup> deadline but wants to explore long-term ramifications of alternatives. Commissioner Becker agrees that she doesn't have the information to know if the pole is better or not.

D. Larkin explains how trying the grant process is and how they don't know for sure if an extension will be granted.

Commissioner Johnson has no intention of putting public safety in jeopardy and doesn't want to delay a decision to miss a deadline but does want to examine the alternatives.

An agreement is reached that sound testing for the siren will occur before next Thursday to provide more information for an immediate assessment of the project, while still accommodating the Sept. 30<sup>th</sup> grant deadline. If the grant deadline is extended, a community committee will be formed to consider and recommend alternative locations for the siren.

***Motion (Becker/Vanderpool) to continue the issue until the next Planning Commission meeting: Thursday, August 25<sup>th</sup> at 6pm.***

***Passed unanimously.***

- 4. Moss Subdivision:** Review the Final Supplemental Environmental Impact Report (FSEIR) for the proposed Moss subdivision within County jurisdiction within the Luffenholtz Creek watershed for possible comment to Humboldt County for their September 1, 2011 Planning Commission Hearing.

Planner Parker introduces the project and the Planning Commission's responsibility to comment.

Commissioner Becker states that the project cannot be approved until violations are corrected. She questions whether conditions can be attached that state approval of the project does not set precedence for future development if this project is approved.

Planner Parker notes that such conditions could be complex. The County also does not have money for code enforcement.

#### *Public Comment*

J. Homen (lives outside of Trinidad) doesn't see how water use from four parcels will decrease or affect water use for the City. He also hopes that the Planning Commission knows all the information regarding this project to make an educated decision.

S. Madrone (154 Fox Farm Road) gives a detailed history of his experience with this project. Highlights include:

- involvement since 1997
- intimate knowledge of Luffenholtz hydrology; his Masters thesis will be published on Luffenholtz sediment issues
- not opposed to development, but presented evidence that this project was much larger than what is proposed
- a supplemental EIR exists, but an actual EIR is lacking
- the City has traffic issues
- violations are occurring on the Moss property and the County doesn't have any money for code enforcement (another example: the clear cut on the Klamath property was done without grading permits, etc.)
- this much development could cause dewatering
- Luffenholtz is vulnerable to sediment problems, especially from activities that aren't managed
- turbidity issues affect available water for the City, wildlife, etc.
- the City should monitor water use
- land clearing increases fire danger
- the City's Zoning and General Plan policies should be updated to prepare for development issues
- assessments of future development will allow for improvements

J. Homen thinks that decisions made should focus on the project—not further growth and development.

#### *Commissioner Comments*

On request by Commissioner Johnson, Randy Rouda (Senior Planner, LACO Associates) explains the consulting process and how he authored the water study for the County.

Commissioner Johnson notes that this is a complex package with a lot of information and very comprehensive. He suggests submitting the comments from last year in with comments from this period.

S. Madrone will have all exhibits put together by Monday for submission.

Commissioner Johnson muses over what to comment on. Water quality was not the issue the Planning Commission was asked to comment on, but it is difficult to separate water quality and supply. The water study done by LACO does not take into account the significant development proposed by the Trinidad Rancheria (hotel) which would use the City's water. He recommends the analysis be revisited to include all data.

Commissioners Pinske and Vanderpool agree. Planner Parker adds that the standard for turbidity has changed since 1997.

Commissioner Becker requests that a condition is added that the project not be approved until the code violations are addressed.

**Motion (Pinske/Becker) to submit original letter and comments as recorded to the City Council for submission to the County**

**amended to:** requesting that Planner Parker submit original and public comments and a letter addressing that water quality cannot be separated from water quantity, mitigation measures, cumulative impacts and code violations.

**Passed unanimously.**

**5. Election of Planning Commission Chair and Vice Chair:** Discussion / decision on electing a Chair and Vice Chair now that there is a full Planning Commission again.

Discussion will be held next Thursday.

**VI. STAFF REPORT**

None.

**VII. COUNCIL LIAISON**

The City Council authorized an ad-hoc Trinidad Head Committee to review rules and regulations associated with Trinidad Head. City staff or a Planning Commission liaison should attend. The committee is identified and Stan Binnie can notice the meetings. The Planning Commission will think about it.

**VIII. ADJOURNMENT**

Meeting adjourned at 10:58pm.

**Submitted by:**

**Sarah Caldwell**

Secretary to Planning Commission

**Approved by:**

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**Richard Johnson**

Planning Commission Chair