

Georgina Balkwell

From: Michael Zakaras <zakaras@gmail.com>
Sent: Thursday, June 2, 2022 8:30 AM
To: Brandy McMahan
Subject: 8305 & 8307 Meeks Bay Ave concerns

Dear Brandy,

I have received notice of the planned demolition of the historic cabins at 8305 and 8307 Meeks Bay Ave. and their replacement with what appears to be an ostentatious, obtrusive complex right on the lake and completely out-of-sync with historical tradition and neighborhood expectations. I would like to file an official complaint on behalf of my family, including my young daughters who I hope will experience the wonders of Tahoe for years to come.

My family has a long history at Lake Tahoe that dates back to the 1930s when my grandmother and grandfather began coming up from Sacramento for weekends and eventually purchased a small cabin at Incline Village. My mother worked her first summer jobs on the West Shore in the late 50s and my uncle purchased a house at 8317 Meeks Bay Ave in the mid-80s, when I was just four years old. I've spent portions of every summer but one at Tahoe in the 37 years since. More than any other place in the world, Tahoe feels like home, steeped in tradition and reverence for its beauty.

Over the years I've watched in horror as increasingly large and monstrous homes are constructed right on the lake — displays of wealth and privilege more than anything else — and I ask myself: who will pump the brakes on this race to permanently change the look and feel of this precious place? Is it not the role of both the TRPA and local homeowners themselves to preserve what makes Tahoe so unique, and prevent it from being dotted with McMansions flooded with weekend partiers who come and go with little respect for the lake's natural wonders and fragile environment?

I understand that people have a right to build homes on parcels of land that they own or have purchased. But what kinds of homes? Are there not restrictions on the visual impact from the lake? Not to mention noise and light pollution? I am especially concerned to learn that this complex will serve mostly as a vacation home rental with dozens of rooms, which inevitably means streams of people and cars disrupting the quaint and peaceful characteristic that has defined this strip of the shore for generations. I watched as a similar home was built at 8217 Meeks Bay Ave approximately 20 years ago — the so-called "Rockhaven" — and permanently marred that piece of lake shore. Originally dubbed a single-family home it was quickly transformed into a pseudo hotel on Meeks Bay, still available today for \$12,000 per night. Amazingly, Rockhaven's square footage is actually LESS than the combined planned development by Mr. Buccola across both the 8305 and 8307 parcels! There is no doubt in my mind that, as currently conceived, it would permanently damage this precious part of the lake. Not to mention the immediate effects of erosion, noise pollution, congestion, and more as a result of such a massive construction project just yards from the lake itself.

I look forward to voicing my concerns at the public hearing next week, and I sincerely hope that Mr. Buccola considers modifying his plans and strives to actually join the wonderful community on Meeks Bay Ave. rather than wall himself off from it within his Marriott-by-Buccola.

Sincerely,
Michael Zakaras

510-944-8619

Georgina Balkwell

From: Jerry Meral <jerrymeral@gmail.com>
Sent: Thursday, June 2, 2022 11:45 AM
To: Brandy McMahan
Subject: APN 016-063-001/TRPA File Number ERSP2021-1500

Dear Ms. McMahan

I am commenting on the above application. I am a co-owner of property on this road.

As I'm sure you know, under CEQA (and presumably under similar requirements under the TRPA authorizing statutes), it is not permissible to segment the analysis of a project in a way which avoids considering the cumulative impacts of the entire project.

The proponent of this project is clearly hiding the ball. He already said he intends to develop a giant commercial facility right next to the proposed garage project. In order for TRPA to fully consider the traffic, parking, visual impact, air quality and other impacts of the combined project the project proponent should be required either to submit the entire combined project so that all its cumulative impacts can be considered together, or to state that he has unequivocally abandoned the 17 bedroom commercial facility, which he clearly intends to rent out on an overnight basis.

I look forward to your response.

Gerald Meral

--

Jerry Meral

jerrymeral@gmail.com

415-717-8412

Georgina Balkwell

From: Marc Roos <mroos@sereno.com>
Sent: Wednesday, June 1, 2022 9:50 AM
To: Brandy McMahon
Subject: Development proposal and removal of a historic home...

Hello Brandy,

Please allow me the opportunity to introduce myself.

My name is Marc Roos, and my wife and I own a home at 8249 Meeks Bay Avenue. We come to Tahoe to appreciate the simpler things in life, and one of the reasons that we bought in this neighborhood was because of the historic and charming homes on the point, and the fact that "Old Tahoe" has been preserved in this area.

What our new neighbor is proposing will basically dwarf the existing homes in the neighborhood, and frankly, it is not compatible with the rest of the area. Plus, if you remove all of the historic homes in the area, how does it preserve the integrity of what Tahoe was, versus what it will be, which is purely a playground for the rich and their massive homes which are bad for the environment and an eyesore for everyone around them. Tahoe is an iconic area, and a home on this scale is not a place to come and vacation, it may as well be a hotel. Why would anyone need a home this large? The owner can go to Nevada and buy a commercial site if they would like a hotel, but we do not need a hotel in our neighborhood.

I would also ask that you protect the historic homes on the point, they are something worth saving. I don't understand if they are deemed historic, why are they not protected?

Thank you in advance for your time.

Best Regards,

Marc Roos
8249 Meeks Bay Avenue

Georgina Balkwell

From: Rob Bennett <RBennett@bmc-llc.com>
Sent: Wednesday, June 1, 2022 12:30 PM
To: Brandy McMahon
Subject: New Meeks Bay development proposal at 8305 and 8307 Meeks Bay Avenue, Tahoma

I am along with my family am a long time resident of a residential property at 8255 Meeks Bay Avenue. It is of very deep concern to us that an application like this one would even be considered. Essentially, the controlling development authority is being asked to approve the development of a commercial hotel project in the middle of a historically single family residential zoning district.

Anyone who has completed the third grade can see why a massive development like this has no chance of reasonably fitting into our neighborhood. So while it is true that this hearing is only dealing with a smaller part of the overall plan, and the developer hopes to edge into it one piece at a time, the context and decision should include consideration of the main hotel development as well.

Can any reasonable person imagine how a commercial hotel in this location is going to operate on a regular basis with the surrounding single family uses? The added street traffic? The overall increase in parking required? The increase in noise levels? The increase in regular truck supply deliveries?

As important of course is the guaranteed reduction in property values of homes located close by. To allow a massive commercial project like this one would almost result in a government taking.

To me the basic responsibility of our government agency is to do all that is possible to preserve the complementary uses in our residential neighborhood. I hope TRPA will accept the responsibility.

Sent from my iPhone

Georgina Balkwell

From: Jack Hagler <jackhagler@comcast.net>
Sent: Wednesday, June 1, 2022 6:26 PM
To: Brandy McMahon
Cc: William A. S. Magrath II
Subject: New Proposed Commercial Residence at 8307 Meeks Bay Ave

Dear TRPA,

I am a homeowner at 8565 Meeks Bay Ave, and a member of the Meeks Bay Vista Homeowners Association. It was recently brought to my attention that the homeowner at 8305 and 8307 Meeks Bay Ave was requesting a permit to tear down the existing structures on his property and build a 21,000 sf home (including garage) that would become a 17-bedroom Short Term Rental facility.

Here are my concerns:

- My understanding of the new El Dorado County ordinances surrounding the VHR permits was to reduce the nuisance/danger that can be caused by renting out homes for a short term. This proposed dwelling seems to do the opposite of that:

- 1) Instead of 3 bedroom home that is there currently, it will now be 17 bedrooms. The potential for nuisance increases dramatically.
- 2) If there is only a 4 car garage, where will all the renters park? If there is a car for every 2 bedrooms, that would be 8 or 9 cars. The roads are narrow there and don't allow for parking on them.
- 3) We have a much smaller home 2 doors down from us that is being constructed. There are 10-12 trucks there consistently parked on the roadway creating difficulty for residents to navigate. How will this addressed?
- 4) How does this commercial residence fit in with the single family residences that are permitted on Meeks Bay Ave? What are the zoning restrictions?
- 5) There is a huge residence, like this proposed building, closer down to Bliss State park. It is white and huge and covers several lots. It looks like a hotel and is an eyesore for those of who kayak or boat by on the lake. This would be the same thing.
- 6) The entrance to Meeks Bay Ave is already dangerous. Trying to cut across to enter or exit Meeks Bay Ave with the traffic rounding the blind corner is extremely dangerous. The added traffic from this commercial residence will make it far worse. There WILL be an accident there at some point.

I encourage you to disapprove this size residence and to request the homeowner resubmit plans that are in keeping with the other homes on Meeks Bay Ave.

Regards,

Jack Hagler

Subject: Comments opposing the proposed construction:

Location of Subject Property: 8305 Meeks Bay Ave., Meeks Bay, El Dorado County, CA.
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

June 2, 2022

Dear TRPA Hearing Officer,

Although this hearing is for a so called "4-car detached garage with 5 bedrooms", one cannot ignore the owner's real intent to build a massive 12 bedroom commercial-like hotel passed as a residence at 8307 (He said so in his September 2, 2021 filing). We further understand the owner is in the possession of agreements allowing rental of any facilities at 8305 and 8307. Please don't consider this garage application without reading and looking at the plans for the 12 bedroom house on the adjoining lot.

As a minimum, TRPA has to analyze how much coverage the owner has of the soil to make these changes. Did the original structure on 8305 have 4,000+ sq ft of coverage? Driveways will still be needed so they can't add to the approved coverage. Where is the TRPA coverage report?

Has the Hearing Officer ever been to the access road from highway 89 to the subject property? Especially in the winter? We have used this road into Meeks Bay Vista properties ever since the properties were developed. We have experienced the result of a car sliding down the ice which forms in the shade of the large boulders on the sides of the roads on the access to Meeks Bay Ave.. If 8503 were only a 5 bedroom remodel, the increased traffic would not represent too great a hazard. However it cannot be considered in isolation. Ignoring the owners plan to commercialize an additional 12 bedroom hotel will put homeowners safety in jeopardy , especially blocking emergency vehicle access in the winter on the ice or in the summer with illegally parked cars. Where is the Meeks Bay Fire Department input?

All of the residents of Meeks Bay Vista use this entrance intersection to get to our cabins from Hwy 89. The safety of all will be in jeopardy with the addition of the cars that will come with 17 more bedrooms.

How can TRPA ever consider allowing such a large development destroy the unique qualities of the Meeks Bay Vista neighborhood? TRPA controls the color we paint our house and considers the view from the Lake. From the Lake, this proposal will certainly not look like TRPA's mission had been respected.

Respectfully submitted,
Tahoe Cabin Trust
Nancy Gibson, Trustee
8531 Meeks Bay Ave.

Georgina Balkwell

From: DIANE PEETS <dmpeets@mac.com>
Sent: Friday, June 3, 2022 2:18 PM
To: Brandy McMahon
Subject: Proposed construction 8305 & 8307 Meeks Bay Ave., Tahoma

To Whom it May concern,

Regarding proposal

RE: 8305 Meeks Bay Ave.

8307 Meeks Bay Ave.

TRPA File No: ERSP2021-1500

Assessor's Parcel Number: APN 016-063-001

**Notice of TRPA Public Hearing: June 9, 2022,
2:00 pm**

We would like to strongly object to the magnitude of this project and find it difficult to believe that it falls within the guidelines of residential dwellings on Lake Tahoe. This project is the size of a small hotel with only a 4 car garage and a complete lack of parking on the very narrow street.

This project would have a direct impact on the surrounding quiet neighborhood, especially given the fact that they hope to use it as a rental property for corporate events, etc.

TRPA seems to be very strict on all rules governing Lake Tahoe and the impact of traffic, noise, etc., so it is inconceivable that a project like this would ever be considered a residence for such a small quiet neighborhood. There are plenty of other places for people to use for large groups, including the unbelievably large project by Discovery Land Company about to be built in Homewood, which will have an enormous impact on traffic, noise, etc., with no increase in the infrastructure of the highways to accommodate the increased use of Homewood.

Please do not approve a project this large for such a small quiet neighborhood, you will take away all that is good and wonderful about Lake Tahoe for the people who live on Meeks Bay Ave. or have a home there they use for a quiet get-away from the craziness of the rest of the world!!!

Sincerely,
Diane and Terry Peets
8559 Meeks Bay Ave.
Tahoma, CA 96142

Georgina Balkwell

From: lee <lee@schweichler.com>
Sent: Friday, June 3, 2022 3:30 PM
To: Brandy McMahan
Subject: Fwd: Regarding proposed construction at 8305 Meeks Bay Avenue, Meeks Bay, CA...APN 016-063-001

----- Original Message -----

From: lee <lee@schweichler.com>
To: "bmcman@trpa.gov" <bmcman@trpa.gov>
Date: June 3, 2022 3:19 PM
Subject: Regarding proposed construction at 8305 Meeks Bay Avenue, Meeks Bay, CA...APN 016-063-001

Dear Ms. McMahan:

We are residents of the Meeks Bay Avenue since 2004, and know the area quite well. On reviewing the proposed project to redevelop the property at 8305 Meeks Bay Avenue our family wishes to enter a strong objection to the proposed development plan.

Our concerns...

--The proposed building is dramatically larger and more visible than any other home/cabin in the entire community. The proposed home is totally out of character with rest of the neighborhood.

--The lots in the Meeks Bay Vista development are small, and with limited parking. Parking is not available for a large house which will accommodate large numbers of people who will bring many cars with them. At the 8305 location there is essentially no parking available, and the plans do not call out where a large number of cars will be put.

--There is no available parking for the large numbers of construction workers who will be at the job site on a daily basis for two years or more.

--This parking situation will translate to congestion in the neighborhood blocking the way of any emergency vehicles attempting to navigate a very narrow street, as well as making entry to the area difficult for existing residents.

--Entry to the 8305 property from Route 89 is difficult due to the configuration and slope of Meeks Bay Avenue and the awkward left hand turn that has to be made to get to 8305. Getting large trucks to access the property is difficult with one truck. Having multiple trucks coming and going will make it impossible for others to gain access to the street. This is not a trivial problem.

--The size of the proposed structure will prove to be detrimental to the views from the water to the shore. Instead of seeing a beautiful landscape, an eyesore of a building will kill what is now a beautiful mountain and lake setting.

--Does the property allow for enough coverage to enable a structure of the size proposed, plus the coverage required for sufficient parking?

--Are the existing structures, which would be demolished, reserved for historical considerations?

--Do the owners have it in mind to make the new structure, with a large number of bedrooms, a commercial venture? If so, is that allowable under land use regulations governing the area?

In TRPA's review of the proposed project we suggest an on site visit to get a first hand view of the problems which would accrue from constructing a building of the size proposed on a narrow street, and the impact of a large residence in the middle of a residential community made up of exclusively small cabins.

Thank you for considering our concerns.

Lee Schweichler
8375 Meeks Bay Avenue
lee@schweichler.com
415-987-5302

Lee Schweichler
SPMB
415-987-5302 (direct)
lee@schweichler.com

Georgina Balkwell

From: Pamela Radsch <pamela.radsch@gmail.com>
Sent: Saturday, June 4, 2022 1:21 PM
To: Brandy McMahon
Subject: Hearing for 8305 Meeks Bay Ave

Mr McMahon:

As a nearby property owner, my concerns over the proposed project at 8305 Meeks Bay Ave (phase 1) and subsequently 8307 Meeks Bay Ave (phase 2) are numerous. I have read the proposal, studied the plans and am steadfastly against this property being approved (apparently for short term rentals). There is no parking solution for the number of cars that could descend on that property if the proposed number of bedrooms is approved. This commercial size development will negatively impact the existing single family home residential neighborhood. The construction vehicles and equipment will cause a terrific nuisance.....where will they all park? Getting into the neighborhood is already a bit tricky.....please do not exacerbate the issue by approving this project.

Thank you

Pamela Radsch
Owner at 8204 Meeks Bay Ave.
626-347-7569

Georgina Balkwell

From: admin <craig@frenchrg.com>
Sent: Saturday, June 4, 2022 9:39 AM
To: Brandy McMahan
Cc: Mimi French; Craig French
Subject: 8305 Meeks Bay Avenue, Tahoma - APN 016-063-001

Dear Brandy McMahan:

Please enter into testimony at the June 9th hearing this email/letter regarding the proposal application referenced above.

My wife and I have a property at 8274 Meeks Bay Avenue, just three parcels north of the proposed project. I am writing to voice our opposition and concern to the proposed application. Please consider the following:

This neighborhood along Meeks Bay Avenue is a single lane 12' road flanked by single family residences or cabins. Homes in the north tract of this neighborhood, where we are are smaller sized homes from 700 sf to about 2,000 sf. This proposed house is outsized for the scale of the neighborhood.

The single lane road which services this neighborhood is a playground for our grandchildren and many others who ride bikes, skateboard, walk their bogs, walk to Meeks Bay Beach with their beach gear or just gather to talk to neighbors. The addition of any new large home, with 5 bedrooms will increase traffic and reduce safety and destroy a quality of life that exists currently.

We are particularly concerned that this new house will be used as a short-term rental which comes with all sorts of concerns and problems to the neighborhood. Uninformed guests who do not respect the qualities of the neighborhood, additional cars and traffic, weddings and parties that infringe on the peace and quiet of the current nature of the neighborhood, constant turnover of quests that require repeated enforcement of rules that they are supposed to, but never, abide by.

I also understand that this application once included a second house on the 8307 parcel. The combined homes included over 21,000 sf of space, 17 bedrooms and was to operated as a rental/hotel. Can you please clarify if, in fact, that proposal is abandoned? Or, is it to be considered later, after this one is approved or determined. I am concerned that there may be a strategy to separate the applications for ease of approval. This is a very important consideration and we need assurance that this is not part of a lager plan.

Thank you for your consideration of our concerns.

Craig and Mimi French

8274 Meeks Bay Avenue

Georgina Balkwell

From: CarinBatham <carinbatham@yahoo.com>
Sent: Saturday, June 4, 2022 7:52 AM
To: Brandy McMahan
Subject: TRPA File No: ERSP2021-1500 APN 016-063-001

Dear Brandy McMahan (bmcmahon@trpa.gov),

My property at 8235 Meeks Bay Avenue is located a short distance north of the proposal for 8305 & 8307 Meeks Bay Avenue. My house was originally built in the 20s as a small fishing cottage as were essentially all of the houses along Meeks Bay Avenue in this area. My family first purchased on Meeks Bay Ave in 1960. Our neighborhood is quiet with a historic charm of old Tahoe. Those of us who own property in this community have tried hard to maintain this historic charm.

Meeks Bay Ave is a narrow Road with little traffic and available parking. The lots are small (most are 50 feet wide) and rural which was the original intent when first developed, and we strongly believe it should stay this way. Yes some of the small original cottages have been replaced with larger more modern homes but nothing near the scale of what is being proposed. The proposed development has a main residence that is to be 200 feet wide. The two large structures (combined 21,482 sq ft) that are being proposed which include a total of 17 bedrooms has the capability and probability to be rented for large gatherings, business conferences, noisy parties, and traffic congestion. The current properties have El Dorado County vacation home rental permits. This community does not have the infrastructure that would allow for this "hotel" type of development. Narrow road, limited parking, no nearby restaurants, limited places for large groups of renters to properly dispose of party trash, etc. Again all of this is out of character for this quiet neighborhood and if this development is approved it will only get much worse.

This type of development is much more appropriate in either South Shore or Tahoe City where similar types of developments already exist. What is being proposed is simply way too large for this rural small scale development of Meeks Bay. It would be out of character for our rural and quiet neighborhood. I encourage you to vote no on this proposal.

Additional concerns that I have about the proposed development of these two parcels would be congestion and noise of construction vehicles for the years of construction. As well as the negative impact it would have on the view from the lake and greatly increased lake activities in this immediate and quiet area.

I also think it's worth noting that already there are some short term rentals in the area with the smaller homes and we have had problems with tenants parking in, and blocking several driveways. These tenants have put overflow trash in our and other nearby garbage bear boxes resulting in the need to install fencing across driveways and locks on bear boxes. Also, neighbors have had to call the sheriff for late night loud parties that got out of control. These problems will only get worst with larger rental developments.

Sincerely,

Carin Cooper and Michael Batham

June 3, 2022

To: Brandy McMahon, Local Government Coordinator
TRPA

Comments to the Application:

L_o_c_a_t_i_o_n_ _o_f_ _S_u_b_j_e_c_t_ _P_r_o_p_e_r_t_y_:_ _8_3_0_5_ _M_e_e_k_s_
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A basic tenant of impact assessment is that you cannot isolate proposed impact areas into separate discrete units (cumulative impact). In other words, the impact of the propose development of the adjacent parcels located at 8305 and 8307 Meeks Bay Avenue must be considered together. Although the current hearing is for 8305 alone, the same owner owns 8307 and has submitted plans for massive commercial development – albeit temporarily withdrawn at this time.

Our family has enjoyed the home at 8317 Meeks Bay Avenue for more than 30 years. We reason to believe that our property and the subject property could be part of the Hollenbeck Tract. These may have deed restrictions limiting the use to private residential purposes. We would like a more thorough search of the historic deed restrictions. In any event, the proposed overall development is for commercial purposes and is out of proportion for this single family residential area.

We request that the Hearing Officer:

1. Delay approval until historic deed restrictions are clarified
2. Review the current application as part of a larger commercial endeavor that includes 8307 Meeks Bay Avenue
3. Maintain the single-family, non-commercial requirement for the area
4. Examine the impact to the dangerous intersection of Meeks Bay Avenue at Highway 89.
5. Examine the aesthetic impact to Lake users

Thank you for your consideration

-Harold C. Appleton

Georgina Balkwell

From: Kimberly Faubert Palffy <kimberly@1010re.com>
Sent: Friday, June 3, 2022 9:27 PM
To: Brandy McMahan; Georgina Balkwell; TRPA
Subject: Oppose TRPA file ERSP2021-1500 and other issues please read:)
Attachments: FaubertPalffy, Kimberly.vcf

TRPA trpa@trpa.org

Georgina Balkwell at gbalkwell@trpa.gov

Brandy McMahan, AICP bmcmahan@trpa.gov

Hearing Officers, TRPA

RE: 8305 Meeks Bay Ave + 8307 Meeks Bay Ave

TRPA File # ERSP2021-1500

APN:016-063-001

RE: Notice of TRPA Public Hearing: June 9, 2022 @ 2:00 PM

Hello there neighbors. We have harmoniously lived on Meeks Bay Ave at 8551 and now 8569 for over a decade. The solitude, and neighborly atmosphere initially attracted us, and we adore it here.

It is shocking to see that the ridiculously sized project on two small parcels might be approved. What is happening in Tahoe?

We ourselves were blindsided when our new next door neighbors at 8579 Meeks Bay Avenue, purchased the house 4 years ago; knocked down a 1,600 sq ft residence, and managed to PURCHASE huge additional COVERAGE, so that they could build an enormous house (12,000 sq ft, 3 levels, pool in the basement, giant garage and guest house, all lined up on the setback next to us (hello 5 feet away with a hotel blocking our sun and air) It also features two huge cantilevered upper story bump-outs along our PL, as if they hadn't already blocked our sun and privacy for half the year with their three story, approximately 120 feet long house and garage with a living unit above it. It is not done yet, of course. I guess if you are a billionaire, you can do anything. Including installing a funicular without a permit.

We oppose the latest mega mansion. It is unfair to the existing single family dwellings. Can we consider allowing Incline Village lead the way in distastefully gigantic homes?

The new "development" at Homewood, which is already so poorly managed, may create additional tax revenue, but it will create more issues for all. The owners are notorious for running everything on a shoestring, yet somehow managing to obtain approvals for all for which they apply.

Mr. Buccola, owner of 8305 and 8307. attorney at law, already secured two VHR permits just prior to the buffering law going into effect in October. He has two VHR permits. One per dwelling.

Can you please explain to all how can you keep a VHR permit valid, when you have no house to rent? Kindly modify his plan to a reasonable sq ft dwelling, maybe from 21,000 to 12,000, like the one next door to ours? We didn't have the luxury of being notified of a hearing, sadly. Please do drive by, and thank you for listening to our frustration. It is much appreciated.

Many thanks,

Kimberly Faubert Palffy

8569 Meeks Bay Ave

1010 Real Estate + Design

Broker BRE #01411353, ASID

Realtor + Designer

925.788.3931

Georgina Balkwell

From: pete <pj45mcb@gmail.com>
Sent: Friday, June 3, 2022 5:38 PM
To: Brandy McMahon
Subject: Re: APN 016-063-001/TRPA File number ERSP2021-1500

Re: APN 016-063-001/TRPA File number ERSP2021-1500

Dear TRPA,

We are writing to express our strong opposition to the proposed “commercial” housing at 8305-8307 Meek’s Bay Ave. This honeypot of commercial expansion into an area of bucolic family cabins will undoubtedly result in issues and problems of congestion on land and water. Fragile infrastructure will be tested by transient traffic and volumes the area is not capable of readily handling. Those using this new playground will not have the commitment in the long-term preservation of the Lake’s beauty, purity, and attractiveness.

The proposal will unreasonably test the limits of traffic density, clogged narrow roads, and parking in unacceptable areas. The project will be a giant intrusion into the family structure of the area that will likely make Meek’s Bay a blight on the jewel that exists today.

We strongly urge your denial of this intrusion.

Most Cordially,

The Honorable and Mrs Peter McBrien
California Superior Court Judge (Ret.)
8200 block of Meek’s Bay Ave

Sent from [Mail](#) for Windows



Tahoe Regional Planning Agency
Attn: Hearings Officer
128 Market St. / PO Box 5310
Stateline, NV 89449

June 4, 2022

Subject: Buccola, Demolition of a Historic Resource (Single-Family Dwelling) and Construction of a New Single-Family Dwelling; 8305 Meeks Bay Avenue; Meeks Bay, California; El Dorado County; Assessor's Parcel Number (APN) 016-063-001, TRPA File Number ERSP2021-1500

Dear TRPA Hearings Officer:

The Friends of the West Shore (FOWS) appreciates the opportunity to provide comments on the subject hearing item. FOWS mission is to work toward the preservation, protection, and conservation of the West Shore, our watersheds, wildlife, and rural quality of life, for today and future generations. FOWS represents community interests from Emerald Bay to south of Tahoe City.

While we understand the proposed permit approval is before the Hearings Officer because it involves a historical resource, we are submitting these comments with regards to several aspects of the findings and conclusions associated with this project.

First, we are concerned that the original project that was submitted – and is still reflected in most of the application materials in Parcel Tracker – show an enormous 17-bedroom, approx. 21,500 SF “residence” that is anticipated to be used as a vacation rental given the single owners’ VHR permits. The size and accommodation of such a development – which would be comparable to a hotel lodging - is far out of scale and character with the existing single family residential neighborhood and will generate significant parking, traffic, and safety concerns given the limited roadway space and location of the access intersection from State Route 89 (SR 89). Further, the findings submitted with the application, and reflected in the staff report, state that the proposed project is “*similar to the nature of the surrounding units*” and “*adheres to the existing character of the neighborhood.*” However, what is not mentioned is that residences in the surrounding neighborhood are subject to a deed restriction preventing the use of their properties for tourist uses as would occur with the two parcels operated as VHR units.ⁱ Therefore, we do not believe the findings for 22.2.2.A and B are supported for such a project.

Second, there remains uncertainly regarding why the entirety of the two-parcel project (notably under the same ownership) has been modified/withdrawn to include just one parcel at this time and what this means for assessing the full impacts of what will likely be tourism-based units. Assuming the adjacent project originally included with the subject applicationⁱⁱ is brought forward in the future, this will inevitably piece-meal the evaluation of the project’s full impacts to this small, quaint, single-family residential neighborhood.

We appreciate the inclusion of the permit condition restricting parking in the Right of Way, however we believe additional analysis of this project’s impacts to parking, circulation, and safety associated with the access from SR 89 is warranted.

In addition, public comments included with the HO packet indicate confusion regarding the project due to the changes to the HO hearing agenda/schedule, problems with notifications, and as a result of the plan documents associated with the subject file, which still reflect proposed development on the

adjacent parcel in TRPA's Parcel Tracker with the exception of the 4/4/2022 Revised Site Plan. We request TRPA re-evaluate the application documents and process and ensure that project plans and information adequately and clearly reflect what is being proposed for approval prior to bringing the project forward for a public hearing.

Thank you for considering these comments.

Sincerely,



Judith Tornese,
President

ⁱ Per information provided by the Meeks Bay Vista Property Owners Association. Deed restriction includes: "2. All lots in said subdivision shall be used for residence purposes only and no mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon, and that all buildings erected on said premises, except customary outbuildings, shall be confined to one family residences."

ⁱⁱ This other part of the owner's proposal is deemed "Phase II" in the staff summary by TRPA.

Georgina Balkwell

From: TRPA
Sent: Monday, June 6, 2022 8:53 AM
To: Georgina Balkwell; Brandy McMahon
Subject: Fw: Proposed action on agenda item No. V.E during the June 9th hearing

Hi Georgina,

Please see the below comment re: this week's Hearings Officer meeting.

Thanks!
Katherine

From: John Gallagher <jlgallagher4@gmail.com>
Sent: Friday, June 3, 2022 2:46 PM
To: TRPA <trpa@trpa.gov>
Subject: Proposed action on agenda item No. V.E during the June 9th hearing

We as home owners of 8220 Meeks Bay Ave. are fully opposed to the approval of a 17 bedroom short term rental project in the middle of our single- family residential neighborhood.

The following are our concerns toward the proposed structures:

Parking :if allowed to park on the street, where will they park and how long will they be allowed to park? The road is very narrow so how will a emergency vehicle be able to get thru?

Access from Highway 89: What entrance to Meeks Bay Ave. is adequate to accommodate the traffic that will be due to this business?

Snow removal: As shown in the past ,snow removal on Meeks Bay Ave. is inadequate at best. Most full time residents need to park elsewhere and walk out during the winter months.

Noise: If the venue is rented for weddings, parties and other celebrations who will be the enforcing agency to make sure that noise ordinance and laws concerning drinking and driving are enforced?

Lastly, It seems that all the new ordinances that have been enacted at South Shore Tahoe are not going to held to on this side of the Lake,even though it is still El Dorado County.

Please let us know when you receive this and make a effort to answer our concerns.

Thanks,
John and Lynn Gallagher

Location of Subject Property: 8305 Meeks Bay Ave., Meeks Bay, CA. TRPA File No:



Ann Ferrante <ann-ferrante@sbcglobal.net>
To Brandy McMahon

Reply Reply All Forward

Sun 6/5/2022 9:52 PM

My family has owned a home on Meeks Bay Avenue for almost 45 years. Most homes in this subdivision are restricted to 50' width, and permanently deed restricted to use as single family residences. This is a quiet street, with families who enjoy walking and biking on the street with their children and pets. These neighbors are generally respectful of each other, and keep noise and other nuisances to a minimum.

I feel it is totally inappropriate for the TRPA to consider allowing a commercial venture to be developed in this neighborhood, whose intent is to rent to large groups, which would ultimately impact traffic and parking, as well as the safety of the existing residents due to the likelihood of parties involving large amounts of alcohol consumption. Additionally, I am concerned that with a project of this size, the additional street parking will inhibit the ability of fire trucks to access surrounding homes.

I object to the tactics being used by the owner to seek piecemeal review of the two halves of the proposed commercial development. While it appears from the owner's original application that his intent was to build both the main residence and four car garage in tandem to benefit each other, he is now attempting to seek approval of the detached garage only, and this is deceptive. His ultimate goal is to build a commercial venture with 17 bedrooms and 21,482 square feet on these adjoining properties. The TRPA should recognize this, and reject his current application for the detached garage, and require him to concurrently submit both applications for both portions of this project originally proposed by the owner as a single project. The entire proposed commercial project should be reviewed in its entirety, and not in piecemeal reviews. I am requesting that the TRPA be transparent in this review process, and look at the owner's intent and the totality of the proposed project, and give consideration to the impact on the many families that have been residents of this neighborhood for multiple generations.

Sincerely,
Ann Solari Ferrante
8453 Meeks Bay Avenue

**Tony and Carol Evans
8547 Meeks Bay Ave.
PO Box 176
Tahoma, CA 96142
(530) 525-7978**

June 5, 2022

Tahoe Regional Planning Agency
Attn: Hearings Officer
128 Market St. / PO Box 5310
Stateline, NV 89449

Notice of Application and Public Hearing – June 9, 2022

Location of Subject Property: 8305 Meeks Bay Avenue, Meeks Bay; El Dorado County, California

Assessor's Parcel/File Number: APN 016-063-001/TRPA File Number ERSP2021-1500

Applicant: Robert Buccola

Dear TRPA Hearings Officer:

Thank you for the opportunity to provide comments regarding the above proposed project in our neighborhood. We note that the original hearing scheduled for this project on April 28, 2022, was to review not only the proposed development at 8305 Meeks Bay Ave., but also a development application for the adjacent property at 8307 Meeks Bay Ave. from the same property owner.

It would appear that the owner has changed tactics due to local opposition to the massive plan for these two parcels. Because the entire plan has already been proposed to TRPA, and nothing has substantially changed from the original proposal for the smaller development on 8305 Meeks Bay Ave., we can only assume that once 8305 is approved, the owner will return with an application for 8307 and a lot line adjustment for 8305 in order to accommodate the development plans for the desired 17,000+ sq.ft. building on 8307, which may not require a public hearing. We think it inappropriate for TRPA staff to consider 8305 in a vacuum.

This is how TRPA staff describes the project in their materials - PROJECT DESCRIPTION: PROPOSED PROJECT WILL REPLACE EXISTING BUILDINGS ON SITE WITH NEW CONSTRUCTION OF A GUESTHOUSE/GARAGE, TOTAL (1) RUU. IMPROVEMENTS ALSO CONSIST OF A NEW DRIVEWAY, WALKS, STOOPS & DECKS. SHORELINE UNIT RATING IS #9, NON-ATTAINMENT AREA.

Does not a guesthouse/garage assume a main dwelling somewhere? Staff should continue to review the proposed development for 8305 and 8307 as a whole and this hearing should be postponed until that time.

HISTORY

This area was mapped for development in 1924. There were Deed Restrictions that precluded commercial development the area. For the past 99 years, the development of the area between

Meeks Bay Resort and the south end of Alice Lane off of Meeks Bay Ave. resulted in a tranquil, family-oriented residential community. The streets are extremely narrow and a walk in the evening or early morning during the summer has traditionally been filled with stops along the route to talk with neighbors while children ride their bikes and dogs are safely walked. There is very little traffic on these local streets. The primary street, Meeks Bay Ave., dead-ends at its north end with a walk-through in a fence for all residents of our area to enter Meeks Bay and the camp grounds, beaches, and commercial developments of the Washoe Tribe at Meeks Bay Resort.

NOISE, POLLUTION, CONGESTION AND DANGER

The proposed development would present noise, pollution, congestion, and danger to life and limb from the substantial increase in motorized traffic from the commercial (rental) operation of the 21,000 sq ft, 17 bedroom dwellings proposed for 8305 and 8307 Meeks Bay Ave. This property is located nearly contiguous to three small arterials which all come together providing access from Highway 89 to go north on Meeks Bay Ave. towards Meeks Bay or south to Rubicon Bay. It already is a dangerous spot for walkers, bicyclists and motorists due not only to the very narrow streets, but also because where these three arterials meet the approach is blind from every direction.

The increased motorized traffic due to the intended rental of 17 bedrooms, as evidenced by the owner obtaining vacation rental permits for both parcels, will only exacerbate an already dangerous situation. Locals know this area is dangerous and must be approached very slowly, but daily or weekly vacation renters or commercial users will be unfamiliar with the blind curves which must be navigated to enter and exit the properties, putting residents and visitors at risk.

We ask that a Traffic Study be required to address not only the increase in danger of accidents to pedestrians, cyclists, and motorized vehicles at this intersection, but to also address wildfire evacuation issues and parking for the 17 rental bedrooms.

VIEW SHED DISHARMONY

Based on the drawings submitted to TRPA for the projects at 8305 and 8307 Meeks Bay Ave., it is clearly evident that these dwellings will not blend harmoniously with the rest of the shoreline in Meeks Bay. In total they are not close to scale with the other residences in the area, and would not harmonize with the neighborhood's historic architecture. They would be highly visible from the lake, particularly due to their mass and number of windows. Many of us in the neighborhood have applied for improvements to our lakefront properties and have had to jump through many hoops to mitigate any additional appearance of "mass" from the lake. It would seem impossible to adequately mitigate the additional mass this project would add.

Perhaps it's only a typo, but in the TRPA Staff Report dated June 2, 2022, under Section E. Scenic Shoreland, the visual assessment refers to a property at 660 Lakeshore Blvd.

Respectfully,

Tony and Carol Evans

Georgina Balkwell

From: Katie Roos <ktroos@comcast.net>
Sent: Sunday, June 5, 2022 5:44 PM
To: Brandy McMahan
Subject: 8305/8307 Meeks Bay Ave.

To Whom It May Concern,

It is disheartening to hear of the new proposed development at 8305/8307 Meeks Bay Avenue.

Meeks Bay Avenue consists of many small original Old Tahoe Cabins & Homes and retains the feel of what Tahoe embodies.

Tahoe is a place of peace and retreat for all those who come to visit. Both my husband and I have been enjoying Lake Tahoe, Meeks Bay specifically for over 50 + years.

The two residences that are going to be torn down are not only beautiful and fully functional, they are appropriate in size for the current neighborhood.

Building a 17 bedroom corporate retreat and VRBO is not only absurd, but is environmentally unconscious. The number of occupants, cars, use of water, and noise will be outrageous. The new development will be a constant revolving door to large groups of people who truly don't care about the neighborhood, noise, and/or Lake Tahoe basin.

This neighborhood should uphold its current "neighborhood" status and not become a corporate retreat or large vacation rental where it will infringe on all the neighbors surrounding. It is obvious the new owners of these properties sees this as a money making opportunity and could care less about the neighborhood, Tahoe, and the people who live here. This development was designed for one reason only....money.

Based on this past summer and who the current owners rented to, it is apparent money is all that matters. The renters this past summer made noise long before sunrise in the morning, were completely unconscious and disrespectful with loud music, screaming, and were loud and obnoxious late into the night. Worse, the renters left garbage in their driveway and dogs running off leash. The owner could care less how his greed affects those around him, just money in his pockets.

There is NO current street parking available and the proposed monstrosity cannot accommodate the cars and traffic coming and going. In the winter months the road is already difficult to navigate as getting further up Meeks Bay Avenue to access Buttermilk is quite steep. Bringing in large groups who are unfamiliar with these road conditions becomes a hazard.

I ask that TRPA who cares so deeply about the well being of Tahoe, the lake, community, and most importantly our environment strongly reconsider this proposal.

This design decision was strictly to create a property to keep a "revolving door" for events and most of all for the benefit of his bank account. It's truly disgusting and disheartening. If it is approved, I pray that the renting of the property is strictly regulated. This we know would be difficult due to time and money constraints. It SHOULD NOT be a cash cow for the greedy.

Just because people “can” afford to build a 5k sq. ft, parking/guest unit (and get that approved first:creative way to get main house approved) then build a monstrous property to rent to the masses doesn’t mean they “should” be allowed to.

In addition, these two properties are deemed “historical”isn’t the preservation of historical homes and places around the lake important? I feel that is another strong reason it should be reconsidered, especially in this day and age when people seek to get a feel of the past and enjoy Tahoe.

Again, I ask you to rethink approving this mass structure used to serve someone’s bank account by building a rental retreat in the middle of an old neighborhood. Not only does it ruin a wonderful old historical feeling neighborhood, it takes money and bookings away from “local lodging facility’s” in appropriate zoned areas where there is proper parking and isn’t among residences along a small street.

Thank you very for your time in reading this and hopefully reconsidering this building proposal.

Sincerely,

Katie Roos/Owner:
8249 Meeks Bay Avenue

Date: June 5, 2022

To: Brandy McMahon
Tahoe Regional Planning Agency

From: Douglas F. Busch
8321 Meeks Bay Avenue, Tahoma, CA
APN: 016-063-11

Subject: Comments for Public Hearing regarding 8305 Meeks Bay Ave,
Buccola permit application

Dear Ms. McMahon;

As a neighbor of the proposed project at 8305 Meeks Bay Avenue, Tahoma, I wish to submit the following comments regarding the proposed project.

After reviewing the draft permit, the posted project plans, and other plans including development of 8307 Meeks Bay Avenue that had previously been submitted and subsequently withdrawn, I have serious concerns about TRPA approving this permit.

The project proposed for 8305 Meeks Bay Ave, considered alone as proposed, appears to be consistent with the residential character of the neighborhood. The TRPA draft permit states that scenic scoring, historical structure considerations, land use requirements, height restrictions, etc .have been properly addressed. I defer to the professional judgement of the TRPA staff on these matters. The restrictions on parking during construction are necessary and required, due to the narrow streets, steep slope of the road to the north, three way intersection at the end of the driveway, and the dangerous nature of the limited visibility at the intersection with highway 89.

However, it is apparent that the proposed project at 8305 Meeks Bay Avenue should not be considered alone. The previously submitted plans, which were withdrawn, demonstrate that the 8305 Meeks Bay Ave residence is in fact a component of a much larger project, which will be used and operated as a whole. This is further documented in the plans as included in the draft permit package, which title the proposed residence as "New Residence for the Buccolas", but label the buildings being permitted "Guest House and Garage" (See Site/Roof Plan and Cover Sheet, Sheet A1.0, dated 3/25/22).

This Guest House/Garage (which includes 'Caretaker's Quarters') is in fact an accessory structure to the 17,000 square foot, 12 bedroom structure which is planned for the 8307 Meeks Bay Avenue parcel.

The plans previously submitted for that building make it clear that it is designed to host large groups. The exterior design and interior floor plan of the 'Main Residence' includes features characteristic of a conference center, event center or small hotel. Features include a very large dining room, a large lounge, a large theater, gym, and 11 secondary bedrooms in addition to the master, all with ensuite bathrooms. Given that both the 8305 and 8307 parcels currently enjoy Vacation Home Rental permits, the design of these properties would allow one-or-more night rentals to as many as 36 people on the combined project.

Such quasi-commercial use of this property, in the middle of a purely residential neighborhood with no other commercial development, is profoundly out of character with this long-established residential neighborhood.

If the proposed structure at 8305 Meeks Bay Ave. is used as a single family residence, occupied by the owners, it is generally consistent with the characteristics of the Meeks Bay Avenue community. If it is in fact an accessory structure to an intrusive development of the adjoining parcel, then it should not be permitted.

If the owner's intentions for the 8307 parcel are to develop and use it purely as a family residence, that intent can be ensured through the permitting process by requiring recorded deed restrictions on 8305 and 8307 parcels prohibiting rental of the properties, in whole or in part, and by requiring the property owners to surrender their Vacation Home Rental permits for the two properties.

I also have serious concerns about the size and scenic impact of the Main Residence, which is not directly under consideration in this hearing. My concerns on this matter will be communicated at such time as a hearing on the Main Residence is conducted.

Thank you for your consideration of our concerns, as neighbors and residents of the Meeks Bay Avenue community.

Sincerely,

Douglas F. Busch

Georgina Balkwell

From: Hannah Dobbas <hdobbas@jdica.com>
Sent: Monday, June 6, 2022 12:23 PM
To: Brandy McMahan
Subject: 8305 & 8307 Meeks Bay Vista Project

Dear Brandy & TRPA Staff:

We are writing to you regarding the 8305 and 8307 Meeks Bay Vista project proposed by Robert Buccola; APN 016-063-001 and 016-063-016. On behalf of the Dobbas family that has resided at the property next door since 1925 we strongly oppose the project. The magnitude of the project, the destruction of the historical homes, and the potential for commercial enterprise would alter the legacy of the Meeks Bay Vista neighborhood. A project this massive would require years of demolition, excavation, and construction to complete. As the next-door neighbor five feet from the proposed project. We are entirely opposed to experiencing years of overwhelming traffic and noise while residing at our family properties of nearly 100 years. We feel we are being asked to forfeit the wellness of our neighborhood, properties, and family vacations to a 17-bedroom lodge that will consume the delightfully quiet, serene, historical neighborhood entirely. We are concerned that an estate this large would be used for commercial purposes. Weddings, bachelor/ bachelorette parties, vacation rentals, etc. We are deeply devastated that we will now neighbor a facility that hosts large groups of people every day, countless disruptions, events, noise, and traffic. This project is such an invasion of our properties wellbeing that our family feels our peaceful Lake Tahoe sanctuary will be destroyed if approved.

Please confirm receipt of this email.

Best Regards,

Denny Dobbas
Donald Dobbas
8297 Meeks Bay Ave. APN: 016-061-006
8286 Meeks Bay Ave. APN: 016-062-004

Georgina Balkwell

From: kellinunn@pacbell.net
Sent: Monday, June 6, 2022 1:09 PM
To: Brandy McMahan
Cc: 'Stan Nunn'
Subject: Input for TRPA June 9, 2022 Hearing regarding 8305 Meeks Bay Avenue. TRPA File No.: ERSP2021-1500
Attachments: Input for June 9, 2022 TRPA Hearing.pdf; Meeks Bay Shoreline - View of historic property at 8305 and 8307 Meeks Bay Avenue - August 2021.jpg; June 9, 2022 TRPA Hearing, Applicant's Proposed North View.jpg; June 9, 2022 TRPA Hearing, Applicant's Proposed North View.jpg 2.jpg

Hi Brandy,

We hope we are not too late to submit input for the June 9th Public Hearing regarding 8305 Meeks Bay Avenue, El Dorado County. We just learned about the plans for the property and our attached letter expresses some of our concerns. We also attached three images.

Could you please let us know if you receive this email and if the attachments are viewable? We would really appreciate it if they could be considered before action is taken at the TRPA Hearing. Please let me know if you need anything else from us in order to submit this input.

Thank you so much and have a great Monday.

Kelli Nunn
925 550 1846
Stan Nunn
415 309 8845



To the attention of: TRPA Hearing Officer and TRPA Staff
Date: June 6, 2022
Subject: 8305 Meeks Bay Ave., Meeks Bay, El Dorado County, CA.
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001
From: George S. and Kelli Nunn
Property owners, 8264 Meeks Bay Avenue and 8245 Meeks Bay Avenue, Meeks Bay, El Dorado County, CA

Greetings,

We appreciate the opportunity to provide input prior to the TRPA's June 9th hearing to consider an application for 8305 Meeks Bay Avenue. This is an urgent and concerning matter of which we have just been made aware.

We hardly know where to start, and we will try to be concise with our comments. We are 32-year members of the northern Meeks Bay Avenue neighborhood and very familiar with the historic and picturesque properties under consideration.

We apologize for the low quality of the attached images. We will secure higher quality images and be ready to submit to the TRPA.

We have just learned of this application to the TRPA and are aware that the application being considered on June 9th only addresses the 4,231 square foot "garage" structure. We believe an application for the proposed adjacent 17,251 square foot "main residence" will follow. The garage application must be considered as phase one of what we consider a proposed conference center. The main residence is phase two. One cannot be considered without the other.

We are very grateful to the Meeks Bay Vista Association, Woodland Pier Association, and surrounding neighbors for alerting us. Our property at 8264 Meeks Bay Avenue must be just outside the required 300-foot notice perimeter. The property that is under review by the TRPA is not only well known to us, but it is also within sight of both of our Meeks Bay cabins. Before the covid shut down we toured the property under consideration with the original owners. They had just renovated it to be a vacation rental. It is a fantastic, updated time capsule of Meeks Bay history! The status of that property has changed completely since that wonderful tour, and we are surprised and saddened to hear about it.

Sadness aside, please refer to the attachments. There are three images. One shows a photograph of the existing view of the northern portion of the property under consideration. You can barely see the existing historic structures as they are nestled among the trees. You will notice that the property under consideration is unique in that it forms the beginning southern border of what could be called a gentle crescent sub-bay along the west shore of Lake Tahoe. This crescent bay is extraordinarily quiet and tranquil. The property under consideration is part of this beautiful bay. Placing a conference center on the slope will drastically and permanently affect the serenity and magic of the bay. Isn't combatting this unfortunate type of proposition one of the reasons the TRPA was founded? This is not the place for a conference center or even an extraordinarily large garage structure. All the surrounding properties will be detrimentally affected by this project.

The other two images are the only north view drawings we could find for the proposed conference center and garage. The views from all directions of 8305 and 8307 Meeks Bay Avenue are proposed to change dramatically; in these comments, we will focus on the view from the north, because no descriptive mention of it was made in the materials we were able to get our hands on. This is the view all will see first as they cruise along the Meeks Bay shore traveling south toward Emerald Bay. New structures proposed to be 52 feet tall. What a shocking transformation. It is also the view we will have of the conference center from our lakeside cabin at 8245 Meeks Bay Avenue. We are very surprised the application materials make no specific mention of this drastically changed view from the north. Because of the property's location on a sweeping west/easterly portion of jugged shoreline, on the southern edge of the crescent shaped bay mentioned above, the view is highlighted from the north. This view should be seriously considered along with the proposed view from directly offshore. Both views will become permanently degraded. Are we mistaken in thinking it is part of the mission of the TRPA to protect against permanent negative changes such as this?

Since we purchased our first property on Meeks Bay Avenue in 1990, and then were able to purchase a second property on the lake in 2020, we have had such respect and confidence in the governing bodies, such as the TRPA, to protect the existing quality of not only Meeks Bay, but the beautiful Tahoe area in general. We have considered additions at our properties, but we have always thought of the TRPA as the governing body that will secure the preservation of our neighborhood's wonderful historic beauty. When we talk of additions, we talk about maintaining the original footprint of our structures to be in accordance with the values of the neighborhood and the vision of the TRPA. We have learned that not everyone shares this protective commitment to the scenic quality of Lake Tahoe. This is why we must share this input.

The Buccola Family and Architect Susie Yanagi clearly are out of touch with the neighborhood they are proposing to create a colossal conference center within. The proposed garage project, which must be considered alongside the plans for the Buccola's adjacent property at 8307 Meeks Bay Avenue, are completely in contrast to the existing residential mountain enclave. These new owners and their team of developers have not exercised due diligence to explore if this is the right location for what they have in mind. They are in need of a property offering ample space for parking, a location on a well-maintained wider than one-lane road, a driveway not connected to a major access point serving at least a hundred single family homes, a lengthy private and direct driveway which creates a buffer for their commercial endeavor, a location not immediately adjacent to single family dwellings, and a design not destined to become a monstrosity jutting out from the shore of majestic Lake Tahoe. If approved for further consideration, it must be understood that the entire surrounding neighborhood will bear the brunt of this misplaced vision. The Buccola's proposal will position them to benefit commercially, by means of the previous owners secured Vacation Rental Licenses, at the never-ending loss of the surrounding neighborhood. Again, we cannot let this happen without providing our heartfelt input.

Developers have been able to achieve what the Buccola Family desires, but not in a neighborhood such as northern Meeks Bay Avenue. The Buccola's proposed development of these historic properties on Meeks Bay Avenue appears tone deaf on their part and gut wrenching for us.

We respectfully request that this application NOT be given a green light at the June 9th hearing.

If the application receives a positive ruling, further points must be addressed. It must be known that whenever any construction project is underway on Meeks Bay Avenue, construction traffic and parking

are major challenges. When we are not in Meeks Bay, the driveways of our properties become construction parking. This is just what happens. It is not our choice. The applicant's property will not be able to accommodate all the work vehicles - with a project the size of this "garage" there will be dozens of worker vehicles and large construction equipment. We expect the entrance off Highway 89 to Meeks Bay Avenue will be closed often. The engineering of this entrance off Highway 89 is already tricky. Any construction traffic makes it trickier. We have towed many people from the property under consideration after they have slid on ice during winter months. We have been towed ourselves from the property and gone on to "pinball" down Meeks Bay Avenue from one wall of frozen snow to the other. This is a treacherous road! In contrast, during the spring, summer, and fall, it is a lovely promenade of neighbors walking back and forth to the public beach at Meeks Bay. There is much pedestrian traffic, and many, adorable small children. We implore the TRPA to consider the very delicate location of the two properties under consideration and the roads that will serve as access. We also must mention the third contiguous property located just to the south that will be forced to share driveway access with a conference center. This just does not seem right.

We also worry that perhaps the Buccola Family is "shooting for the stars in hopes of landing on the moon." The scope of this combined project is ridiculously large. Even if reduced by 50 percent, it is still ridiculously large. We are asking the TRPA to protect our Meeks Bay neighborhood. We feel we, along with our neighbors, have been protecting this neighborhood for as long as we have been here. Please do not take a stand to oppose our commitment to this wonderful place.

Now that we are aware of this project, we are involved. If anyone at the TRPA would like to receive further input from us before June 9th, we are happy to oblige. Please add us to the list of those who will officially receive notifications of application activity for these two properties. We believe it is our right to request to be added to the list and we thank you very much. We prefer use of our email addresses to receive notification as quickly as possible.

We really appreciate you taking the time to read our input. Thank you very much for your consideration.

Respectfully,

Stan and Kelli Nunn

George S. "Stan" and Kelli Nunn

stannunn@pacbell.net 415 309 8845

kellinunn@pacbell.net 925 550 1846

Meeks Bay Property addresses: 8245 Meeks Bay Avenue and 8264 Meeks Bay Avenue

attachments

Georgina Balkwell

From: Larry Walker <larryw@lwa.com>
Sent: Monday, June 6, 2022 3:27 PM
To: Brandy McMahon
Cc: William A. S. Magrath II
Subject: Comments for the June 9, 2022, Public Hearing on the project propose for 8305 Meeks Bay Avenue.
Attachments: Coments on 8305 Meeks Bay Avenue.docx

Dear Brandy:

Attached are my comments on the subject project. Like many others, we are concerned about the impact of the large complex proposed for 8305 and 8307 Meeks Bay Avenue on the character of our neighborhood. We are requesting that TRPA defer action on this initial project pending review of the proposed complex for conformance with TRPA plans and policies. Finally we believe the historic structures on the two properties are unique and should be preserved rather than demolished.

Thank you in advance for consideration of these comments.

Larry Walker

June 6, 2022

Brandy McMahon via email (bmcMahon@trpa.gov)
Local Government Coordinator
Tahoe Regional Planning Agency

Subject: TRPA File Number ERSP2021-1500 regarding a New Single- Family Dwelling at 8305 Meeks Bay Avenue

My name is Larry Walker. Since 1991, my wife and I have owned a home at 8281 Meeks Bay Avenue. We feel blessed to have a home in such a special West Shore neighborhood. Our home is one property removed from 8305 Meeks Bay Avenue.

We are extremely concerned about the large, 17-bedroom, 21,000 square-foot complex proposed for the 8305 and 8307 Meeks Bay Avenue properties. We believe the proposed complex would adversely impact the character of our neighborhood. We further believe that the proposed complex does not conform to TRPA plans and policies. Finally, we believe that the historical structures on the two properties should be preserved rather than demolished.

WE REQUEST THAT TRPA DEFER ACTION ON THE 8305 MEEKS BAY AVENUE PROJECT PENDING REVIEW OF THE PROPOSED 8305-8307 COMPLEX FOR CONFORMANCE WITH TRPA PLANS AND POLICIES.

The reasons for this request are presented below.

1. The proposed 8305 project is the first phase of a larger, integrated plan for 8305 and 8307 Meeks Bay Avenue.

The owner hired an architect to develop an integrated plan for the two properties. He also hired various consultants to perform the detailed analyses necessary for TRPA approval of the integrated plan and associated projects. The owner initially submitted TRPA applications for both the 8305 project and the 8307 project. Later, however, he withdrew the application for the 8307 project. As a result, TRPA is set to approve the initial, less troublesome phase of the owner's plan without consideration of the larger, integrated plan of which it is a part. The staff report, while noting that there will be a later application for the 8307 project, does not describe the overall plan for the two properties or the nature of the more troublesome 8307 project.

2. The overall, integrated plan for the two properties is unusual in magnitude and character, and does not fit within the quiet, residential neighborhood along Meeks Bay Avenue.

The owner has designated the structures proposed for 8305 and 8307 as single-family residences. While this designation is appropriate for the initial 8305 project, few people would characterize the 12-bedroom, 17,000 square foot structure proposed for 8307 as a single-family residence. Many Meeks Bay homeowners are characterizing it as a hotel, with good cause.

Under Tahoe rental policies, the owner could rent out the 17 rooms much like a hotel would. Alternatively, the complex could be rented out for conferences or parties. Irrespective of its potential use, the massive complex would be out of place in a neighborhood that is dominated by single-family homes 40 feet or less in width.

3. There are serious questions as to whether the integrated plan for 8305 and 8307 Meeks Bay Avenue conforms with TRPA plans and policies.

For example, the following questions are appropriate:

Under PAS 149-Rubicon: Is the 12-bedroom, 17,000 square foot structure proposed for the 8307 property a single-family residence?

Under 21.2.2.A: Is the 8307 project of such a nature, scope, density, intensity, and type to be an appropriate use for the parcel and the surrounding area in which it will be located.

Under 21.2.2.B: Is there cause to believe that the combined 8305-8307 project will be disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood.

Under 21.2.2.C: Is the combined 8305-8307 project likely to change the character of the neighborhood.

IRRESPECTIVE OF THE ABOVE COMMENTS, THE HISTORIC RESIDENCES OCCUPYING THE 8305 AND 8307 PROPERTIES ARE SPECIAL AND SHOULD BE PRESERVED.

There are only a few residences on Meeks Bay Avenue that can compare with these two residences from an aesthetic and historical perspective. The 8305 and 8307 residences have been preserved in their original form and exhibit the architecture, craftsmanship, and rustic beauty representative of the early 1930s. Walking by them is like walking back in history.

This view is supported by The Historic Resources Inventory prepared for 8305 and 8307 Meeks Bay Avenue, as evidenced by the Inventory's conclusions on pages 31 and 32:

"The architectural resources located at 8305 and 8307 Meeks Bay Avenue appear eligible for listing on the NRHP at the State level under Criteria A and C."

"Under Criteria A, they represent a significant period in the development of the Lake Tahoe Basin. ... The residences and associated buildings exhibit the distinctive qualities of rustic vernacular and popular architectures. As an assemblage of related buildings set along the west shore of Lake Tahoe, the Miller and Huntley properties convey a strong identity with rustic mountain summer residences of the early twentieth century, a strong sense of handcrafted aesthetic in harmony with the natural and cultural

landscape, and the reflection of a strong association with the development of the automobile and improved state and national highway system.”

“Under Criteria C, the buildings, constructed in the early 1930s, convey a sense of design representative of rustic Lake Tahoe architecture of the 1930s through the 1950s.”

“As a whole, the two residential complexes retain their integrity to the period of significance (1930s-1950s), and are unusual in the integration of two complexes belonging to different families.”

“The buildings and landscapes of the properties retain integrity of location, design, setting, materials, workmanship, feeling, and association that embody rustic character and blend with the environment. Integrity of the cultural landscape is important in determining the properties’ eligibility as well as architectural integrity of the buildings that make up the properties; both retain integrity to a remarkable degree.” (Emphasis added.)

Under TRPA Code 67.7.3, historic resources shall not be demolished, disturbed, or removed unless TRPA finds that:

- A. The action will not be detrimental to the historic significance of the resources;
- B. The action is pursuant to a recovery plan approved by the applicable state historic preservation office; or
- C. It is only feasible alternative to protect the health and safety of the public.

The TRPA staff report states that the preparation of the Historic Resources Inventory, which records the history and architectural aspects of the two residences, mitigates and justifies their demolition under paragraph B.

While this may be TRPA’s customary practice for historic properties, we don’t believe it is appropriate in this case. These two residences are excellent, well-preserved representatives of a bygone era. The preparation of a report which will gather dust in a library does not justify the demolition of these unique residences.

Submitted by:

Larry Walker
2302 Fortuna Court
Davis, CA 95616

cc: William Magrath, Meeks Bay Vista Property Owners Association.

Georgina Balkwell

From: Dennis Daughters <dbdaughters@gmail.com>
Sent: Monday, June 6, 2022 4:05 PM
To: Brandy McMahon
Subject: 8305 Meeks Bay Ave.
Attachments: TRPR - Detached Garage.docx

Location of Subject Property: 8305 Meeks Bay Ave., Meeks Bay, El Dorado County, CA
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

Please read the attached letter. Thank you.

Dennis Daughters

TRPR,

I do not want the Detached Garage built at 8305 Meeks Bay Ave. I am concerned that the larger Main Residence will be built subsequently to the approval and construction of the Detached Garage. Overall, I do not approve the Detached Garage or the Main Residence for the following reasons.

- Where will the parking be for 17 bedrooms?
- Where will the construction parking be for contractors, subcontractors, delivery trucks and other material suppliers be?
- Scenic views from Lake Tahoe will be altered and disrupted by this massive 200 ft. wide building.
- A 17-bedroom rental facility is inconsistent with the 100-year history of the Meeks Bay Vista Subdivision of single-family homes.
- The main entrance off State Route 89 to the Meeks Bay Vista Subdivision and Meeks Bay Ave. will be permanently altered and compromised.

Dennis Daughters

Georgina Balkwell

From: Mark Daughters <daughtersmark@gmail.com>
Sent: Monday, June 6, 2022 3:50 PM
To: Brandy McMahon
Subject: Meeks Bay Ave.
Attachments: TRPA - Meeks Bay Vista.docx

Location of Subject Property: 8305 Meeks Bay Ave., Meeks Bay, El Dorado County, CA
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

Please see the attached letter. Thank you.

Mark Daughters

TRPA,

As a Meeks Bay Vista property owner, I am opposed to the proposed 4,231 sq. ft 4-car Detached Garage structure (5 bedroom) located at 8305 Meeks Bay Ave.

In September, the Owners of 8305 & 8307 Meeks Bay Ave submitted an Application to build two new residences¹ totaling 21,482 sq. ft. However, in early April the application to build the two new residences was withdrawn. The TRPA files now shows the Main Residence and Detached Garage as "WITHDRAWN." It has come to my attention that the Owner is now seeking approval only of the Detached Garage. It appears that the Owner will argue that the Detached Garage should be considered independently from the Main Residence, and thus is no different than many recent residences where an older home was demolished and replaced by a multi-car garage with living space above along Meeks Bay Ave. Nevertheless, it is apparent that the Detached Garage and Main Residence are unitary with one another, creating a single entity. In other words, the request to build the Detached Garage will precede the request to build the Main Residence. My concern is that if the Detached Garage is approved, the Owners will be given approval to build their Main Residence.

I oppose the 12-bedroom Main Residence and Detached Garage as it appears it will be used as a rental property for families, and events. The following bullet points demonstrate my concerns with a large-scale rental property on Meeks Bay Ave.

- Where will the parking be for 17 bedrooms?
- Where will the construction parking be for contractors, subcontractors, delivery trucks and other material suppliers be?
- Scenic views from Lake Tahoe will be altered and disrupted by this massive 200 ft. wide building.
- A 17-bedroom rental facility is inconsistent with the 100-year history of the Meeks Bay Vista Subdivision of single-family homes.
- The main entrance off State Route 89 to the Meeks Bay Vista Subdivision and Meeks Bay Ave. will be permanently altered and compromised.

Mark Daughters

¹ Detached Garage & Main Residence

Georgina Balkwell

From: Elaine-Maryse Solari <emsolari@yahoo.com>
Sent: Monday, June 6, 2022 7:40 PM
To: Brandy McMahan
Subject: Review Process for 8305 Meeks Bay Ave

Location of Subject Property: 8305 Meeks Bay Ave., Meeks Bay, CA.
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

Decades ago, our family constructed a home on Meeks Bay Avenue. The location is lovely and traditionally has been quiet and tranquil due to, in large part, that most homes in this subdivision are restricted to 50' width and permanently deed restricted to use as single family residences. Multiple generations of our family, like our neighbors, enjoy strolling and biking on the street with their dogs. Generally neighbors are respectful of each other and keep noise to a minimum.

I was aghast to see the proposal for a commercial venture to be developed in this neighborhood, whose intent is to rent to large groups. It is completely inappropriate for the TRPA to consider allowing this development. The development would have negative impacts on multiple fronts: traffic and parking, which are already a problem, would be dramatically increased; the safety of the existing residents would be jeopardized due to the likelihood of parties involving large amounts of alcohol consumption; and the tranquility of the area would be shattered by increasing noise. This area already faces environmental and infrastructure challenges and this type of development would only exacerbate these problems.

I strenuously object to the deceptive tactics being used by the owner to seek piecemeal review of the two halves of the proposed commercial development. The owner's original application was to build both the main residence and four car garage in tandem to benefit each other. To facilitate approval of this inappropriate project he is now attempting to seek approval of the detached garage only. It is patently clear that his ultimate goal is to build a commercial venture with 17 bedrooms and 21,482 square feet on these adjoining properties. The TRPA should not be fooled by this unethical ploy and reject his current application for the detached garage and require him to concurrently submit both applications for both portions of this project originally proposed by the owner as a single project.

Clearly for an adequate review, the proposed commercial project should be reviewed in its entirety. TRPA must be transparent in this review process and look at the owner's intent and the totality of the proposed project. It is its duty to give consideration to the impact on the many families that have been residents of this neighborhood for multiple generations.

Sincerely,

Elaine-Maryse Solari
8453 Meeks Bay Avenue

Georgina Balkwell

From: chris dechet <cpdechet@hotmail.com>
Sent: Tuesday, June 7, 2022 9:09 AM
To: Brandy McMahan
Cc: chris dechet
Subject: 8305 and 8307 Meeks Bay Ave Hearings Officer meeting for June 9th, 2022

To Whom It May Concern:

We the current owners of 8325 Meeks Bay Avenue would like to express our concerns regarding the proposed site plans for 8305 and 8307 Meeks Bay Ave. We have viewed the plans on the TRPA website. We have viewed the original plans as well as the current plans which now only seek approval for what was "originally" only the detached garage/caretaker's unit at 8305, but now has been renamed as a single-family residence.

We are greatly concerned that the change in "plans" is only an attempt to draw less attention to the larger planned commercial residence being proposed at these sites. The newly submitted plans for the original detached garage/Caretaker's unit were essentially only relabeled from the previous plans. "Caretaker's Unit" is now "family" and "sleeping" is changed to "Bedroom 5". Nothing else is changed in the architectural drawings. Its also hard to believe an owner who proposed a 12, 000 sq ft residence will now be just satisfied with a "reabeled" caretaker's unit as their main home. Clearly there will be a phase II project (acknowledged in the TRPA summary) and therefore we strongly believe the two property plans need to be viewed together. The original plan is clearly for a combined 21,000+ sq ft., 17 bedroom home and caretaker's unit between the two properties to be used as a commercial venture. This is completely not in keeping with the single-family residence nature of the Meeks Bay Vista community and would drastically alter the community of this area.

Our concern that these properties are being developed as a commercial venture is further supported by the owner obtaining VHR permits for both 8305 and 8307 immediately upon purchasing both the properties. Again, this is not in keeping with the single-family nature of the community. The layout of the proposed plans with bedrooms and ensuite bathrooms also support an intended commercial interest in this development.

An additional concern noted in building such structures is parking. Parking has been and will become a larger problem throughout Meeks Vista Bay Avenue and needs to be considered. At these sites, the access road is narrow, close to SR-89, and is a critical access point for the Meeks Bay Vista community. Once these 2 properties are built and commercially used, street parking will become necessary with the lack of parking spots within the plans. There is simply not enough street parking to accommodate a commercial enterprise such as this. In addition, this road sees significant bicycle and pedestrian traffic and could become a dangerous intersection.

Finally, in TRPA's Notice of Application and Public Hearing regarding stated properties, it notes that the existing dwelling was constructed in 1932 and is a "historic resource" by TRPA and the California State Historic Preservation Office. Its hard to understand plans that include demolition of both cabin properties on 8305 and 8307 with the construction of a main 12-bedroom residence 200 feet wide and 52 feet tall at 8307 with an adjacent caretaker's home with 5 bedrooms as representing a reasonable recovery resource plan. In addition, these structures will significantly impact the shorefront and view of the Meeks Bay area from the Lake if they are approved.

We understand that older homes are remodeled and rebuilt and the owners have the right to enjoy the area as we all do. However, it is clear that the intent of the common owner of the 2 properties is a larger commercial plan. This must be considered given the common ownership of the 2 properties, the original plans, and the immediate obtainment of VHR permits for both properties. A commercial enterprise within the Meeks Bay Vista Area is not in keeping with the

Meeks Bay Vista Area single family residential area. Although the plans have been “reduced” for the time being, there is no doubt that the overall plan is to push forward with the larger commercial building at 8307.

We strongly oppose this intent and these plans and hope the issues raised here will be considered at the TRPA Hearings Officer meeting scheduled this Thursday, June 9, 2022.

Thank you for your attention to this matter.

Sincerely,

Chris and Pilar Dechet

8325 Meeks Bay Ave

cpdechet@hotmail.com

385-234-1422

Georgina Balkwell

From: Sharon Cavallo <sharonpcavallo@gmail.com>
Sent: Tuesday, June 7, 2022 4:54 PM
To: Brandy McMahan
Subject: [BULK] TRPA Hearing on Buccola Project at 8305 Meeks Bay Avenue

Comments for Public Hearing on June 9, 2022

RE: TRPA File No. ERSP2021-1500
Assessor's Parcel No. APN 016-063-001
Located at 8305 and 8307 Meeks Bay Avenue

Dear TRPA Hearing Officer,

We are greatly concerned about this proposed project in our Meeks Bay Avenue neighborhood. Our family has enjoyed and treasured our cabin at 8531 Meeks Bay Avenue since the property was purchased by my Grandfather back in the 1920's. While many of the homes built on our subdivision's 50' wide lots have become much larger, the quiet, single family nature of our residential little road remains. That anyone would even propose a project so out of touch with the history and non-commercial character of our Tahoe neighborhood is appalling. I am referring to the original (and still planned) hotel like project on Mr. Buccola's two adjacent lots. The original plans allowing 2 new residences (at 21,482 square feet and 17 bedrooms combined) should not be considered separately but as the original project was submitted to TRPA. The current "family residence" (formerly the "Detached Garage" project) should not be heard without considering the entire project as whole. If the withdrawn portion of the project is not addressed, it should not be allowed to be re-submitted at a later date. Concerns with the overall project include the following:

Road Access and Parking

The entrance to these properties is a shared driveway directly off Meeks Bay Avenue at a blind curve from access to Highway 89. This mostly blind intersection is steep, narrow, dangerous, and hazardous in winter. There is no room for on-street parking or large vehicle passing. Construction projects frequently block access due to the narrow width of the road along driveways and garages. The parking provisions are completely inadequate for the large resort Mr. Buccola hopes to get approved at a future date.

Project Size and Incompatibility

The "Detached Garage" plan, now the "Single-Family residence" plan, is a large, two story, 5 bedroom house with a 4-car garage, two kitchens, living and dining rooms. This "tear down and rebuild" project is already replacing an old cabin with a much larger one with more environmental impacts. It shouldn't be considered a "caretakers garage" to facilitate a much larger and impactful resort facility. The fact that the applicant holds VHR Permits for commercial use on both properties shows his intent to rent them - in the middle of a single-family residential community where such use is prohibited! The Meeks Bay Subdivision states that all lots "shall be used for residence purposes only and no mercantile business shall be carried on." It specifies "no hotels, rooming houses, or places of amusement" be allowed. Such uses are not compatible with our existing single-family neighborhood and would destroy what those of us who own cabins on Meeks Bay Avenue value and love about Tahoe.

Aesthetic and Environmental Impacts

These proposed residential projects will have a significant visual impact from the Lake. It does not appear that there is existing tree cover to help shield the buildings, but the plans do not clearly delineate where the trees and bushes occur on the property nor which would be removed or altered. The "now withdrawn" resort plan shows a massively tall and wide building that would overwhelm the surrounding homes and the rural nature of Meeks Bay itself. Just the windows facing the lake in its 200 foot length would create visual impacts from the glare of the morning sun. It's hotel-like appearance on the southern point of Meeks Bay would forever change its lakefront character and beauty.

Conclusion

We would urge TRPA to strongly consider denying this project until the original development plan can be evaluated and improved as a whole, or to approve the single family project on the condition that the "resort" project on the adjoining lot be permanently rejected. Thank you for your consideration.

Sincerely,

Sharon P. Cavallo
Dennis M. Cavallo, M.D.
2812 Stevens Drive
Auburn, CA 95602

Georgina Balkwell

From: Julie Parker <juliepar@gmail.com>
Sent: Tuesday, June 7, 2022 7:47 PM
To: Brandy McMahon
Subject: 8305 Meeks Bay Ave Public Hearing

To Whom It May Concern,

As a 4th generation property owner at 8275 and 8282 Meeks Bay Ave. in the Meeks Bay Subdivision, I cannot, in good conscience, approve of the proposed redevelopment for 8305 Meeks Bay Ave. on its own or especially in light of the currently withdrawn proposed development of 8307 Meeks Bay Ave. I have concerns regarding historical mitigation, construction, design/usage, potential noise/subdivision access, and property value reduction.

- I am at loss as to how the construction of rental property(s) counts as a mitigation for the loss of the historical structure(s) that would need to be torn down.
- Construction material delivery blocking subdivision access. The primary access for this property is right on the subdivision main entrance and on a 1 lane road with a steep grade and several sharp turns. I have significant concern regarding potential large truck deliveries and them being unable to turn around/enter and blocking access to the subdivision. I am also somewhat concerned construction employees will not always be able to park on lot and will end up along the road.
- The proposed design of the new building on 8305 (and especially 8307) do not appear be in line with what would typically be considered a single family dwelling and appear designed along the line of a high end boarding house/hotel exclusively for group rental(s).
 - The surrounding properties of the Meeks Bay Subdivision lots have been deed restricted since the 1920s. This limits the use the lots in the Subdivision to “one family residences” and prohibits any “mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon.” The approval of this redevelopment (and subsequent Phase II on 8307) would destroy not only the historical building(s) and historical appearance of the area, but it will end a 100 year history of a quiet family based community.
 - Also of significant concern is the potential total number of renters at one time once phase 2 is completed as it would be be several times the maximum occupancy of surrounding buildings.

- Concern over potential renters not caring to/understanding wildlife precautions and their actions inviting an influx of associated issues into the subdivision, not limited to car and cabin break-ins by bears.
- As of 2020, this area had not met TRPA scenic thresholds. The large number of windows on these building(s) that would be visible from the lake are of significant concern in terms of quantity (compared to surrounding homes) as well as increased reflectivity due to groupings/size.
- If plan(s) are approved, I have significant concerns about renters being overly loud/excessive revelry, especially late at night as I own property at 8275 and 8282 Meeks Bay Ave.
 - Inline with the above concerns, I am also concerned over subdivision access blockage if renters get behind the wheel while under the influence and crash/get their car stuck/park in the road due to lack of parking (especially in regards to phase 2 due to lack of parking).
- Considering the above items, I am concerned that such development(s) as currently planned will negatively impact the surrounding property values, especially in the long term.

I am hoping that in light of the above concerns, the currently proposed development(s) will be denied and Meeks Bay Ave and its associated shorelines will be allowed to continue in their historical vein. Thank you for your time and consideration.

Sincerely,

Juliet Parker

Sent from my iPhone

Georgina Balkwell

From: Cheryl Anson <cheryl@duralum.com>
Sent: Wednesday, June 8, 2022 9:13 AM
To: Brandy McMahon
Subject: Fwd: 8305 Meeks Bay Ave., Meeks Bay, El Dorado County, CA TRPA File No: ERSP2021-1500 APN 016-063-001

Dear TRPA,

I am sending this email because I wholeheartedly agree with our neighbor and pier association president, Wayne Krumrei, that this application for a very large rental property in our quiet residential neighborhood will completely change the character of our neighborhood.

My family has owned on Meeks Bay Ave since 1961 and we cherish the quietness and friendliness of our other neighborhood owners.

I do differ from Mr Krumrei in that I don't think our neighborhood could absorb the rental impact from the smaller (4,000 sf) home currently being considered. I do believe that the future intention of the developer/owner is to apply for the larger structure in the near future.

Please do whatever you can to deny this application. This property would be much more accepted in the larger communities of South shore and Tahoe city, not in a small residential neighborhood.

Thank you,

Cheryl Anson

Owner Meeks Bay Ave

Tahoma, Ca

Begin forwarded message:

From: Wayne Krumrei <wayne@krumreiandross.com>
Date: June 7, 2022 at 7:07:03 PM GMT+1
To: bmcMahon@trpa.gov
Cc: Wayne Krumrei <wayne@krumreiandross.com>, Lori <lvkrumrei@comcast.net>
Subject: 8305 Meeks Bay Ave., Meeks Bay, El Dorado County, CA TRPA File No: ERSP2021-1500 APN 016-063-001

To TRPA,

After careful review of the application for a proposed 4,000+ sq.ft., 5-bedroom, 4-car detached garage located at 8305 Meeks Bay Ave., and the original application filed with TRPA on September 2, 2021, that included the detached garage plus a 17,251 sq.ft., 12-bedroom main residence (main residence portion withdrawn in April 2022) located at 8307 Meeks Bay Ave., it is widely apparent the request for approval of the detached garage is simply an attempt to get a foot in the door in having the main residence approved at a later date under a separate application.

Our beautiful and tranquil lake-side community, containing many single-family residences dating back generations, could "possibly" absorb the influx of automobile traffic, foot traffic, and excessive noise generated by the detached garage structure, but surely cannot absorb the placing of a 17,251 sq.ft., main residence / "vacation rental" in a beautiful setting of modest cabins. Our community will never be

the same, damaged beyond repair by approving the detached garage and opening the door for the later application and approval of a 17,251 sq.ft. main residence.

We strongly oppose approval of the detached garage and strongly urge you to listen to others in our community who oppose this as well. Help us continue the integrity of the 100-year history of our Meeks Bay neighborhood.

Sincerely,

Wayne and Lori Krumrei
8228 Meeks Bay Ave.

Wayne Krumrei
3 Tracy Court
Moraga, CA 94556
925-323-7113
wayne@krumreiandross.com

Please consider the environment before printing this e-mail.

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Georgina Balkwell

From: Nancy Parker <nparker09@gmail.com>
Sent: Wednesday, June 8, 2022 8:37 AM
To: Brandy McMahan
Subject: Proposed Development on Meeks Bay Avenue

We are appalled that an organization designed to preserve and protect Lake Tahoe would even be considering the property development plan at 8305 and 8307 Meeks Bay Avenue. The owner has not tried to hide his plans for a huge hotel in a residential area of small lots. He has divided his request in two parts but the fact remains he is planning on one huge commercial building.

Apart from our strong opposition to the proposed seventeen en suite bedroom hotel our little road cannot support the huge increase in traffic the hotel will bring. In addition, the whole lengthy construction process would result in total disruption to everyone's peace and quiet and enjoyment of Lake Tahoe and the ability to even get down Meeks Bay Avenue with the construction equipment and workers trucks will be impossible. The entry point off of 89 has been the scene of numerous accidents and near tragedies. Adding the proposed building to the current situation will be nothing short of dangerous.

We encourage you to oppose the plan and put the protection of Lake Tahoe and the lake front at the top of your priority list and adhere to the long term plan for single family dwellings in order to protect the lake from abuse.

Sincerely,
Nancy and Bill Parker
8345 Meeks Bay Avenue

Sent from my iPhone

Georgina Balkwell

From: bblewett@aol.com
Sent: Wednesday, June 8, 2022 8:48 AM
To: Brandy McMahan
Subject: Against approval of 8305-8307 Meeks Bay Ave.

Dear Ms. McMahan,

I am a homeowner at 8361 Meeks Bay Ave. My parents bought the single family residence in 1967. The proposed approval is totally out of character for our neighborhood due to its size and is the reason I oppose it. Just the need for space during construction will totally disrupt the neighborhood.

Please reconsider your approval.

Ellen Marshall

Georgina Balkwell

From: William A. S. Magrath II <wmagrath@Mcdonaldcarano.com>
Sent: Wednesday, June 8, 2022 7:10 AM
To: Brandy McMahan
Cc: William A. S. Magrath II; maperanch@aol.com; jay.gudebski@gmail.com; Carole Davis; tevens@rancho.net
Subject: TRPA File No: ERSP2021-1500 - 8305 Meeks Bay Ave - 6/9/2022 Public Hearing.
Attachments: MBVPOA 6-7-2022 Letter w Exhibits to TRPA - 8305 MBA 6-9-22 Public Hearing.pdf

RE: June 9, 2022, TRPA Hearing Officer Public Hearing
TRPA File No: ERSP2021-1500
8305 Meeks Bay Ave.
8307 Meeks Bay Ave.
Assessor's Parcel Number: APN 016-063-001

Hello Brandy:

Attached is a detailed letter from the President and Secretary of the Meek Bay Vista Property Owners Association ("Association") to TRPA Hearing Officer Andrew Strain and you regarding the Robert Buccola Application to construct a Guesthouse at 8305 Meek Bay Ave.

Will you please forward the letter to TRPA Hearing Officer Andrew Strain for his review before the June 9 Hearing?

Our Association has reviewed many TRPA documents and Deeds related to 8305 and 8307 Meek Bay Ave and have concluded that **the Buccola Single Family Dwelling Application for 8305 is incomplete** because the Applicant has failed to declare, under penalty of perjury, that "all property restrictions and easements have been fully disclosed." The Applicant clearly failed to initial the 8305 Application making this declaration and material representation under penalty of perjury.

Property Restrictions/Easements <i>(List any deed restrictions, easements or other restrictions below in the space provided.)</i>
<input type="checkbox"/> None -See attached.
I hereby declare under penalty of perjury that all property restrictions and easements have been fully disclosed. Initial here: _____

More importantly, **the Applicant appears to have intentionally failed to disclose to the TRPA and the public certain deed restrictions and covenants running with the land arising from a 1947 Deed which appear to impose restrictions on Applicant's use of portions of 8305 and 8307.** As our letter explains, the Applicant knew of this 1947 Deed when it filed the 8305 Application – but has failed to disclose to the TRPA and the public the deed restrictions and covenants running with the land that are clearly present in the attached 1947 Deed.

Our attached letter includes a copy of the 1947 Deed the Applicant was aware of - but did not disclose to TRPA or list on the 8305 Application. **We believe that the existence of this recorded 1941 Deed, with detailed covenants running with the land, should suspend TRPA's current review and consideration of the 8305 Application until the Applicant remedies the incomplete Application and fully explains and discloses to TRPA (and the public) the impact of these 1947 Deed covenants running with the land on the 8305 Application.**

Given this recent discovery of the 1947 Deed, our Association believes the TRPA Hearing Officer Public Hearing is premature given the Applicant's failure to complete the 8305 Application and initial the section on the Application declaring, under penalty of perjury, **that all property restrictions and easements have been fully disclosed**. Our Association could not find any reference to the 1947 Deed in the Applicant's 8305 Application or the TRPA Staff Summary. As a result, the public and property owners who may now own parts of the dominant tenement in the 1947 Deed have been misled by the Applicants incomplete 8307 Application and have not had an opportunity review the 1947 Deed and determine its impact on the allowed uses on 8305 and 8307. For this reason, we believe TRPA should cease its review of the 8307 Application until the Applicant has completed the 8305 Application, under penalty of perjury, and fully disclosed the impact of the 1947 Deed on the 8305 and 8307 properties.

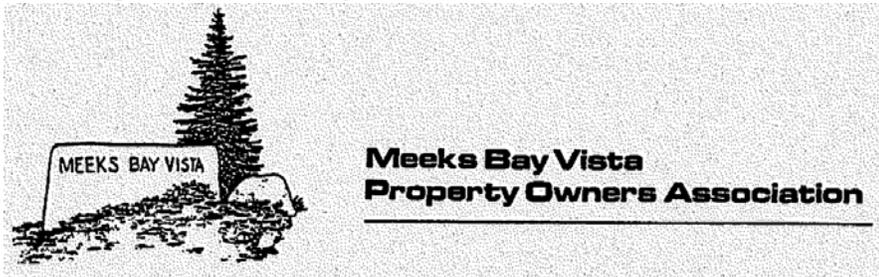
The attached letter also details our Association's objections to this proposed project. The letter also protests the improper piecemealing of the larger project as a result of the "Withdrawal" of the 8307 Application and believes TRPA should require that the Applicant submit the entire project (8305, 8307, and the BLA) for concurrent review given the September 22, 2021 Applications for both 8305 and 8307 and submittal letters from Nick Exline asking, on behalf of the Applicant, requesting that both 8305, 8307, and the BLA be reviewed **concurrently**. We believe the recent "withdrawal" of the 8307 Application is a tactic to seek approval of 8305 by shielding TRPA from considering the merits of 8307. Our letter explains these arguments. We don't believe TRPA should allow a tactical withdrawal of a pending application to limit TRPA's scope of review of the combined projects.

Thank you for your assistance on this matter. I hope to be able to participate in the Thursday hearing on Zoom.

Respectfully,

Bill Magrath

Bill Magrath, Secretary



P.O. Box 402

Tahoma, CA 96142

Cell: (775) 750-3030

Email: wmagrath@mcwlaw.com



Meeks Bay Vista Property Owners Association

P.O. Box 402 Tahoma, CA 96142

June 7, 2022

Sent Via Email: Brandy McMahon <bcmcmahon@trpa.gov>

Andrew Strain, Hearings Officer
Tahoe Regional Planning Agency
128 Market St. / PO Box 5310
Stateline, NV 89449

Brandy McMahon, AICP
Local Government Coordinator
Current Planning Division
Tahoe Regional Planning Agency
P.O. Box 5310, Stateline, NV 89449

RE: 8305 Meeks Bay Ave.
8307 Meeks Bay Ave.
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

Notice of TRPA Hearing Officer Hearing: June 9, 2022, 2:00 pm

As the President and Secretary of the **Meeks Bay Vista Property Owners' Association, Inc.** ("Association" or "MBVPOA"), a California nonprofit corporation since 1975, we are submitting this letter as public comment on behalf of our Board of Directors and **over 100 of our Association members** who are all owners of properties located within or adjacent to the Meeks Bay Vista Subdivision (the "Subdivision") located just south of Meeks Bay, El Dorado County, CA. The Meeks Bay Vista Subdivision's first Map was recorded in 1924 and consists of a North Tract and South Tract. Attached to this letter as **Exhibit 1** is a copy of the first page of the 1924 Meeks Bay Vista Subdivision Map with the **155 lots** in our subdivision highlighted in yellow. On the attached map, you will see how the Meeks Bay Vista Subdivision surrounds the two parcels of properties identified as 8305 Meeks Bay Ave ("8305") and 8307 Meeks Bay Ave ("8307").

Our Association's Board of Directors and membership universally opposes both of the Applicant's TRPA Applications for Permits to construct new residences on 8305 and 8307 for multiple reasons.

1. First, the Buccola Application for 8305 (the “8305 Application”) is **incomplete on its face and must be rejected by the Hearing Officer for this reason.** On the Buccola Single Family Dwelling Application for 8305, **the Applicant has failed to declare, under penalty of perjury,** that “all property restrictions and easements have been fully disclosed.” The Applicant clearly failed to initial the 8305 Application making this declaration and material representation under penalty of perjury. More importantly, the Applicant appears to have intentionally failed to disclose to the TRPA and the public certain deed restrictions and covenants running with the land arising from a 1947 Deed which appear to impose restrictions on Applicant’s use of portions of 8305 and 8307. The Applicant knew of this 1947 Deed when it filed the 8305 Application – but has failed to disclose to the TRPA and the public the deed restrictions and covenants running with the land that are clearly present in the attached 1947 Deed. As a result, all current proceedings before TRPA should be immediately suspended until Applicant files an Amended Application that cures this existing defect and fully discloses to the TRPA and the public all deed restrictions, easements, or other restrictions, that exist on 8305 and 8307 and addresses any deed restrictions and covenants running with the land arising out of this 1947 Deed.
2. The Applicant appears to have intentionally manipulated TRPA rules and procedures to avoid TRPA considering the entire project previously proposed by Applicant on these two adjoining properties, both of which are owned by Applicant. **TRPA should acknowledge that the Applicant filed Single Family Dwelling Applications for both 8305 and 8307 at the same time on 9/22/2021 and requested in the Submittal Letters that TRPA consider both projects together and require that both projects be evaluated at the same time.**

Now, at the last minute, Applicant appears to be manipulating the TRPA review process and “withdrew” the Applicant’s Single Family Dwelling Application for 8307 (the “8307 Application”) in what appears to be a tactical decision to avoid the TRPA Staff concurrently considering the enormity of the 12-bedroom, 17,251 sq. ft. commercial short term rental facility proposed for 8307 at the same time as TRPA reviews the 8305 Application for the 5-bedroom commercial short term rental facility originally named the “Detached Garage” and now re-named the “Guesthouse.” The Applicant’s action in withdrawing the 8307 Application is an example of “**piecemealing,**” where an Applicant chops up a large project into several smaller projects to avoid a review of the total project (both 8305 and 8307) which, combined together, will have a significant impact on the environment and surrounding neighborhood.

TRPA and the Hearing Officer must reject this improper “piecemealing” tactic by the Applicant and require that the Applicant submit complete applications for the entire project for **concurrent review by TRPA** – just like the Applicant did when it first filed the 8305 and 8307 Applications and request for a Boundary Line Adjustment on 9/22/2. That

review should include an analysis of the **combined impact** of both the 8305 Application and 8307 Application to build these proposed commercial facilities surrounded by the 98-year-old single-family residential neighborhood. As a result, **the Association respectfully requests that the TRPA Hearing Officer exercise discretion to reject the 8305 Application, without prejudice**, and require the Applicant to submit the 8305 Application with a new Application for 8307 so TRPA staff can analyze both applications **concurrently** and allow the public to comment upon the combined impact of these two proposed commercial short term rental facilities surrounded by a single-family residential neighborhood.

3. The Applicant's two Single Family Dwelling Applications have **also failed to disclose to TRPA and the public that Applicant holds two (2) El Dorado County Vacation Home Rental (VHR) Permits**, one for 8305 and one for 8307, and that by all indications, the Applicant intends to offer for rent, and to rent out, these two commercial businesses **in expanded facilities** (one with 12 bedrooms, one with 5 bedrooms, for a total of 17 rentable bedrooms), thereby **expanding the Applicant's commercial short term rental business** surrounded by a deed-restricted single family residential neighborhood.
4. The Buccola 8305 Application also fails to disclose a proposed engineered remedy to redesign the steep slope of the common driveway that the Revised Site Plan states **exceeds 15% in slope in violation of the TRPA Code of Ordinances**.
5. Finally, the 8305 Application and 8307 Application do not consider or address parking and traffic impacts on a narrow country road and the complications of a common driveway (serving 8305, 8307, and 8311 Meeks Bay Ave) accessing Meeks Bay Ave exacerbating a narrow and critical entrance road intersection effectively creating a 4-way intersection with blind corners and steep slopes. Since the 1920s, Meeks Bay Ave has been a narrow country road carved across a steep hillside, where many times, one car has to stop and pull to the side to allow another vehicle going in the other direction to pass. Meeks Bay Ave also has many blind spots, and in some places, substantial slopes, and approval of the 8305 Application and 8307 Application will result in the likelihood of dangerous congestion if Applicant is allowed to expand his historic 1930s cabins into two new custom designed buildings designed with 17 bedrooms for short term rental. If approved, this new development will result is a significant impact on the surrounding residential neighborhood which universally opposes this expansion of a short-term rental business in expanded facilities on these single-family residential parcels.

Background on Buccola Single Family Dwelling Applications for 8305 and 8307 Meeks Bay Ave..

Initially, it is important to point out that the Association is not opposing Applicant building a new larger single-family residence on each of the two parcels if the property was used by a single family and not as a 17-bedroom short-term rental commercial enterprise, in a 98-year-old neighborhood of single-family homes. If the Applicant were to agree as a condition of a TRPA Permit to record a deed restriction that the proposed expanded buildings on 8305 and 8307 will never be rented as a short-term rental and will only be used by the Owner without paying guests, much of the neighborhood concern would dissipate – although concerns about traffic and parking on the right-of-way would remain. But if the Applicant will not deed restrict his parcels to prevent commercial short-term rentals, that will confirm the Applicant’s intent to operate a short-term rental commercial business in this residential neighborhood. Currently, TRPA is now being asked to approve the expansion of an existing short term rental commercial business operating in small existing facilities to approve a “Guesthouse” on 8305 that appears to be two times the square footage of the existing cabins. Plus, the Applicant has already disclosed to TRPA and the public his 8307 Application and Plans for a new 12-bedroom hotel structure at 8307, with approximately six times the rental space of the current cabin. Our Association members know that such expanded rental facilities will result in increased traffic, congestion, and parking issues, generated by occupants of 17 new rental bedrooms. Certainly, TRPA must see the same impacts on the neighborhood. In addition, the Applicant’s 17,025 sq. ft. Main Residence will dwarf the other homes in the neighborhood and, according to the topographic drawings, the roofline of the Main Residence will be taller than the elevation of Meeks Bay Ave at the top of the driveway. For these many reasons, our Association and Board of Directors urges the TRPA Hearing Officer to reject the 8305 Application because the operation of an expanded commercial short-term rental business will permanently change the character of the 98-year-old residential community that surrounds 8305 and 8307.

Two Single Family Dwelling Applications and one Boundary Line Adjustment Application Filed with TRPA on 9/22/2021.

As TRPA is aware, Mr. Buccola, the common owner of the parcels located at 8305 and 8307, originally submitted Applications on 9/22/21 to TRPA seeking the following Permits:

- (1) **A TRPA Permit and approval of a proposed Boundary Line Adjustment (BLA) to make the parcel size at 8305 smaller and the parcel size at 8307 substantially larger to accommodate the proposed 17,251 sq. ft. Main Residence that will not fit on the existing 8307 parcel.**
- (2) **A TRPA Permit to demolish the existing cabin and garage at 8307 Meeks Bay Ave to construct a new 17,251 sq. ft., 12-bedroom, Main Residence on 8307 Meeks Bay Ave.**

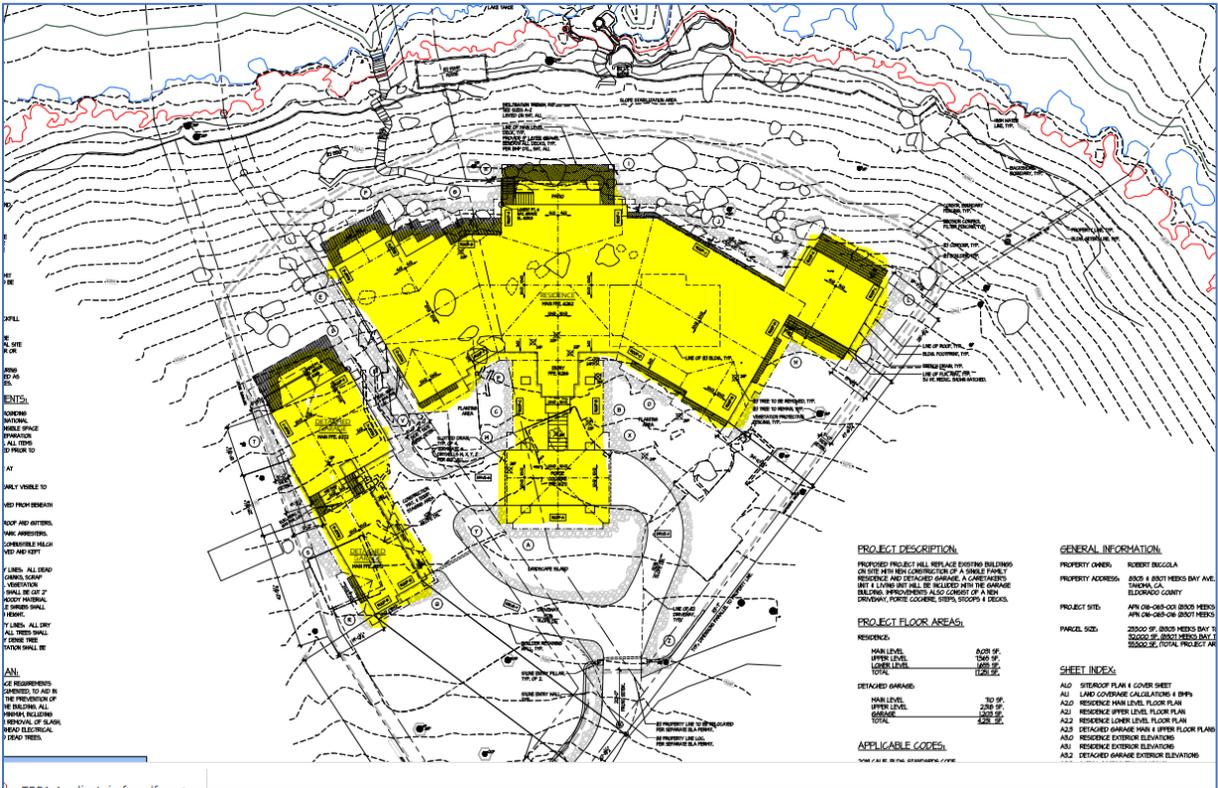


The Owner's 9/22/21 Application and Plans for 8507 show the East Elevation of the Applicant's proposed Main Residence facing Lake Tahoe which will be **52 feet tall from the lower-level finished floor (6,252') to the top of the roofline (6,304 feet)**. The Plans measure **the combined width of the Main Residence shown here to be 200' feet wide** – similar in width to the East Elevation of the **Sunnyside Resort and Inn** facing Lake Tahoe. Most Meeks Bay Vista Subdivision lots surrounding 8305 and 8307 are only 50 feet wide – and permanently deed restricted as single family residential.

- (3) **A TRPA Permit to demolish the existing cabins at 8305 to construct what the Applicant described in the 9/22/21 Plans as a 4,231 sq. ft. "Detached Garage"** (with 4 enclosed garage parking spaces). This proposed unit will expand the existing use area on the parcel by adding a "Caretaker's Unit" and a separate 4-bedroom residence above with four more ensuite bathrooms, a kitchen, living room, dining room, and decks.

Combined, **these two proposed new structures will total 21,482 square feet with 17 bedrooms, each with an ensuite bathroom, just like in a hotel.**

Below is an illustration taken from **the common Site Plan** the Applicant submitted to TRPA on 9/22/2022. Clearly visible on the Site Plan is the existing boundary line between 8305 and 8307 which the Applicant proposes must be moved to the west to shoehorn in the massive proposed new Main Residence to an expanded lot. With the proposed Boundary Line Adjustment, the Detached Garage structure on 8305 must be sandwiched into a narrow lot with 5-foot setbacks on each side. As discussed below, this 5-foot setback may violate covenants running with the land that burden 8305 and 8307 and require 10-foot setbacks on all sides.



Simply put, this 17,251 sq. ft., 12-bedroom hotel-like structure on 8307, proposed to be built on a promontory jutting out into Lake Tahoe, is **different from all the surrounding single-family residences in the surrounding 98-year-old Subdivision**. This proposed structure is 4 to 6 times larger than surrounding single family residences. Unlike the neighboring structures, these new expanded structures will be **operated like a boutique hotel, custom conference facility, or party house, for rent on a short-term rental basis to the highest bidder**.

The Applicant Requested Concurrent Review of Both 8305 and 8307 when Submitted:

On 9/22/2022, when Mr. Buccola's TRPA Consultant filed separate Applications for 8305 and 8307 and submitted separate Submittal letters, the Applicant included one combined set of "8305 & 8307 Plans Combined" that were placed on TRPA's website for the public to view. Mr. Exline's 9/22/2021, Submittal Letter for 8503 confirmed that **the Applicant requested that BOTH the 8305 and 8307 projects be reviewed and considered by TRPA together**, writing in Mr. Exline's 9/22/2021 submittal letter about "sequencing the review of the Plans for both properties."

“Permit Sequencing

As the proposed BLA site plan represents, the proposed lot lines are located in the middle of the existing structure on the Subject Parcel. The Applicant requests that the acknowledgement of the BLA be conditioned in the forthcoming Single-Family Dwelling permit. In addition, the Applicant requests that the completion of the historic resource mitigation strategy also be conditioned in the permit. **It is the Applicant’s goal to acknowledge both the BLA and residential permits concurrently.** The BLA has also requested to be reviewed by a third-party source.” (Emphasis added)

Our Association agrees with the Applicant’s request in the Applicants 9/22/2021 Application and **requests that TRPA must consider BOTH Applications concurrently** to avoid inconsistent decisions or piecemeal review by TRPA of the entirety of the proposed massive change these two projects will make in the 98-year-old single-family neighborhood surrounding these two proposed expanded residences. For this reason alone, the TRPA Hearing Officer should reject the Application for 8305 and mandate that the Applicant submit both Applications **for review concurrently** by TRPA personnel and the public – so the TRPA Staff are not misled and prevented from full access to review the Applicant’s intended commercial use of the two structures on 8305 and 8307.

Vacation Home Rental Permits for 8305 and 8307.

Conspicuous by its absence in the Applicant’s Letters of Submission and TRPA Applications for both 8305 and 8307 is **the Applicant has failed to disclose to TRPA** and to the public that the **Applicant appears to intend to use these two expanded facilities on 8305 and 8307 as a commercial business** for the Applicant who has been issued two (2) separate El Dorado County Vacation Home Rental (VHR) Permits. See **Exhibit 2** and **Exhibit 3**. El Dorado County personnel have confirmed that each of these VHR Permits will continue in place (and can be renewed annually for less than \$200 per year) if the current 1930 cabins remain or if TRPA approves this massive expansion of the Applicant’s commercial enterprise on these parcels **zoned by El Dorado County as Residential – Single Unit**. The entire surrounding neighborhood is similarly zoned Residential – Single Unit and for 98 years, has remained a neighborhood of single-family residences. Now, the Applicant wants to build a form of commercial 17-bedroom hotel on the edge of Lake Tahoe and rent it out for short term rentals. If this property has historically been a single-family residence, why will TRPA consider approving an expanded commercial use of a portion of this historic residential community for a profit minded enterprise?

El Dorado VHR Permit VHR21-0370 (expiring 5/31/23) currently provides:

Street Address of Rental: **8305 Meeks Bay Ave**

Maximum Permitted Occupancy: 8

Maximum Occupancy excludes children five (5) years of age or younger

On-Site Parking Spaces: 4

El Dorado VHR Permit VHR22-0395 (expiring 5/31/23) currently provides:

Street Address of Rental: **8307 Meeks Bay Ave**

Maximum Permitted Occupancy: 10

Maximum Occupancy excludes children five (5) years of age or younger

On-Site Parking Spaces: 4

If the VHR Permit for the single 1930s cabin at 8307 currently allows a maximum occupancy of 10 renters (plus children), imagine how many paying occupants can reside overnight in a boutique 12-bedroom hotel-like structure proposed by the Applicant for 8307 and the additional 5 bedrooms on 8305? Those are just the overnight guests allowed under the VHR Permits. All of the rest of the renter's guests attending daytime events, conferences, dinners, bachelor and bachelorette parties, lectures in the "Theater," or just daytime parties out on the large decks, will have to leave the premises before 10:00 pm. Just more traffic on our narrow roadways.

History of the 1924 Meeks Bay Vista Subdivision.

Before we address, on behalf of the Association, the specific defects, and omissions in the current Application for 8305, let me provide some history of the 1924 Meeks Bay Vista Subdivision.

Oswald Kehlet was the dreamer who envisioned a residential subdivision south of Mr. Kehlet's Meeks Bay Resort in the early 1920s. The roads on the west shore finally improved for summer travel and an improved bridge was constructed across Meeks Creek in the middle of Meeks Bay, CA, in the early 1920s. Soon, Mr. Kehlet and his partners recorded the Subdivision Map creating the Meeks Bay Vista Subdivision ("Subdivision") on 9/10/1924¹. Before the first lot was sold in the Subdivision, Oswald Kehlet **insisted** that every original Deed to buyers of the lots in the Subdivision include several deed restrictions² **permanently burdening each lot to maintain the residential character of the future community.**

¹ A Map of the Meeks Bay Vista North Tract Addition, comprising 17 lots, was later recorded on June 2, 1931, to divide the property between the newly relocated State Highway and Meeks Bay Ave in the North Tract into additional lots.

² See, *Meeks Bay Memories*, Carol Van Etten, Silver Syndicate Press, Reno, NV, pp 58-60.

As a result, each original Deed in the Meeks Bay Vista Subdivision included a “Deed Restriction 2” that states the following:

“2. All lots in said subdivision shall be used for residence purposes only and no mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon, and that all buildings erected on said premises, except customary outbuildings, shall be confined to one family residences.”

This permanent deed restriction, included in all original deeds to each Meeks Bay Vista Subdivision lot since the 1920s, permanently limits the use the lots in the Subdivision to “one family residences” and prohibits any “mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, **nor shall any hotels, rooming houses, or places of amusement be conducted thereon.**” As a result, in the 98-year history of the Meeks Bay Subdivision, all lots have been developed into “one family residences.”

The Association acknowledges that not all lots on Meeks Bay Ave are in the Meeks Bay Vista Subdivision. As the 1924 Meeks Bay Vista Subdivision Map (Exhibit 1) illustrates, a small parcel of land, located in Section 28, Township 14 North, Range 17 East, Mount Diablo Meridian, was owned by others when the 1924 Meeks Bay Vista Subdivision Map was recorded. The *Lake Tahoe Parcel Tracker* confirms that this parcel of land in Section 28 has later been divided into eight (8) separate parcels (the “**Section 28 Parcels**”) all of which were deeded to subsequent owners by metes and bounds legal descriptions. The Applicant’s 8305 and 8307 properties are not located within the boundaries of the Meeks Bay Vista Subdivision.

As confirmed in the **Historic Resources Inventory and Evaluation Report** (“Historic Resources Report”) the Applicant submitted to TRPA for 8305 and 8507, these two parcels have been used **solely for single family residential uses** as is evidenced by the existing cabins on these properties the Report states were built in the 1930s. These existing uses since the 1930s have been consistent with the surrounding neighborhood, including the Meeks Bay Vista Subdivision. While the Applicant has failed to disclose existing deed restrictions and covenants running with the land impacting 8305 and 8307 in its incomplete 8305 Application, **these 1947 deed restrictions and covenants running with the land are consistent with the historic use of 8305 and 9307 and require “[t]hat the premises shall be used and occupied only for private residential purposes.”** This 1947 Deed and restrictions on the use of portions of 8305 and 8307 will be discussed below.

A Recent Change in Tactics by the Owner/Applicant – “How to Erase the Main Residence.”

In early April 2022, the Applicant’s TRPA Consultant suddenly changed plans and has informed TRPA staff that the Applicant has requested to “withdraw” the 8307 Application for the Main Residence and Boundary Line Adjustments associated with 8307 (TRPA ERSP2021-1501). **The Applicant did not state that this was a permanent withdrawal** of Applicant’s disclosed plans for 8307. The TRPA online files now show the Application for the proposed Main Residence at 8307 as **“WITHDRAWN.”** As a result, because of the Applicant’s intentional “piecemealing” of its TRPA Applications, at the June 9, TRPA Public Hearing, the Applicant now seeks TRPA approval of the Applicant’s original Plans for the “Detached Garage” at 8305 that is now conveniently re-labeled as a “Guest House/Garage.”

It appears clear that this “Withdrawal” of the Application for the Main Residence by the Applicant is an example of “piecemealing,” a tactical move by the Applicant to attempt to first obtain TRPA approval of the 4-car Detached Garage (now called a “Guesthouse/Garage” with 5 bedrooms, 2 kitchens, living and dining room) **without any reference to the proposed 17,251 sq. ft. Main Residence with 12 additional bedrooms that the common Owner proposed in September 2021 to locate next door at 8307.**

To facilitate this attempted subterfuge (i.e., the temporary “Withdrawal” of the 8307 Application) to **avoid concurrent review with the massive Main Residence proposed by Applicant**, the Applicant has submitted a **new Site Plan to TRPA**, showing the **identical structure** of the “Guesthouse” (formerly called the “Detached Garage”) in the **same exact location and footprint** as originally submitted on 9/33/2021. Now, the new Revised Site Plan has conveniently deleted the 17,021 sq. ft. 12-bedroom Main Residence from the drawing and only the existing 1930s residence and garage are shown at the adjacent 8307. The proposed 12-bedroom Main Residence has **magically disappeared** from the amended 8305 Site Plan even though the Plans, Application, and Submittal Letter for 8307 remains online in the TRPA’s files.

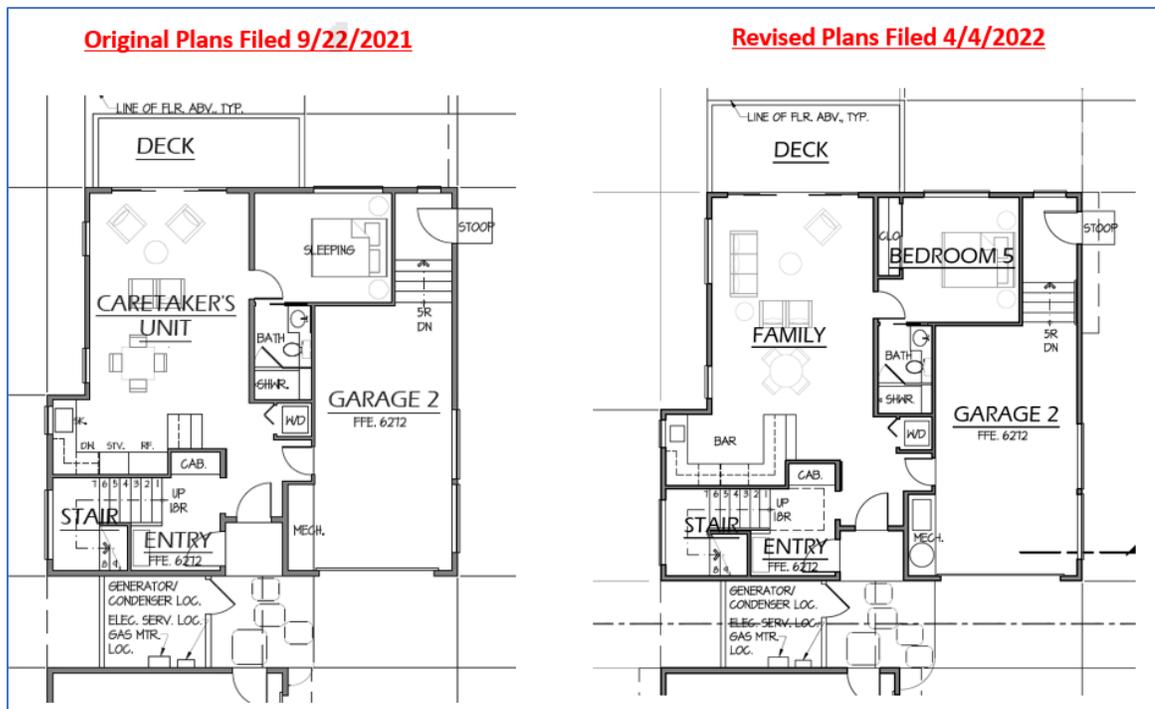
- **The piecemealing and tactical (and highly likely “temporary”) “Withdrawal” of the Application for the TRPA Permit for the Main Residence at 8307 has apparently been a successful tactic for the Applicant and has forced the TRPA Staff to ignore the “elephant in the room” - the proposed Main Residence at 8307.**
- **Some of our Association members are sure the Applicant and his TRPA consultant are celebrating with “high fives” now that TRPA Staff have recommended approval of 8305 in the “vacuum” forced on TRPA by the recent piecemealing and “withdrawal” of the 8307 Application.**

- **If the newly re-named structure on 8305 is a “Guesthouse,” what larger house does it serve?** The Merriam-Webster Dictionary defines “Guesthouse” as “: a building used for guests (as on an estate).”
- **Whether this structure is labeled as a “Guesthouse” or “Detached Garage” with Caretaker’s Unit, this structure at 8305 is designed to support another structure.** In this case, Applicant’s 8307 Application filed 9/22/2021, confirms that whether this structure is called a Detached Garage or a Guesthouse, **the structure on 8305 is associated with the massive Main Residence on 8307.** Why else would the Applicant propose a “Caretaker’s Unit” and then try to disguise that original designation re-naming it as a “Family Room” and “Bedroom 5”?
- **Respectfully, the Association requests that the TRPA Hearing Officer should reject this tactic and not allow such piecemealing and open manipulation of TRPA’s planning process, ordinances, and this subterfuge to obtain a permit for a structure that Applicant still intends to use as a Detached Garage and Caretaker’s residence supporting the Main Residence at 8307.**
- **If the Applicant truly claims it has “withdrawn” its current plans for 8307, if the Applicant continues to press the TRPA Hearing Officer for a decision on the 8305 Application at this time, the TRPA Hearing Officer should add a condition to the TRPA Permit for 8305 that the Applicant cannot re-apply for the same or similar 17,251 sq. ft. 1`2-bedroom Main Residence for at least five (5) years after the Permit for 8305 is issued.**
- **The best confirmation that this “tactic” and piecemeal manipulation has worked is the Staff Summary prepared by the TRPA Staff or the private outside contract Evaluator which has recently recommended approval of this 4,231 sq. ft. Guesthouse as proposed. The TRPA Staff Summary expressly confirms that the author of the Staff Summary ignored the Applicant’s 8307 Application and Plans for the 17,251 sq. ft. 12-bedroom Main Residence that the Applicant proposed for 8307. The TRPA Staff Summary states:**

“Furthermore, TRPA is aware of “Phase II” of this project that was proposed which included the construction of a residence on the adjacent property at 8307 Meeks Bay Avenue. However, the “Phase II” project has been withdrawn and was not included in TRPA’s review, nor is it included with the proposed approval.” (Emphasis added)
- **The quote from the Staff Summary above, confirms that the Applicant’s “piecemealing tactic” of using a (likely temporary) “withdrawal” of the Application for 8307 has been successful.** The TRPA Staff or Outside Evaluator **have put on “blinders”** and are **intentionally ignoring** the elephant in the room – the massive 12-bedroom 17,000+ sq.

ft. Main Residence the Owner has proposed **just 9 months ago** for 8307. **Does the TRPA Staff think that massive residence will simply go away?** If anyone looks at the work that has gone into the design and Plans for this 12-bedroom hotel-like structure, they know that another application for the Main Residence will be refiled soon.

- The absurdity of the Applicant's tactic can be seen in the new "Revised Site Plan" the Applicant filed with the TRPA on 4/4/2022. Originally, the Applicant's Plans filed on 9/22/21 referred to the structure proposed for 8305 as a "**Detached Garage**" which included a "**Caretaker's Unit**" on the ground floor next to the 4 garage bays³ and 4-bedroom residence upstairs. Now, the 4/4/22 "Revised Site Plan" uses "cut and paste" to **rename the Caretaker's Unit** as a "**Family Room**" with "**Bedroom 5**" of the Guesthouse. Did the Applicant really change the design? Below is a comparison of the ground floor of this Detached Garage structure from the original Plans to the revised Plans.



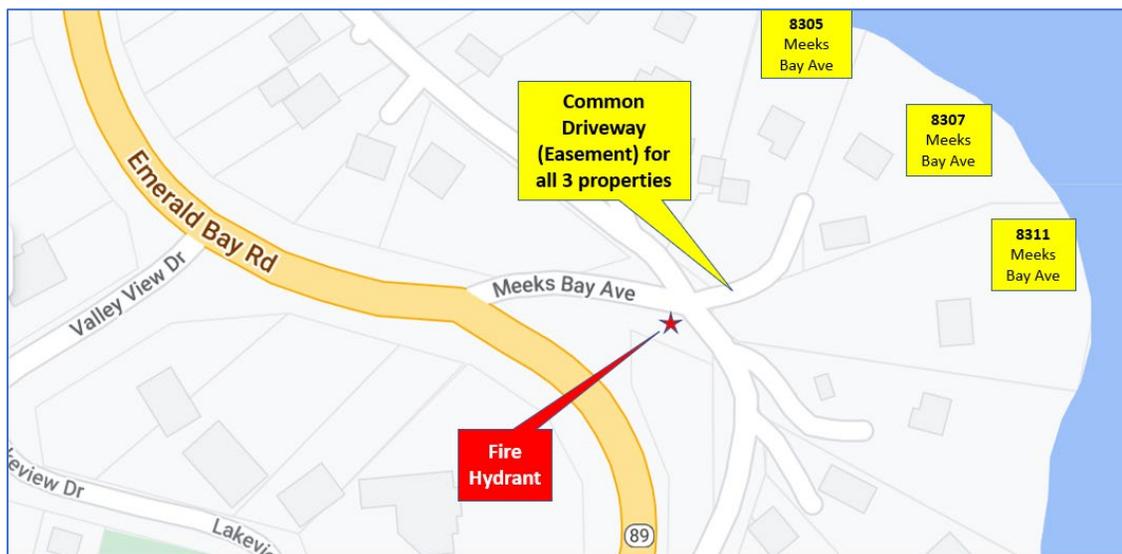
The Applicant's architectural touchup to the Plans is simply an attempt to disguise from the TRPA and the public the Applicant's apparent intent to build a "Caretaker's Unit" to

³ The TRPA description of this Project at 8305 states the project includes a "**three-car garage.**" **That is mis-leading to the public.** The Project does include a three-car garage (Garage 1 - with three single garage doors) and also includes a separate one-car garage (Garage 2 - located at a 90-degree angle to the other three garage doors). **Please look at the floor plan for the structure and correct the TRPA description for the 8305 Project and the record.**

service the massive 12-bedroom short term rental Main Residence proposed by the Owner on 8307. It will be very simple for the Applicant to convert the “Family Room” and “Bedroom 5” into the Caretaker’s Residence as originally proposed and disclosed by the Applicant. No changes will be necessary. It is the same unit. **All that has changed are the labels of the names of the room** on the new revised Plans and the addition of a small closet in the bedroom (as required for a bedroom anyway). Other than the labels giving a new name to the downstairs rooms, the elimination of a few labels on the caretaker’s kitchen cabinets, and correction of the drawings to add a closet in the bedroom on the lower level, **everything else on the 4/4/22 Revised Plans for the Guesthouse is the same as on the original 9/21/2021 Plans for the Detached Garage.** In addition, the 4/4/22 Revised Site Plan continues to locate the structure in the **exact same footprint** on 8305 – squeezed to within 5’-0” of the boundary line to the property on the west so the Applicant can later resume efforts to obtain TRPA approval of its proposed Boundary Line Adjustment – just as shown on the original Application.

Parking, Congestion, Emergency Vehicles, and Increased Traffic from 17 new Bedrooms.

- The **only concession** the TRPA Staff Summary makes for the neighborhood is that the TRPA Staff recommend that the final TRPA Permit include a condition that **construction parking (only) is prohibited from parking within the Public Right-of-Way (i.e., on Meeks Bay Ave).** But this proposed Permit condition only applies **during construction.** This condition will **not** prohibit the Owner, Users, Occupants, and Renters, of this expanded 5-bedroom property from parking on the Public Right-of-Way for years into the future.



- The traffic patterns and congestion on Meeks Bay Ave **will be permanently altered** by this additional overflow parking from renters and guests using 8305 and 8307. **The TRPA Staff have completely ignored the consequences of overflow parking from this commercial 17-bedroom Project (after it is constructed) onto Meeks Bay Ave at the top of the common driveway and along narrow Meeks Bay Ave to the north and south.**
- A two-minute inspection of this intersection will confirm that there is no place for anyone to park at this narrow intersection where the Applicant's common driveway intersects with Meeks Bay Ave and the sloped access road uphill to State Route 89 and creates a public safety hazard.
 - If there is no parking at this location, **where does TRPA suggest these overflow vehicles will park?** There is no parking on State Route 89 for quite some distance. The answer is obvious to all (except the TRPA Staff), **the drivers of these overflow vehicles will likely park as close as they can to the Applicant's common driveway on the public right-of-way (Meeks Bay Ave.)** clogging our Subdivision's primary access to State Route 89 with vehicles parked and left by the drivers or, the overflow parking will be forced to drive 100 or 250- or 500-yards, or farther, down Meeks Bay Ave (in each direction) **to park wherever they find a place to park their car partially on or off the roadway.** Renters and guests of renters do not care about the neighborhood. They will find this to be a "nuisance" and will park where they please. **Unless occupants, renters, or users, of 8305 or 8307 are prohibited from parking in the public right of way in perpetuity, every owner on Meeks Bay Ave will be impacted by the TRPA's Staff's failure to protect adjacent and distant property owners along Meeks Bay Ave** from being impacted by overflow parking from this commercial 17-bedroom commercial venture proposed by the Applicant.
 - If that parked overflow car from the Applicant's property blocks another property owner's vehicles, driveway, or parking pad, **or blocks emergency vehicles (including large Fire trucks) from driving down narrow Meeks Bay Ave, that unacceptable result will become a permanent stain of omission by current TRPA Staff.** Plus, when that overflow parking from the Project parks further down Meeks Bay Ave, the impacted neighbor will have to search and search for the car owner – who will be hundreds of yards away at the Applicant's commercial project. This may cause **unnecessary conflicts and disputes** between the overflow parkers from 8305/8307 and property owners who have historically parked in front of their homes. Who will have to referee these disputes? Will the El Dorado County Sheriff be forced to intervene?

- **Additionally, if TRPA Staff did not consider the proposed massive short-term rental hotel/residence at 8307** in preparing its Staff Summary, our Association members can only assume that **TRPA has not considered the residence located at 8311 Meeks Bay Ave (“8311”) that shares an easement and common driveway with 8305 and 8307.**
 - This old home at 8311 Meeks Bay Ave (“8311”) was built in the 1930s or 1940s and has not been occupied for years. **Even a casual look shows the structure at 8311 is in substantial disrepair.**
 - Recently, Todd Braden, the Broker from Acumen Real Estate Group (530-478-5901), who has listed this 8311 property for sale for \$6,500,00, has informed our Association’s secretary, Bill Magrath, that **the 8311 property has been sold** and is **“in escrow.”**
 - The buyer of 8311 will no doubt need to remodel or demolish the 1930s structure on the site and build a new residence after obtaining TRPA and governmental approval. Once again, there will be **more construction traffic** and, after completion, **that new residence will add more construction and owner vehicle trips up the steeply sloped common driveway shared with 8305 and 8307.** So, in addition to the additional traffic from the commercial short term rental business at 8305 and 8307, Meeks Bay Ave can expect even more traffic from the owners of 8311.
- **What about Fire and Emergency Vehicles?** Regularly, a drive down Meeks Bay Ave will disclose many narrow spots caused by construction vehicles parked on the right-of-way, dumpsters placed on the narrow roadway, and resident’s vehicles squeezed onto the uphill side of road in this very steep terrain. Driving south on Meeks Bay Ave from 8305/8307 shows a roadway with a steep hillside on one side supporting State Route 89 and a significant slope/cliff on the Lake side of the narrow road). Drivers on Meeks Bay Ave frequently have to pull over into a driveway or stop on the far side of the road for a vehicle going the opposite direction to pass.
 - It has always been a concern for residents if Fire and Emergency Services have room to come down Meeks Bay Ave to render aid to a person or property in need.
 - Adding overflow parking from the newly expanded short term rental business operated by the Applicant at 8305 and 9307 will exacerbate this congestion and could delay emergency services.
- **What about weather and snow?**
 - **Has anyone at TRPA personally observed Meeks Bay Ave during snow events?**

- **Meeks Bay Ave is an undulating narrow country road that has a very low priority on the El Dorado Public Works' snowplow schedule.** The steeper roads in the West Shore area are always cleared of snow first. **Sometimes, the snowplows will not come down Meeks Bay Ave for several days after a big snowstorm.** The result is that one or two 4-wheel drive vehicles will create "first tracks" up the roadway making a one-vehicle wide set of two tire tracks for others to attempt to follow through the snow. Sometimes those intrepid neighbors just get stuck in the middle of Meeks Bay Ave.
- At the intersection shown in the drawing above where the common driveway from 8303, 8305, and 8311, access Meeks Bay Ave., **this narrow one vehicle track in the snowy road usually encounters and develops substantial ice and snow blocking the neighborhood's access route to State Route 89.** The uphill slope of the hillside next to the roadway, many large granite boulders, and foliage, adjacent to this intersection location on the west (uphill) side of Meeks Bay Ave **create a "shady" condition which causes the snow and ice in this intersection and up this sloped roadway to State Route 89 to last for weeks.** Many times, a driver will find another driver stuck in the snow on this sloped entrance to State Route 89.
- The steep common driveway is these two commercial rental properties' (and the residents of 8311) only access to Meeks Bay Ave. Approval of these residences without a permanent ban on parking on the public right-of-way will create a "perfect storm" of congestion in perpetuity if TRPA approves this expansion of the commercial short term rental facilities at the bottom of that steep common uses driveway.
- **The traffic patterns and congestion on Meeks Bay Ave will permanently be altered by this additional surge of overflow parking from these enlarged short term rental facilities if approved by TRPA. The TRPA Staff have completely ignored the consequences of overflow parking from this commercial project (after it is constructed) onto narrow Meeks Bay Ave at the top of the common driveway . If TRPA considers approving this Project, a condition of the Permit should prohibit parking by the owners, occupants, users, and renters, of 8305 and 8307 on the public right of way in perpetuity.** No parking on Meeks Bay Ave ever. There is plenty of property on these large parcels to provide for on-site parking. Perhaps the Applicant can give up a few rental bedrooms and provide more onsite parking. Why burden other innocent property owners with overflow parking?

Why Does TRPA allow Applicants to Manipulate TRPA's Review Processes?

Why will the TRPA Staff agree to participate in this obvious “We want to withdraw part of our other Application” tactic to improve an Applicant’s chances of success with a piecemeal Application? Why does TRPA allow its staff to close their eyes to the “withdrawn” Application and Plans of what **TRPA clearly acknowledges is “Phase II” of the Applicant’s combined project** – the massive 17,251 sq. ft. 12-bedroom Main Residence? **The TRPA has in its files the Owner’s original plans for 8305 and 8307 Meeks Bay Ave.** The TRPA has the Applicant’s Application for a Boundary Line Adjustment to make the lot at 8307 Meeks Bay Ave larger to fit the massive Main Residence. **Now is the time for TRPA to discharge its legal duty** charged in the Compact **to protect neighborhoods from commercial businesses and unchecked growth** proposed by manipulative consultants and Applicants who know how to “play the game” to maximize the chances of their **partial** project getting approval. **The TRPA Hearing Officer should simply DENY a Permit to this Applicant without prejudice until the Applicant is prepared to submit ALL plans, drawings, and applications for BOTH projects, so TRPA Staff are not forced to look at parts of a combined project in a vacuum.**

The Applicant already has the Plans drawn and can re-apply for the Permits for 8307 in a matter of weeks. **TRPA can then take its blinders off and evaluate the entire hotel project proposed by the Applicant for 8307 with its “Detached Garage” on 8305. What is wrong with making the Applicant show all of the Applicant’s cards before TRPA considers approving such a major tandem project?**

With all due respect to the TRPA Staff, many of our Association members believe that TRPA has allowed its Staff to be manipulated by the Applicant and his experienced TRPA Consultant to force TRPA to ignore the combined September 22, 2021, Applications by the Applicant, with all the assorted filings, and combined drawings proposing two massive increases in the size of short-term rental properties operated by the Applicant on these parcels.

The Applicant cannot protest if the TRPA Hearing Officer mandates a concurrent review of the entire project proposed for both 8305 and 8307 because **the Applicant originally requested that BOTH projects considered together**. Our Association members respectfully request that the TRPA Hearing Officer should DENY the current application for 8305 and require the Applicant to submit Applications for both 8305 and 8307 for concurrent review and a hearing. Nobody is fooled if TRPA adds some sunlight to the administrative review process and eliminates these disguised and unproductive tactics of a “temporary withdrawal” of half of the Applicant’s proposed Project.

The TRPA Staff Summary also Ignores the El Dorado County VHR Permits.

Another surprise in the TRPA Staff Summary is the **absence of any reference that this property at 8305 Meeks Bay Ave is a commercial enterprise holding a VHR Permit and actively offering short term rentals in the middle of a 98-year-old single-family Lake Tahoe residential community.** Perhaps, the TRPA Staff were not informed by the Applicant or Applicant's TRPA Consultant that since Applicant purchase 8305 and 8307, the Applicant had made available and rented out the 1930s cabins to renters who occupied the 1930s cabins and paid short term rental income to Applicant under the Applicant's separate VHR Permits. This commercial enterprise resulted in payment of occupancy taxes to El Dorado County and individual income the Association assumes was personally reported by the Applicant on his Federal and California personal income tax returns. Has TRPA asked the Applicant if this short-term rental business is operated in his own name personally or through some other business entity? The VHR Permits are in the Applicant's name and all income received by the Applicant must be reported by him individually – not through a separate entity. TRPA should ask the Applicant this question under oath and demand copies of tax returns to assure TRPA the Applicant is not in violation of his VHR Permits.

TRPA Staff should know that if the Applicant is approved to build substantially larger facilities on 8305 and 8307, including 17 bedrooms, the income producing capability of these short-term rental properties would increase to the financial benefit to the Applicant. One would have thought that the Applicant's Plans and Applications to build a Main Residence **with 12 bedrooms** (with ensuite bathrooms) would have put TRPA **on inquiry notice** to check if the Applicant intends to build a form of luxury or boutique hotel facility, conference center, or other commercial establishment, on property zoned Residential – Single Unit. However, in the TRPA Staff Summary, the **TRPA Staff make no mention that the Applicant has used the property as a commercial business renting the property to tenants as short-term rentals and intends to operate an expanded commercial business in the new structures in the future.**

Perhaps the Applicant failed to disclose the Applicant's short-term rental business operated on the 8305 and 8307 properties to the TRPA staff. However, if the TRPA Staff had known the properties were used for a commercial business, TRPA Staff should have considered if the Applicant's Application for a permit to **double the square footage of the 1930s cabin at 8305** to expand the commercial use of this 8305 property was an appropriate expanded use of the property if it would detrimentally impact the surrounding residential single-family neighborhood. In effect, by approving this proposed expanded Guesthouse or Detached Garage with five bedrooms at 8305, **TRPA is approving of the expansion of the commercial operation at this site** and increasing the short-term rental value of the property when the neighbors are barred from operating commercial businesses on their properties.

The Applicant's Application for 8305 is Incomplete or Falsely Claims No Deed Restrictions Exist.

TRPA relies on the honesty of its Applicants and consultants in filling out Applications for projects seeking TRPA Permits. On the Applicants' 8305 Application, the Owner's Agent is required to sign, **under penalty of perjury**, a Declaration that states in pertinent part:

DECLARATION: I hereby declare under penalty of perjury that this application and all information submitted as part of this application is true and accurate to the best of my knowledge. . . . I understand i . . . that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action. . . . I understand that additional information may be required by TRPA to review this project.

The **Project Owner** is also required to execute a Declaration, which is not under the penalty of perjury, on the TRPA's 8305 Application that states:

I/We authorize Exline & Company, Inc. to act as my/our representative in connection with this application to TRPA for the subject property and agree to be bound by said representative. **I understand that additional information may be required by TRPA beyond that submitted by my representative, to review this project. . . . I also understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action.**

From our Association's review of the Applicant's 8305 Application personally signed by the Applicant and Applicant's Representative (under penalty of perjury) on 9/2/21, and uploaded to the TRPA and Tahoe Parcel Tracker Website, **the Applicant's 8305 Application is incomplete or falsely omits to declare, under penalty of perjury, that the 8305 property is not subject to Property Restrictions/Easements.**

Property Restrictions/Easements *(List any deed restrictions, easements or other restrictions below in the space provided.)*

None -See attached.

I hereby declare under penalty of perjury that all property restrictions and easements have been fully disclosed. **Initial here:** _____

On page 1 of the 8305 Application, **Applicant has failed to complete this important portion of the Application and has also failed to initial the Application confirming, that the Applicant declares, "under penalty of perjury, that all property restrictions and easements have been fully disclosed."**

Shown above is the incomplete portion of Applicant's 8305 Application. While the Applicant typed "**-See Attached**" on this portion of the 8305 Application, **the Applicant does not appear to disclose in any other documentation attached to the 8305 Application in the public files of TRPA any "deed restrictions or other restrictions" or confirm that "all property restrictions have been fully disclosed" under penalty of perjury.**

TRPA should require the Applicant to identify where in the 8305 Application or Submittal Letter the Applicant disclosed the existence of the 1947 Deed or why the Applicant hid the existence of this 1947 Deed from TRPA Staff. Regardless, the Applicant's initials are not on the 8305 Application.

The Applicant cannot claim ignorance of the 1947 Deed.

- The 1947 Deed is disclosed as "**Reference R-7**" under the heading "**REFERENCES**" on the **Applicant's "8305 & 8307 Meeks Bay Ave. Existing Conditions Coverage & Topographic Map"** (the "Existing Conditions Map") prepared by Lumos & Associates and filed with TRPA as part of the Land Capability Verification for APN 016-063-016 in TRPA File LCAP2021-0034. A true and correct copy of this Existing Conditions Map, downloaded from the TRPA files for File ERSP 2921-1500 is attached to this letter as **Exhibit 4**. Specifically, **Reference R-7 and the 1947 Deed is shown on the Applicant's Existing Conditions Map** as follows:

R7) DEED, BOOK 238, PG. 385, RECORDED APRIL 1, 1947, OFFICIAL RECORDS EL DORADO COUNTY.

- Under the "NOTES" section on the same Existing Conditions Map, the following entry can be found.

9) THE AVAILABLE COPY OF THE ACCESS EASEMENT (R7) IS NOT FULLY LEGIBLE AND THEREFORE NOT PLOTTED.

- No explanation is provided by the Applicant why a legible copy of the 1947 Deed was requested directly from the El Dorado County Recorder. That is where our Association obtained a legible copy of the 4/1/1947 Deed.
- On April 1, 1947, a Deed (the "4-1-1947 Deed") was recorded in the Official Records of El Dorado County by which **Edna R. Hollenbeck and Millard A. Hollenbeck, her husband, deeded a piece of real property to L. Huntley, subject to multiple deed restrictions and covenants running with the land.** A true and correct copy of this Hollenbeck to Huntley

4-1-1947 Deed, recorded April 1, 1947, in Book 238, at Page 385, obtained from the El Dorado County Recorder's Office, is attached to this letter as **Exhibit 5**.

- **TRPA and the Hearing Officer Must Immediately Suspend All Consideration of the Applicant's 8305 Application.** The TRPA was **not informed** of the 4-1-1947 Deed by the Applicant or his TRPA Consultant as required by the TRPA Application form. As a result of the discovery of this 4/1/1947 Deed, **TRPA should immediately suspend all consideration of the 8305 Application until the Applicant can provide assurance and proof to TRPA, under penalty of perjury as required by TRPA, that the 4/1/1947 Deed does not restrict the use of any portion of 8305 and 8307.**
- **In the Declaration of the Applicant's TRPA Consultant** (cited above) on the 8305 Application, the Applicant's Consultant **swore under penalty of perjury**, that **"I understand that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action.**
 - After a review of the Applicant's Existing Conditions Map (Exhibit 4) and the 4/1/1947 Deed (Exhibit 5), **it appears clear that the Applicant's 8305 Application is "inaccurate, erroneous, and incomplete."**
 - Until that **incomplete** portion of the 8305 Application is completed by the Applicant under penalty of perjury and the 4/1/1947 Deed is fully explained to the TRPA and the public, including all parties interested in the 6/9/2022 TRPA Public Hearing, **the TRPA should suspend all work on the 8503 Application and remove the 8305 Application from the Agenda for the 6/9/2022 TRPA Hearing Officer Public Meeting.**

The History Behind the 1947 Deed.

- From information the Association has located in the TRPA files and the **Historic Resources Report** the Applicant commissioned and filed with TRPA, Mr. and Mrs. Hollenbeck **owned property that was commonly known as the "Hollenbeck Tract" and located in the Section 28 Parcels.**
- It also appears that **prior to 4/1/1947**, the Hollenbecks owned a portion of the property now described as 8305 and 8307 Meeks Bay Ave. As will be described below, when the Hollenbecks sold a portion of their property to L Huntley using the 4/1/1947 Deed, **Mr. Huntley, as Grantee, agreed to take title to the property subject to certain reservations, deed restrictions, and covenants running with the land.**

- Page 15 of the **Historic Resources Report** discussed the 8305 and 8307 properties and states:

“8305 and 8307 Meeks Bay Avenue

Although not located within the 1924 Meeks Bay Vista subdivision, **the development of the subject properties, 8305 and 8307 Meeks Bay Avenue, was undoubtedly spurred by and influenced by that subdivision, both in development and architecture, as they were located on a promontory on a small portion of Section 28, between the Meeks Bay Vista North and South Tracts in Section 29, T14N, R17E (Wildman 1924, Figure 4).”**

- On page 16 of the **Historic Resources Report**, describing the title holders of 8307, the author states:

In March 1932, **Lathrop Huntley purchased a parcel of land near Meeks Bay (Deed Book 125:80), on which he built a residence, garage/guest house, pump house, pier, and other amenities. In December 1946, Millard and Edna Hollenbeck (owners of the adjoining Hollenbeck Tract) sold him what is now the southwest diagonal portion of the parcel, on which the Huntley Garage was located, Deed Book 238:387.** The following April, the Hollenbecks deeded a 16-ft. wide Right-of-Way, for road and utility purposes, between the Hollenbeck and Huntley properties (Deed Book 238:385). **This right of way includes the present driveway between 8305 and 8307 parcels, while the diagonal piece of land includes the present paved parking area.**

- **Before TRPA conducts the TRPA Hearing Officer Public Meeting, TRPA should require the Applicant to retain a licensed California Surveyor to survey and plot the boundaries of the property sold to L. Huntley by the Hollenbecks in the 4/1/1947 Deed.** This will assist to **exactly define the property conveyed by the Hollenbecks to L. Huntley, the Applicant’s predecessor in title of 8305 and 8307.**
- A review of the balance of the **4/1/1947 Deed** details that the Hollenbeck’s Deed conveyed the described property to L. Huntley **but the Deed also states** “**reserving to the grantors, their heirs and assigns, a right of way for road and utility purposes over, along and across a strip of land 8 feet in width next adjoining on the north of the initial 125 feet of the first above described parcel”** and also gave L. Huntley, as the grantee rights to the 8 feet of land to the south of the boundary line so a 16’ roadway could be built on this common border – extending 125 feet to the east from Meeks Bay Ave..

- **The Hollenbecks also reserved the right to utility easements** on the common lot boundaries.
- **Finally, the 4/1/1947 Deed describes multiple covenants running with the land which appear to benefit the Hollenbecks and their successors in interest.**

“THIS DEED conveys a portion of a larger tract, hereinafter described, for the protection of which it is made and accepted subject to the following express conditions, which shall constitute covenants running with the land:

1. **That the premises shall be used and occupied only for private residential purposes.**
2. . . . [No billboards or commercial signs on the property]
3. No person of African or Mongolian descent, or any person other than of the Caucasian Race⁴ shall use or occupy (except when employed as domestic help by the owner or occupant) said premises or any part thereof.
4. . . . (No sale of alcoholic or intoxicating liquors...)
5. **This deed is made and accepted upon the further express condition that plans and specifications for any building to be erected on the premises shall, prior to commencement of construction thereof, receive the approval in writing of the grantors or their successors in interest; and provided further that no building shall be erected closer than ten (10) feet to any side property line,** and there shall be installed and maintained with any building erected on the premises and approved type of septic tank for the disposal of sewage.
6. Each dwelling, with customary outbuildings, erected or maintained on the premises must be on a plot of land having an average width of not less than 50 feet and **with road frontage of not less than 30 feet.**
7. No horses or other animals, except dogs or cats, shall be housed or kept on the premises.

The conditions hereinabove set forth constitute a portion of a general plan of community improvement, shall run with the land hereinabove described as the servient tenement, and may be specifically enforced by the owner of any portion of, or interest in, the balance of that certain tract of which the above is a part, constituting the dominant tenement, which is situated in the County of El Dorado, State of California, and is more particularly described as follows:” (Emphasis added)

⁴ Note: This Covenant #3 in the Deed is illegal and void under laws passed since 1947 and is not enforceable.

[At the end of the Deed, the 4/1/1947 Deed includes a second “metes and bounds” description describing the properties in the “tract” that are the “dominant tenement” and the owners of that property (as successors in interest to the Hollenbecks), who can specifically enforce and benefit from the covenants that run with the land.]

- **TRPA should require the Applicant to engage a California Surveyor to plot and identify on a credible map the properties Mr. and Mrs. Hollenbeck described in the 4/1/1947 Deed as the “dominant tenement”** and identify the properties the 4/1/1947 Deed intended to benefit with the covenants running with the land. This will identify the current property owners who the Hollenbecks intended to have the power to enforce the covenants that ran with the land.
- In the years since April 1, 1947, the Hollenbeck Tract has since been divided into six (6) separate parcels and deeded to successors in interest of Mr. and Mrs. Hollenbeck. Each of these properties is believed to be identified by a separate El Dorado County Assessor Parcel Numbers and is identified with different street addresses, including **8311, 8315, 8317, 8319, 8321, and 8323 Meeks Bay Ave.** All of these properties are located in the Section 28 Parcels.

Several members of our Association own properties in the Section 28 Parcels described above which are believed to be part of the former Hollenbeck Tract and have expressed to members of the Association’s Board of Directors those members’ opposition to the Applicant’s proposed expanded commercial use of 8305 and 8307. Upon information and belief:

- These Association Members who currently own portions of the former Hollenbeck Tract in the Section 28 parcels have not been asked by the Applicant if they consent to the expanded commercial use of 8305 and 8307.
- These Association Members have not received any request to approve the Plans for 8305 and 8307 submitted by Applicant to the TRPA.
- Finally, to the extent that the Applicant’s original Site Map and Revised Site Map both show the Detached Garage or Guesthouse proposed to be located within 5’-0” of the western side yard property line of 8305, **TRPA should reject this Site Plan as it may violate the requirement in the 4/1/1947 Deed’s Covenant 5 that “no building shall be erected closer than ten (10) feet to any side property line.”**

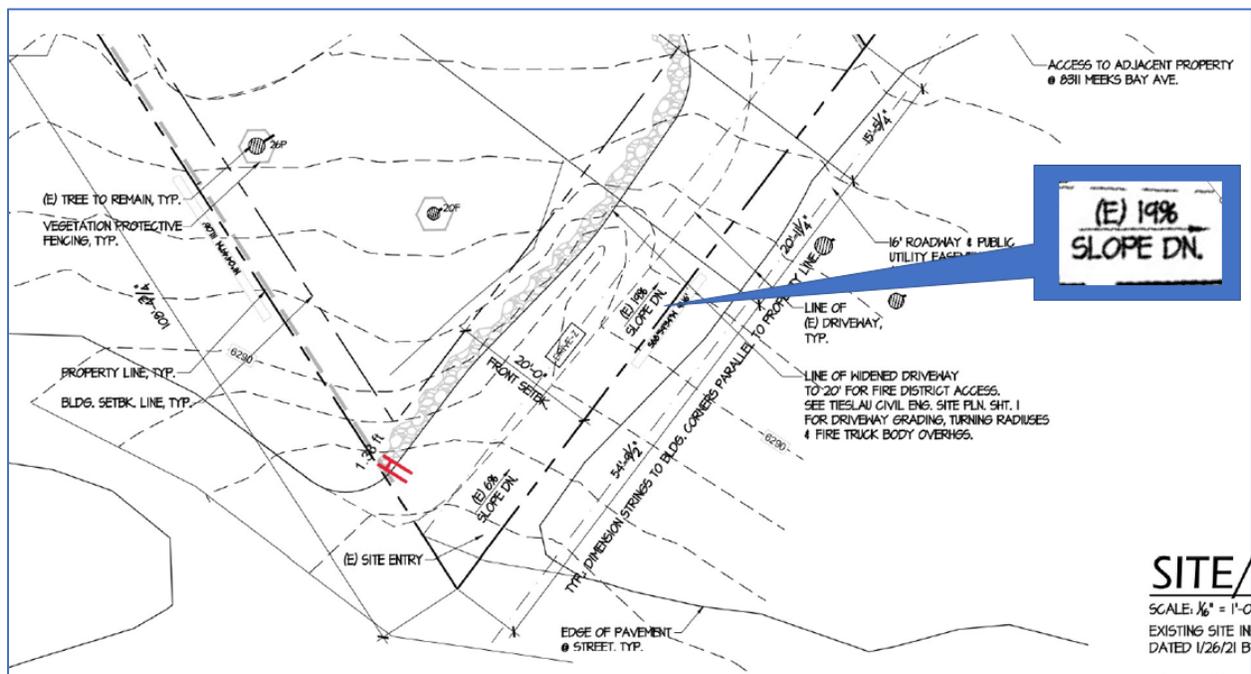
The Slope of the Common Driveway to 8305 Exceeds the Maximum Slope Allowed by the TRPA Code of Ordinances.

Section 34.3.2 E of the TRPA Code of Ordinances provides as follows:

E. Slope of Driveways

Slopes of driveways shall not exceed the standards of the county or city in whose jurisdiction the driveway is located. **Driveways shall not exceed ten percent slope**, unless TRPA finds that construction of a driveway with a ten percent or less slope would require excessive excavation and that the runoff from a steeper driveway shall be infiltrated as required in Section 60.4. **In no case shall the driveway exceed 15 percent slope.** (Emphasis added)

In the Applicant's Revised Site Plan and Drawings for 8305 submitted to TRPA on 4/4/2022, the surveyed Site Plan from Lumos & Associates shows a **19% slope** on the common driveway entrance.



This is another reason the Hearing Officer should reject the Site Plan and 8305 Application until the Applicant submits a redesigned common driveway with a lesser maximum slope for access from 8305, 8307, and 8311, Meeks Bay Ave to Meek Bay Ave. It would be preferred by the Association that when the driveway is redesigned to comply with the maximum slopes allowed in the TRPA Code of Ordinances, that the common driveway access Meeks Bay Ave at a location different than the current location due to congestion and traffic conflicts caused by vehicles exiting 8305, 8307, and 8311 Meeks Bay Ave up the current steep sloped common

driveway into cross traffic on Meeks Bay Ave at **this critical intersection** with the access road to State Route 89.

MANDATORY FINDINGS BY TRPA.

In the **Applicant's 9/22/2021 Submittal Letter** accompanying the 8307 Application, the Applicant's TRPA Consultant listed multiple "Findings" that **the Applicant states the TRPA Hearing Officer must make** to approve this proposed Guesthouse structure and issue a TRPA Permit.

The Association accepts the Applicant's representation in his submittal letter and agrees with the Applicant that the Hearing Officer must consider the following findings to approve this project at 8305. However, for the reasons stated below, the Association believes the facts and evidence are insufficient for the Hearing Officer to make these required findings.

The Applicant's 8305 Submittal Letter states:

"Project Findings

1. 4.4.1. Findings Necessary to Approve Any Project

"21.2.2.A: The project to which the use pertains is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located." (Emphasis added)

The Applicant then offers the Applicant's response to this **required finding** stating:

Finding Response 21.2.2.A: The Applicant is **proposing a single-family residence on a single parcel. The surrounding community also maintains single-family residences**, thus adhering to the existing and surrounding community residential density and intensity. **The nature of the proposed residence is similar to the nature of the surrounding residential units** and adheres to TRPA height, coverage and scenic limitations for littoral residential development projects. The Proposed Project adheres to all **applicable TRPA and Washoe County Codes** and regulations. (Emphasis added)

The Applicant's Submittal Letter **incorrectly** cites to *Washoe County Codes*. As the Hearing Officer knows, Reno and Incline Village, Nevada, are in Washoe County. Washoe County's Codes have nothing to do with development in El Dorado County.

More importantly, the Applicant's explanation above omits a critical difference between 8305 and 8307 and the Meeks Bay Vista Subdivision. **Both of these properties are operated as "for profit" commercial enterprises renting the premises out to short term**

rentals. The TRPA Staff Summary's review of this 8305 Application **ignores** that **this expanded 5-bedroom Guesthouse (or Detached Garage) structure is a short-term rental property with a VHR Permit operating as a commercial enterprise** which the Applicant seeks to **double in size**. This **expanded size of this rental home** will obviously impact the **"scale, density, intensity, and type" of use of this property making this an INappropriate use for the "surrounding area in which it will be located."**

The Meeks Bay Subdivision is not a subdivision of rental properties. It is a subdivision with deed restrictions requiring single family homes. **These two uses are as different as apples and oranges. The Board respectfully believes the TRPA Hearing Officer cannot make this required finding to approve this Project.**

The Applicant's Submittal Letter also argues that **the TRPA Hearing Officer must also make this additional finding:**

2. **"21.2.2.B: The project to which the use pertains will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood,** or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of the surrounding property owners; and (Emphasis added)

Here, the Applicant again argues the Hearing Officer can make this required finding because "Single-Family residences in PAS Rubicon are an "Allowed" use and the Applicant is proposing a single-family residence."

However, **the Applicant makes no mention** that this new "expanded size" **Guesthouse residence will add more bedrooms to this commercial enterprise** used for short term rentals. The Applicant also **does not mention the additional income the Applicant will receive from more bedrooms and better accommodations** to induce greater profits from short term rentals.

The Applicant's argument also **ignores the increased density of this Project** and the fact that **renters in this proposed Guesthouse will be using the steep common driveway (shared by 3 separate parcels) to access Meeks Bay Ave. at the most congested and dangerous intersection in the entire Meeks Bay Vista community.** This intersection is fraught with blind corners, narrow streets, and during winter months, dangerously collects ice and snow because of the shade of the hillside. **Increasing the number of vehicle trips on this narrow steep driveway which feeds into this dangerous intersection will further congestion and endanger all users of that roadway.**

Finally, the Applicant argues that the TRPA Hearing Officer must make the following finding:

3. “21.2.2.C: **The project** which the use pertains to **will not change the charter of the neighborhood, or detrimentally affect or alter the purpose of the applicable planning area statement, community plan, and specific or master plan, as the case may be.**”

Urging that the TRPA Hearing Officer make this finding, the Applicant summarily argues “The surrounding community character is single-family. The Applicant is proposing a tear down/rebuild of a single-family residence. The Proposed Project adheres to the existing character of the neighborhood. The Proposed Project adheres to the applicable Plan Area Statement (PAS), Rubicon “Allowed” uses.

Again, what the Applicant artfully avoids discussing is that the proposed use of this structure will be as a commercial short term rental unit.

In 1924, Oswald Kehlet established a “community plan” for the Meeks Bay Vista Subdivision and neighborhood by creating the Meeks Bay Vista Subdivision. Every subdivision lot in the Meeks Bay Vista Subdivision is deed restricted as follows:

“2. All lots in said subdivision shall be used for residence purposes only and no mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon, and that all buildings erected on said premises, except customary outbuildings, shall be confined to one family residences.”

This Applicant is attempting to take advantage of this 98-year-old “community plan” by spending millions to buy two lake front lots just outside the border of this Subdivision Map and then designing a luxurious hotel-like structure to rent on a short-term basis. The surrounding Meeks Bay Vista Subdivision neighborhood is deed restricted and will always remain single family residential – so the Applicant can advertise and promote the “quiet neighborhood atmosphere” surrounding his commercial enterprise as he rents his 17 bedrooms to conferences, corporate retreats, large families (or combination of families), bachelor parties, bachelorette parties, or anyone else, who will pay the premium rental this Lakefront property will generate.

The Association’s Board believes that this proposed **expanded commercial rental facility** in this “Guesthouse” will permanently change the charter and character of the surrounding neighborhood, and detrimentally affect or alter the quiet enjoyment of every resident of the Meeks Bay Vista Subdivision. For these reasons, the TRPA Hearing Officer should declare that the Hearing Officer cannot make this finding – because the

Applicant's intended commercial use at both 8305 and 8307 Meeks Bay Ave must be considered at the same time – because **in combination, the tandem effect of these two commercial properties, adjacent to a 99-year-old single family residential neighborhood, will permanently change the character of the neighborhood.**

Why Has the Applicant Not Merged the Two Properties (8305 and 8307) into a Single Parcel and Prepare a Design with the Main Residence and a Detached Garage?

Our Association members have asked why the Applicant does not merge his two parcels into a single parcel with a Main Residence and a separate Detached Garage. That makes sense to some and would allow TRPA to consider the entire project in a single Application.

The Applicant can obviously answer this question. However, the Association's members have now speculated about an explanation of why the Applicant has not taken this route and merged his two parcels into one parcel. **The answer is increased rental income.**

In Section 5.56.030 of the El Dorado County Vacation Home Rental Ordinance, the term "Vacation Home Rental" is defined as follows:

"Vacation home rental means one dwelling unit, including either the primary single-family home, one unit of a duplex, or a single condominium unit, rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days other than ongoing month-to-month tenancy granted to the same renter for the same unit."

Section 5.56.050 of the Vacation Home Rental Ordinance states, in pertinent part:

"No owner of a vacation home rental shall rent that unit for 30 consecutive calendar days or less without a valid vacation home rental permit for that unit issued pursuant to this chapter. A separate permit shall be required for each vacation home rental but there may not be more than one vacation home rental per parcel."

Based on these two sections of El Dorado County's Vacation Home Rental Ordinance, to keep both structures eligible for short term rentals, the Association believes that the Applicant intends to seek future approval from TRPA of a Boundary Line Adjustment to **manipulate the property boundaries of 8305 and 8307** to maximize the size of 8307 and shrink the size of 8305 so the Applicant can shoehorn in the 17,251 sq. ft. Main Residence on 8307 and can offer 12 separate bedrooms, with ensuite bathrooms like any hotel or motel, and can also construct the "Detached Garage" or "Guesthouse" (on a separate parcel) where the Applicant can also offer five additional bedrooms, with ensuite bathrooms like a hotel or motel, for rent as short term rentals under the Applicant's two VHR Permits. If the Applicant does not keep his two separate VHR Permits on two separate parcels, he cannot maximize his rental income amongst the quiet

single-family Meeks Bay Vista residential neighborhood surrounding his proposed commercial short term rental business.

Final Comments:

The Board Members and Officers of the Meeks Bay Vista Property Owners Association are full or part-time residents of the Meek Bay Vista neighborhood and volunteer their time, for no compensation, to help operate the Association and to take actions which benefit the common good of this 98-year-old neighborhood. Some current Association members trace their ownership in the Meeks Bay Subdivision back to 1924. Every member cares deeply about Lake Tahoe, our neighbors, and neighborhood. That is why the Association has decided to write this letter.

The statements and opinions made in this letter to the TRPA Hearing Officer by the Association are intended as public comment to advise the Tahoe Regional Planning Agency on matters of public concern. The Revised TRPA Notice setting this TRPA Hearing Officer Public Hearing ("Hearing") states:

"Interested persons may provide comments and input to the Hearings Officer prior to the meeting and day of the meeting. **Prior to the meeting submit comments by mail to TRPA, P.O. Box 5310, Stateline, Nevada 89449, or by email to bmcmahon@trpa.gov.** If written comments are not received prior to the date of the meeting, then they will not be considered.

Because of time limits on public comment at the Hearing set for 2:00 pm on June 9, 2022, and the TRPA Notice inviting written comments from the public on the Applicant's 8305 Application, the Association felt it best to include the Association's public comments in this letter to allow the TRPA Hearing Officer to consider the contents of this letter before, during, and after the Hearing. The contents of this letter are offered for the public good and are intended to provide the opinions and concerns of our members.

Respectfully submitted:



Bill Lyons, President.
maperanch@aol.com



Bill Magrath, Secretary
wmagrath@mcwlaw.com

*Andrew Strain, TRPA Hearings Officer
Brandy McMahan, AICP
Tahoe Regional Planning Agency
June 7, 2022
Page 31*

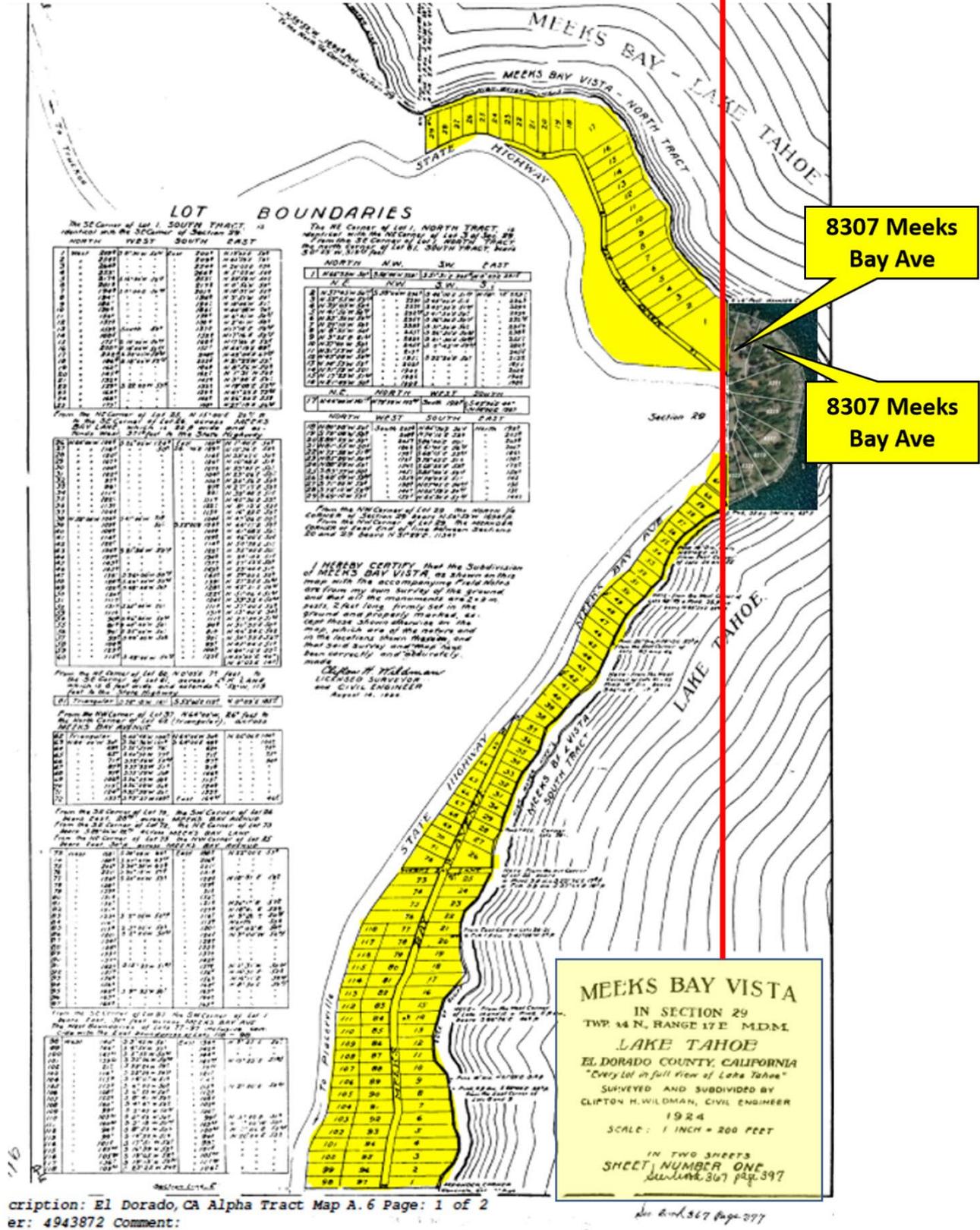
cc: Members of the Meeks Bay Vista Property Owners Association
El Dorado County Board of County Supervisors
1st District: John Hidahl - bosone@edcgov.us
2nd District: George Turnboo - bostwo@edcgov.us
3rd District: Wendy Thomas - bosthree@edcgov.us
4th District: Lori Parlin (Chair) bosfour@edcgov.us
5th District: Sue Novasel – bosfive@edcgov.us
El Dorado County Planning and Building Services Department
Friends of the West Shore - jmtornese@aol.com
Meeks Bay Fire & Rescue

Section 29

TWP 14 N., Range 17 E.
Mt Diablo Meridian

Section 28

TWP 14 N., Range 17 E.
Mt Diablo Meridian



cription: El Dorado, CA Alpha Tract Map A. 6 Page: 1 of 2
er: 4943872 Comment:

El Dorado County

VACATION HOME RENTAL PERMIT

This permit becomes null and void upon change of ownership and must be renewed annually

MUNICIPAL CODE 5.56

VHR Permit #: VHR21-0370

Expiration Date: 5/31/2022

Street Address of Rental: 8305 Meeks Bay Ave

Maximum Permitted Occupancy: 8

Maximum Occupancy excludes children five(5) years of age or younger

Drinking Water Source: Municipal

Day of Trash Pick-Up: Friday

On-Site Parking Spaces: 4

Fire Inspection Expiration Date: 5/31/2023

This permit to be posted inside the residence adjacent to the front door



El Dorado County

VACATION HOME RENTAL PERMIT

This permit becomes null and void upon change of ownership and must be renewed annually

MUNICIPAL CODE 5.56

VHR Permit #: VHR22-0395

Expiration Date: 5/31/2023

Street Address of Rental: 8307 Meeks Bay Ave

Maximum Permitted Occupancy: 10

Maximum Occupancy excludes children five(5) years of age or younger

Drinking Water Source: Municipal

Day of Trash Pick-Up: Friday

On-Site Parking Spaces: 4

Fire Inspection Expiration Date: 5/31/2023

This permit to be posted inside the residence adjacent to the front door





01/28/2021

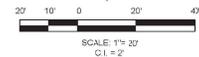
ROBERT BUCCOLLA
8305 & 8307 MEES BAY AVE
EXISTING CONDITIONS
COVERAGE & TOPOGRAPHIC MAP
 EL DORADO COUNTY
 MEES BAY

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (2011) EPOCH 2150.00, ZONE 2. DISTANCES SHOWN ARE GROUND DISTANCES USING A PROJECT COORDINATE GRID TO GROUND SCALE FACTOR OF 1.0009841875.

BASIS OF ELEVATIONS

DATA: LAKE TANCE DATUM
PROJECT BENCHMARK = LAKE ELEVATION 1204.02020
HAVING AN ELEVATION OF 6225.67'



REFERENCES

- R1) GRANT DEED DOCUMENT NO 2018-0087527, RECORDED SEPTEMBER 28, 2018, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R2) GRANT DEED DOCUMENT NO 2015-002134, RECORDED MAY 30, 2015, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R3) MEES BAY SUBDIVISION MAP, BOOK 4, PG 016, RECORDED SEPTEMBER 10, 2004, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R4) RECORD OF SURVEY FOR PUTMAN ET AL., DOCUMENT NO 2001-002202-00, BOOK 24, PG. 126, RECORDED APRIL 23, 2001, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R5) BACKSHORE RESULTS FOR PUTMAN & WILLIAMS, DATED JUNE 13, 1997 BY B. JUDGE, TRPA RECORDS.
- R6) TOPOGRAPHIC SURVEY FOR CHRISTIANSON, DATED SEPTEMBER 28, 2016, TRPA RECORDS.
- R7) DEED, BOOK 138, PG 385, RECORDED APRIL 1, 1947, OFFICIAL RECORDS EL DORADO COUNTY.
- R8) AGREEMENT WATER SYSTEM AND UTILITIES, BOOK 279, PG 211, RECORDED JULY 16, 1946, OFFICIAL RECORDS OF EL DORADO COUNTY.

NOTES

- 1) THIS SHEET IS PROVIDED FOR INFORMATION ONLY, SHOWING EXISTING CONDITIONS AT THE TIME OF SURVEY AND NOT A PART OF DESIGN REVIEW.
- 2) FIELD WORK WAS PERFORMED ON 12/4/2020 & 12/7/2020.
- 3) AT THE TIME OF SURVEY THERE WAS 0'-4" OF SNOW ON SITE.
- 4) ONLY TREES 2" IN DBH OR LARGER WERE LOCATED.
- 5) THE BACKSHORE SHOWN IS A COMPOSITE OF THE BACKSHORE DELINEATION PER R3 & R6.
- 6) Boulders shown are from aerial imagery. Additional boulders may exist where obscured by vegetation.
- 7) HIGH WATER LINE WAS DETERMINED BY A COMBINATION OF LASER SCANNING AND AERIAL PHOTOGRAPHY.
- 8) THE BOUNDARY SHOWN IS MEASURED VALUES BETWEEN FOUND MONUMENTS. A RECORD OF SURVEY WILL BE FILED WITH EL DORADO COUNTY DOCUMENTING THE BOUNDARY SURVEY.
- 9) THE AVAILABLE COPY OF THE ACCESSIONMENT (R7) IS NOT FULLY LEGIBLE AND THEREFORE NOT PLOTTED.
- 10) THE DESCRIPTION OF THE AREA EFFECTED BY (R8) REGARDING THE WATER SYSTEM AND UTILITIES IS NOT READILY PLOTTABLE. REFER TO DOCUMENT FOR DETAILS.
- 11) SANITARY SEWER MAINS WERE FOUND TO BE GREEN LOCATE PAINT AND/OR GREEN PAINTED LATH.

COVERAGE

8305 MEES AVENUE APN 016-063-001 = 8,058 s.f.		8307 MEES AVENUE APN 016-063-016 = 8,929 s.f.	
UPLAND = 7,849 s.f.		UPLAND = 7,849 s.f.	
ASPHALT	4,279 s.f.	ASPHALT	2,951 s.f.
BEAR BOX	8 s.f.	BEAR BOX	8 s.f.
BUILDING	455 s.f.	BUILDING	2,057 s.f.
COMP. DIRT	167 s.f.	COMP. DIRT	48 s.f.
CONCRETE	1,843 s.f.	CONCRETE	875 s.f.
DECK W/ 3/4" RED	167 s.f.	DECK	93 s.f.
STONE WALK	167 s.f.	STONE WALK	2,846 s.f.
BACKSHORE	167 s.f.	BACKSHORE	545 s.f.
PER	48 s.f.	PER	54 s.f.
STONE WALK	159 s.f.	STONE WALK	491 s.f.
LAKEWARD OF HWL	42 s.f.	LAKEWARD OF HWL	55 s.f.
STONE WALK	42 s.f.	STONE WALK	159 s.f.

OFFSITE COVERAGE:
AC DRIVEWAY = 411 s.f.
COMMON TO BOTH PARCELS

SITE INFORMATION:

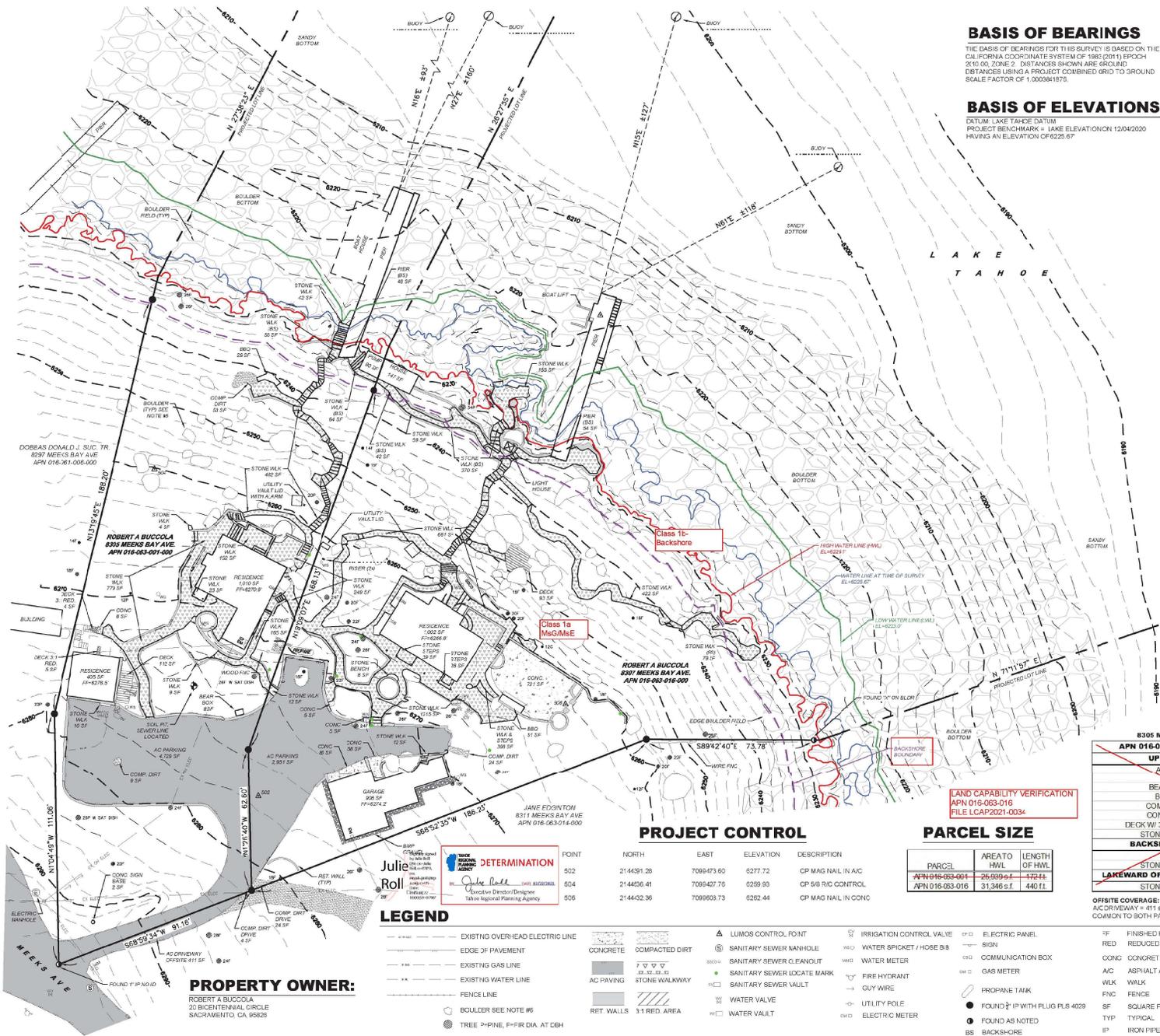
APN 016-063-001-000
8305 MEES BAY AVE
EL DORADO COUNTY, CA
PORTION OF SEC 28 T14N R17E MDM
0.598 ACRES

APN 016-063-016-000
8307 MEES BAY AVE
EL DORADO COUNTY, CA
PORTION OF SEC 28 T14N R17E MDM
0.720 ACRES

BAR IS 1" HIGH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

V1.0

DRAWN BY: MBC
DESIGNED BY: RBB
CHECKED BY: RBB
JOB NO.: 10243.000
SHEETS: 1 OF 1



PROJECT CONTROL

POINT	NORTH	EAST	ELEVATION	DESCRIPTION
502	214431.28	7089473.60	6277.72	CP MAG NAIL IN AC
504	214436.41	7089427.76	6259.93	CP S/R RIC CONTROL
506	214432.36	7089693.73	6282.44	CP MAG NAIL IN CONC

PARCEL SIZE

PARCEL	AREATO OF HWL	LENGTH OF HWL
APN 016-063-001	26,699 s.f.	172.44'
APN 016-063-016	31,346 s.f.	440.11'

LAND CAPABILITY VERIFICATION
FILE LCAP2021-0034

LEGEND

- EXISTING OVERHEAD ELECTRIC LINE
- EDGE OF PAVEMENT
- EXISTING GAS LINE
- EXISTING WATER LINE
- FENCE LINE
- BOLLER SEE NOTE #6
- TREE 2" IN DBH, 4" IN DIA. AT CBH
- LUMOS CONTROL POINT
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- SANITARY SEWER LOCATE MARK
- SANITARY SEWER VAULT
- WATER VALVE
- WATER VAULT
- IRRIGATION CONTROL VALVE
- WATER SPOCKET / HOSE BIB
- WATER METER
- FIRE HYDRANT
- GUY WIRE
- UTILITY POLE
- ELECTRIC METER
- ELECTRIC PANEL
- SIGN
- COMMUNICATION BOX
- GAS METER
- PROPANE TANK
- FOUND 2" IP WITH PLUG PLUS 4029
- FOUND AS NOTED
- BS BACKSHORE
- FINISHED FLOOR
- REDUCED
- CONC CONCRETE
- AC ASPHALT / CONCRETE
- WALK WALK
- FENCE FENCE
- SF SQUARE FEET
- TYP TYPICAL
- IP IRON PIPE

PROPERTY OWNER:
ROBERT A BUCCOLLA
20 BICENTENNIAL CIRCLE
SACRAMENTO, CA 95826

L:\Projects\063-001-000 - 8305 & 8307 Mees Bay Ave\Survey\063-001-000\063-001-000.dwg, Plot Date: 01/28/2021 10:51 am mcbrown

STATE OF CALIFORNIA,)
COUNTY OF) ss.

On this 1st day of April, 1947, before me, Helen B. Benson, a Notary Public in and for said County, personally appeared Oscar C. Reichert and Alma M. Reichert, husband and wife known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

(SEAL)

HELEN B. BENSON

Notary Public in and for said County and State.

Filed for Record at the Request of INTER-COUNTY TITLE CO. APR. 1 A.D. 1947 at 8 min. past 4 o'clock P.M.

NO. 1267.

JAMES W. SWEENEY
Recorder of El Dorado County

COMPARED

#####

EDNA P. HOLLENBECK et vir

to

D E E D

L. HUNTLEY

#####



FOR VALUE RECEIVED EDNA R. HOLLENBECK and MILL RD A. HOLLENBECK, her husband, GRANT to L. HUNTLEY, a married man, all that real property situate in the COUNTY of EL DORADO, STATE of CALIFORNIA, described as follows:

Beginning at an "x" mark on a rock on the West line of fractional Section 28, Township 14 North, Range 17 East, M. E. B. & M. from which point the South meander corner set on said Section line bears South along said Section line 496.76 feet and running thence from said point of beginning North 70° 29' East 276.61 feet to a point; thence North 89° 59' West 33.82 feet to a 1 1/4" capped galvanized iron pipe set in a fence line; thence North 89° 59' West 227.00 feet to a 5/8" reinforcing bar set at a fence corner on the West line of the said Section 28; thence South along said Section line 92.88 feet to the point of beginning, reserving to the grantors, their heirs and assigns, a right of way for road and utility purposes over, along and across a strip of land 8 feet in width next adjoining on the North of the initial 125 feet of the first above described course of this parcel, and including to the grantee, his heirs and assigns, a right of way for road and utility purposes over, along and across a strip of land 8 feet in width next adjoining on the South of the initial 125 feet of the first above described course of this parcel. Said rights of way constitute a roadway 16 feet in width for the use in common of the owners of same.

Subject to easements and rights of record or established.

TO HAVE AND TO HOLD the same subject always to the following:

SUBJECT to the right of the grantors, their successors and assigns, to grant easements for electric light poles, and for the installation of subsidiary pipes, wire and cables in, over, through, under, upon and along the rear or side lines of said lot, and to construct and install pipes for water or gas or conduits or cables along property lines as may be necessary, such

easements, however, not to exceed three (3) feet in width; and subject further to the right hereby reserved by the grantors, their successors and assigns, to permit water, gas or sewer mains, and electric light, power and telephone poles with appurtenances thereto to be installed in the roads in said property, and to grant easements for any and all of said purposes.

THIS DEED conveys a portion of a larger tract, hereinafter described, for the protection of which it is made and accepted subject to the following express conditions, which shall constitute covenants running with the land:

- 1 - That the premises shall be used and occupied only for private residential purposes.
- 2 - No bill boards or commercial signs shall be maintained on the said premises.
- 3 - No person of African or Mongolian descent, or any person other than of the Caucasian Race shall use, or occupy (except when employed as domestic help by the owner or occupant) said premises or any part thereof.
- 4 - No alcoholic, vinous, malt or intoxicating liquor or any wine shall ever be manufactured, sold, given away, or exposed for sale, or disposed of as a beverage in any place of public resort upon the said premises or any part thereof.
- 5 - This deed is made and accepted upon the further express condition that plans and specifications for any building to be erected on the premises shall, prior to commencement of construction thereof, receive the approval in writing of the grantors or their successors in interest; and provided further that no building shall be erected closer than ten (10) feet to any side property line, and that there shall be installed and maintained with any building erected on the premises an approved type of septic tank for the disposal of sewage.
- 6 - Each dwelling, with customary outbuildings, erected or maintained on the premises must be on a plot of land having an average width of not less than 50 feet and with a road frontage of not less than 30 feet.
- 7 - No horses or other animals, except dogs or cats, shall be housed or kept on the premises.

The conditions hereinabove set forth constitute a portion of a general plan of community improvement, shall run with the land hereinabove described as the servient tenement, and may be specifically enforced by the owner of any portion of, or interest in, the balance of that certain tract of which the above is a part, constituting the dominant tenement, which is situated in the County of El Dorado, State of California, and is more particularly described as follows:

BEGINNING at the South meander corner set on the West Section line of fractional Section 28, Township 14 North, Range 17 East, M.D.B. & M., a 6" x 6" post set for the said corner, and running thence North 589.64 feet to a 5/8" reinforcing bar set at a fence corner, from which the North meander corner set on the said West line of the said fractional Section 28 bears North 222.21 feet, thence South 89° 57' East 337.03 feet to a steel fence post set at the shore of Lake Tahoe; thence Southerly along the shore of Lake Tahoe the following 4 courses and distances: South 9° 53' East 99.99 feet, South 11° 24' West 309.00 feet, South 33° 05' West 101.17 feet, and South 02° 07' West 266.85 feet to a point which is South 22.00 feet from the South meander corner above described, thence North 22.00 feet to the point of beginning, together with all the land lying between the above described parcel and the ordinary low water line of Lake Tahoe, and bounded on the North by the Easterly extension of the North line of said parcel, and bounded on the West by the West Section line of fractional Section 28, Township 14 North, Range 17 East,

M. D. B. & M.

WITNESS our hands December 19, 1946.

BY A. F. HOFFMEYER

WILLIAM A. HOFFMEYER

STATE OF CALIFORNIA,)
County of Placer)

On this 3rd day of January in the year one thousand nine hundred and forty-seven, before me Helen M. Barnard a Notary Public in and for the County of Placer personally appeared EDNA R. HOLLENBECK and MILLARD A. HOLLENBECK, her husband, known to me to be the persons whose names are subscribed to the within instrument, and they duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written.

(SEAL)

HELEN M. BARNARD

Notary Public in and for the County of Placer, State of California
My Commission Expires November 1, 1947.

Filed for Record at the Request of INTER-COUNTY TITLE CO. Apr. 1 A.D. 1947 at 9 min. past 4 o'clock P.M.
P.O. 1280.

JAMES W. SWEENEY
RECORDER OF EL DORADO COUNTY

COMPARED

EDNA R. HOLLENBECK et vir
to
L. HUNTLEY

QUITCLAIM DEED

FOR VALUE RECEIVED EDNA R. HOLLENBECK and MILLARD A. HOLLENBECK, her husband, QUITCLAIM to L. HUNTLEY, a married man, all that real property situate in the COUNTY OF EL DORADO, STATE OF CALIFORNIA, described as follows:
All of that portion of fractional Section 28, Township 14 North, Range 17 East, M. D. B. & M. being and lying North of the North boundary of the following described real property:
Beginning at the South meander corner set on the West Section line of fractional Section 28, Township 14 North, Range 17 East, M. D. B. & M., a 6" x 6" post scribed for the said corner, and running thence North 569.54 feet to a 5/8" reinforcing bar set at a fence corner, from which the North meander corner set on the said West line of the said fractional Section 28 bears North 222.21 feet, thence South 69° 59' East 557.03 feet to a steel fence post set at the shore of Lake Tahoe; thence Southerly along the shore of Lake Tahoe the following 4 courses and distances; South 9° 50' East 99.50 feet, South 11° 24' West 309.00 feet, South 53° 05' West 101.17 feet, and South 62° 07' West 200.83 feet to a point which is South 22.00 feet from the South meander corner above described, thence North 22.00 feet to the point of beginning, together with all the land lying between the above described parcel and the ordinary low water line of Lake Tahoe, and bounded on the North by the Easterly extension of the North line of said parcel, and bounded on the West by the West Section line of fractional Section 28, Township 14 North, Range 17 East, M. D. B. & M.

WITNESS our hands DECEMBER 19, 1946.

EDNA R. HOLLENBECK
MILLARD A. HOLLENBECK

Georgina Balkwell

From: Daniel <d.storm.chrisman@gmail.com>
Sent: Tuesday, June 7, 2022 4:48 PM
To: Brandy McMahan
Subject: 8305 Meeks Bay Ave Public Hearing

To Whom It May Concern,

As a 4th generation property owner at 8275 and 8282 Meeks Bay Ave. in the Meeks Bay Subdivision, I cannot, in good conscience, approve of the proposed redevelopment for 8305 Meeks Bay Ave. on its own or especially in light of the currently withdrawn proposed development of 8307 Meeks Bay Ave. I have concerns regarding historical mitigation, construction, design/usage, potential noise/subdivision access, and property value reduction.

- I am at loss as to how the construction of a rental property(s) counts as a mitigation for the loss of the historical structure(s) that would need to be torn down. It appears to be ignoring any historical loss mitigation\resource recovery that I am aware of.
- Construction material delivery blocking subdivision access. The primary access for this property is right on the subdivision main entrance and on a 1 lane road with a steep grade and several sharp turns. I have significant concern regarding potential large truck deliveries and them being unable to turn around/enter and blocking access to the subdivision. I am also somewhat concerned construction employees will not always be able to park on lot and will end up along the road.
- The proposed design of the new building on 8305 (and especially 8307) do not appear be in line with what would typically be considered a single family dwelling and appear designed along the line of a high end boarding house/hotel exclusively for group rental(s).
 - The surrounding properties of the Meeks Bay Subdivision lots have been deed restricted since the 1920s. This limits the use the lots in the Subdivision to “one family residences” and prohibits any “mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon.” The approval of this redevelopment (and subsequent Phase II on 8307) would destroy not only the historical building(s) and historical appearance of the area, but it will end a 100 year history of a quiet family based community.
 - Also of significant concern is the potential total number of renters at one time once phase 2 is completed as it would be be several times the maximum occupancy of surrounding buildings.
 - Concern over potential renters not caring to/understanding wildlife precautions and their actions inviting an influx of associated issues into the subdivision, not limited to car and cabin break-ins by bears.
 - As of 2020, this area had not met TRPA scenic thresholds. The large number of windows on these building(s) that would be visible from the lake are of significant concern in terms of quantity (compared to surrounding homes) as well as increased reflectivity due to groupings/size.
- If plan(s) are approved, I have significant concerns about renters being overly loud/excessive revelry, especially late at night as I own property at 8275 and 8282 Meeks Bay Ave.
 - Inline with the above concerns, I am also concerned over subdivision access blockage if renters get behind the wheel while under the influence and crash/get their car stuck/park in the road due to lack of parking (especially in regards to phase 2 due to lack of parking).
- Considering the above items, I am worried that such development(s) as currently planned will negatively impact the surrounding property values, especially in the long term.

I am hoping that in light of the above concerns, the currently proposed development(s) will be denied and Meeks Bay Ave and its associated shorelines will be allowed to continue in their historical vein. Thank you for your time and consideration.

Sincerely,

Daniel Chrisman

Subject: New Development at 8305 and 8307 Meeks Bay Avenue, Meeks Bay, Ca.

06/07/2022

Dear Brandy,

I have reviewed the application for the proposed project at 8305 and 8307 Meeks Bay Avenue, El Dorado County, CA.

This is a very large project for Meeks Bay which is mainly single family residential. Meeks Bay is an old historic district with many of the properties dating back to the 1930's and 40's. Ours has been in the family for 88 years. The area is still rustic, and most homes are unimposing. This proposed project is more of a hotel and is a VHR.

The site development is on 1a land capability which has the allowable coverage of 1%. There is not a land capability coverage table presentation in the project application nor on the plans, nor a statement that shows it exceeds allowable coverage. It is a redevelopment of an existing single-family site, and it is given credit for coverage that exceeds the allowable maximum with an allowance to relocate the reduction coverage to an adjacent parcel. This project precedes the larger structure on the adjacent parcel, but you cannot consider one without considering the other, for a total of 17 bedrooms, (17,251 sf) as its part of a bigger plan and TRPA is aware of it.

I do not see a traffic impact study considering the amount of traffic that will be generated over the existing residential homes in a year. The site does not appear to have adequate on-site parking and will be a problem for adjacent properties let alone access along Meeks Bay Avenue. It does not appear growth management is an objective for TRPA and appears to conflict with TRPA's agenda to protect the environment. It introduces more people, traffic, congestion, noise and ignores visible thresholds and environmental quality that apparently do not adhere to this project.

I do not see how this project is a quality project for the Tahoe Basin when it is creating more environmental impacts than improving them.

I feel TRPA has given this project the stamp of approval without really interpreting their own goals and protection of the Tahoe Basin by applying common sense to the location, magnitude, and impacts of the project. Not everything that meets the TRPA checklist is the suitable fit for a specific area. There needs to be discretion in the review and approval of projects of this type which increase traffic, air pollution, water quality degradation and add more visitors who add to environmental distress. There does not appear to be real movement to begin implementing multi modal improvements to mitigate these impacts of traffic and additional visitors while moving forward to approve more development. Review your own plan documents that have been prepared to mitigate the traffic and environmental issues before you continuously approve projects that add to the problems. There are approximately 25 million visitors (Linking Tahoe Multi-Modal Transportation Plan) and likely more as the plan is several years old.

Other agencies will need to determine what impacts will be to the surrounding infrastructure in place.

Thank you. I appreciate the opportunity to respond.

John J. Welsh and Katharine Krater Welsh

8221 Meeks Bay Avenue.

Location of Subject Property: 8305 Meeks Bay Ave., Meeks Bay, CA.
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

Subject: Concern for Truthfulness of Staff Summary
Dated 6 June, 2022

Dear Hearing Officer:

I quote the staff project report beginning here.

“Project Description/Background:

The applicant, Robert Buccola, is proposing to demolish an existing single-family dwelling and replace it with a new single-family dwelling and **attached three-car garage** at 8305 Meeks Bay Avenue, Meeks Bay, California”

This statement is false since there is a fourth garage in the construction plans. Look at the west facing plan.



This is a fourth garage!

The TRPA staff is being disingenuous in describing the project in their opening paragraph, as having a three car garage. There are four garages. This raises the question about what else are they misleading the Hearing Officer in their report. I believe the report should be rejected and the staff be told to go back and review the project accurately. This project should not move forward. The full intent of the new owners should be exposed, which is to build a caretakers house on 8305 in order to support the small hotel they are planning on 8307. Money and lawyers should not be allowed to ruin beautiful Lake Tahoe which you are supposed to protect.

Sincerely,

Rod Gibson

Owner, 8528 Meeks Bay Ave.

Georgina Balkwell

From: Wayne Krumrei <wayne@krumreiandross.com>
Sent: Tuesday, June 7, 2022 11:07 AM
To: Brandy McMahon
Cc: Wayne Krumrei; Lori
Subject: 8305 Meeks Bay Ave., Meeks Bay, El Dorado County, CA TRPA File No: ERSP2021-1500 APN 016-063-001

To TRPA,

After careful review of the application for a proposed 4,000+ sq.ft., 5-bedroom, 4-car detached garage located at 8305 Meeks Bay Ave., and the original application filed with TRPA on September 2, 2021, that included the detached garage plus a 17,251 sq.ft., 12-bedroom main residence (main residence portion withdrawn in April 2022) located at 8307 Meeks Bay Ave., it is widely apparent the request for approval of the detached garage is simply an attempt to get a foot in the door in having the main residence approved at a later date under a separate application.

Our beautiful and tranquil lake-side community, containing many single-family residences dating back generations, could “possibly” absorb the influx of automobile traffic, foot traffic, and excessive noise generated by the detached garage structure, but surely cannot absorb the placing of a 17,251 sq.ft., main residence / “vacation rental” in a beautiful setting of modest cabins. Our community will never be the same, damaged beyond repair by approving the detached garage and opening the door for the later application and approval of a 17,251 sq.ft. main residence.

We strongly oppose approval of the detached garage and strongly urge you to listen to others in our community who oppose this as well. Help us continue the integrity of the 100-year history of our Meeks Bay neighborhood.

Sincerely,

Wayne and Lori Krumrei
8228 Meeks Bay Ave.

Wayne Krumrei
3 Tracy Court
Moraga, CA 94556
925-323-7113
wayne@krumreiandross.com

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Georgina Balkwell

From: Peter Turner <threepeter@gmail.com>
Sent: Tuesday, June 7, 2022 10:08 AM
To: Brandy McMahon
Subject: Comments for Public Hearing regarding 8305 Meeks Bay Ave, Buccola permit application

Dear Ms. McMahon:

I have received notice of the planned demolition of the historic cabins at 8305 and 8307 Meeks Bay Avenue and their replacement with what appears to be a commercial complex right on the lake and completely out-of-sync with the character of the surrounding neighborhood. After reviewing the draft permit, the posted project plans, and other plans including development of 8307 Meeks Bay Avenue that had previously been submitted and subsequently withdrawn, I have serious concerns about TRPA approving this permit.

My family has a long history at Lake Tahoe that dates back to 1875 when my great, great grandfather Amos Frost, then a tax collector for the U.S. Government, purchased 1,100 acres along what is now known as "The Gold Coast" of Rubicon Bay. I still have the original Deed signed by then President, Ulysses S. Grant. At the time, there was no road around the lake and access to the property was primarily via the Tahoe Steamer. In the 1950s, my father Locke Turner inherited 5 acres of that property at the northern boundary of D.L. Bliss State Park. Along with my mom and another couple, they constructed a simple two room A-frame that is remarkably still standing today. I have since spent time at the cabin every summer of my life and recently put the property in a trust so that it will be enjoyed by my extended family for many years to come. My parents ashes are at Tahoe, as will be mine when the day comes. With that history, Tahoe obviously holds a special place in my heart.

Over the years I've watched as increasingly larger and larger homes are constructed right on the lake. While I understand that people have a right to build homes on parcels of land that they own, we rely on you and the others at the TRPA to ensure that those homes are in character with their surroundings so as to preserve Tahoe's natural beauty for *all* to enjoy.

The project proposed for 8305 Meeks Bay Ave, considered alone as proposed, appears to be consistent with the residential character of the neighborhood. The TRPA draft permit states that scenic scoring, historical structure considerations, land use requirements, height restrictions, etc. have been properly addressed. I defer to the professional judgement of the TRPA staff on these matters. The restrictions on parking during construction are necessary and required, due to the narrow streets, steep slope of the road to the north, three way intersection at the end of the driveway, and the dangerous nature of the limited visibility at the intersection with highway 89.

However, it is apparent that the proposed project at 8305 Meeks Bay Avenue should not be considered alone. The previously submitted plans, which were withdrawn, demonstrate that the 8305 Meeks Bay Ave residence is in fact a component of a much larger project, which will be used and operated as a whole. This is further documented in the plans as included in the draft permit package, which title the proposed residence as "New Residence for the Buccolas", but label the buildings being permitted "Guest House and Garage".

This Guest House/Garage (which includes 'Caretaker's Quarters') is in fact an accessory structure to the 17,000 square foot, 12 bedroom structure which is planned for the 8307 Meeks Bay Avenue parcel.

The plans previously submitted for that building make it clear that it is designed to host large groups. The exterior design and interior floor plan of the 'Main Residence' includes features characteristic of a conference center, event center or small hotel. Features include a very large dining room, a large lounge, a large theater, gym, and 11 secondary bedrooms in addition to the master, all with ensuite bathrooms. Given that both the 8305 and 8307 parcels currently enjoy Vacation Home Rental permits, the design of these properties would allow one-or-more night rentals to as many as 36 people on the combined project.

Such quasi-commercial use of this property, in the middle of a purely residential neighborhood with no other commercial development, is profoundly out of character with this long-established residential neighborhood.

If the proposed structure at 8305 Meeks Bay Avenue is used as a single family residence, occupied by the owners, it is generally consistent with the characteristics of the Meeks Bay Avenue community. If it is in fact an accessory structure to an intrusive development of the adjoining parcel, then it should not be permitted.

If the owner's intentions for the 8307 parcel are to develop and use it purely as a family residence, that intent can be ensured through the permitting process by requiring recorded deed restrictions on 8305 and 8307 parcels prohibiting rental of the properties, in whole or in part, and by requiring the property owners to surrender their Vacation Home Rental permits for the two properties.

Thank you for your consideration of my concerns as a long time member of the West Shore community.

Best regards,

Pete Turner

(415) 297-1316

Georgina Balkwell

From: Jenny Schaw Ludwig <jennylud@comcast.net>
Sent: Wednesday, June 8, 2022 2:06 PM
To: Brandy McMahon
Subject: proposed project for 8305 and 8307 Meeks Bay Avenue

RE: 8305 an 8307 Meeks Bay Avenue project proposal
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: 016-063-001

To whom it may concern:

We are homeowners of property located at 8319 Meeks Bay Avenue and have concerns about the proposed project on our street. The owners of 8305 and 8307 have applied to remove and then rebuild on their property. Normally this would not concern us, but the proposed project is dramatically larger than the existing cabins and we believe will have a negative impact on our historic neighborhood. In addition, this proposed commercial property is in direct conflict with the deed restrictions of 1947 which limits this property to single family use only and prohibits any commercial property. This is phase 1 of a 2 phase project, one being a 17,00 square foot structure that will include 10+ bedrooms and as many baths.

The owner plans to rent the rooms which could likely become a "party house". Who will monitor what happens when 25+ people show up for a weekend to celebrate? Incidents around the country with horrible consequences happen and we do not want this in our quiet neighborhood.

The size of this proposed structure is not sustainable given our areas' infrastructure. Meeks Bay Avenue doesn't have the parking area needed for the number of people that would be staying in this rental property. The sewage system is old with problems that have arisen in recent years and we do not want a house this size adding to an already fragile system.

We want TRPA to consider the consequences of this project. We want your agency to ask the owner more questions and really determine what his underlining goal is. This project will benefit him monetarily but will have a very negative impact on all the other longtime residents.

Yours truly,
Jenny and Barry Ludwig
ludwig-b@sbcglobal.net

Georgina Balkwell

From: Scott Hanson <scott.hanson@allworthfinancial.com>
Sent: Wednesday, June 8, 2022 1:22 PM
To: Brandy McMahan
Subject: 8305 & 8307 Meeks Bay Ave

Hi Brandy,

Thank you for all you do to protect our lake.

I'm reaching out regarding the proposals at 8305 and 8307 Meeks Bay Ave. I live about ten houses down from these cabins and I'm horrified to see the house plans that the new owner is attempting to build. I have no problem with people buying old cabins and building nice, new homes on the lots, but a house with 17 bedrooms? Seems more like a retreat center that would need ample parking to go with it.

Unfortunately, I will be unable to make the meeting tomorrow, but wanted to express my opinion.

Thanks,

Scott Hanson
8355 Meeks Bay Ave



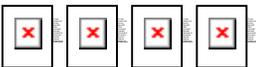
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Georgina Balkwell

From: Ty Peterson <tpeterson@markofoam.com>
Sent: Wednesday, June 8, 2022 12:52 PM
To: Brandy McMahan
Subject: APN 016-063-001/TRPA File number ERSP2021-1500

Re: APN 016-063-001/TRPA File number ERSP2021-1500

Dear TRPA,

We are writing to express our strong opposition to the proposed housing project at 8305-8307 Meeks Bay Ave.

We are 4th generation Lake Tahoe residents with our cabin located at 8248 Meeks Bay Ave, just down the street from this new development. My Grandfather ran the grocery store and butcher shop in the Meeks Bay resort for the Kellet family, my Mother worked in the resort and continued to summer in Tahoe after the resort closed. Now my wife and I and our two boys with their growing families enjoy our cabin in the tranquil setting of the West shore, where there are not the massive developments, traffic, congestion. that have been allowed in other areas of Lake Tahoe. This property had two cabins built in the early years of Lake Tahoe and it is a shame to see these go, but to be replaced with a project of this size and nature with the ability to do short term rentals as well is unconscionable.

We urge you to deny this project so we are not left with a behemoth of an eye sore that scares this area of our beautiful Lake.

Respectfully

Mr and Mrs Tyson Peterson
President
Marko Products Inc

Georgina Balkwell

From: Marina Perez de Mendiola <mperezde@scrippscollege.edu>
Sent: Wednesday, June 8, 2022 11:45 AM
To: Brandy McMahan
Cc: norindr@usc.edu (norindr@usc.edu)
Subject: proposed project at 8305 & 8307 Meeks Bay Ave
Attachments: MBVPOA 6-7-2022 Letter w Exhibits to TRPA - 8305 MBA 6-9-22 Public Hearing.pdf

Dear Brandy,

We, Panivong Norindr and Marina Perez de Mendiola owners of a cabin at 8458 Meeks Bay Ave are writing to voice our objection to the proposed project at 8305 & 8307 Meeks Bay Ave currently being reviewed by TRPA and to reiterate our support of THE MEEKS BAY VISTA PROPERTY OWNERS' ASSOCIATION that we belong to. See letter attached from our association. We fully endorse it.

If approved, the project will result in the demolition of the 1930s cabins on those two lots to be replaced by a 17,251 sq. ft. 12-bedroom Main Residence (on 8307) and a 4,231 sq. ft. 5-bedroom "Guesthouse" (on 8305). Both structures combined will total 21,482 sq. ft. of new construction. These two structures will feature amenities like a hotel (all 17 bedrooms will have ensuite bathrooms) and will provide only 4 garaged parking spaces for the entire project.

We would respectfully like to point out that this community where we currently own a 1931 cabin ourselves is 98 years old. This project would totally deface our community and the lake front. It would impact the quality of life of all of us as well as increasing traffic in what is already a very challenging road to navigate for our community. This and more egregious issues are well detailed in our association letter.

We would only like to add that we find that this kind of project signals a PROFOUND and shocking disconnect between the preservation and conservation efforts that Tahoe is currently engaged in and this kind of endeavor. This building represents a total disrespect to our community and an affront to its surrounding environment and neighbors. This building goes against the environmental and communal values that Tahoe is working so hard to preserve. It represents a crass commercial enterprise that has no place in our community, one that destroys its spirit and that of lake Tahoe as a whole. We are not against change but we advocate for sensible, forward thinking, and intelligent change and not one that is solely determined by profit and commodification at all cost. We advocate for the preservation of Tahoe's delicate ecology and its communities. Keeping Tahoe blue is also about its lake front and surrounding land. We would, therefore, like to ask: what kind of "investment" does this building represent? Is this "investment" in line with a reckless and outdated vision of what Tahoe should be or should it respect the restless efforts to conserve the beauty and fragile balance that as a community we are working so hard to keep?

Our association and surrounding communities are NOT a town like Tahoe City, Tahoma, or Homewood; this is a NEIGHBORHOOD where hotel like structures have NO place. As a matter of fact Homewood and Tahoma have been very careful to not build these kinds of structures in our towns. They have created smaller like structures that are properly sited and adapted to the landscape and the neighborhoods they are part of. So why would that be acceptable in a non-commercial zone??? What this project represents in its "newer" iteration is an attempt to deceive us into thinking that it differs from its original proposal. It clearly does not. We are truly baffled by the fact that this kind of shortsighted project could even be conceived to be built

in this kind of neighborhood, let alone making it this far in the process. We can only hope that TRPA will do its due diligence by considering the many inconsistencies that plague this project and be on the right side of Tahoe's history.

Respectfully and sincerely,

The Norindrs
8458 Meeks Bay Ave
Tahoma CA



Meeks Bay Vista Property Owners Association

P.O. Box 402 Tahoma, CA 96142

June 7, 2022

Sent Via Email: Brandy McMahon <bmcmahon@trpa.gov>

Andrew Strain, Hearings Officer
Tahoe Regional Planning Agency
128 Market St. / PO Box 5310
Stateline, NV 89449

Brandy McMahon, AICP
Local Government Coordinator
Current Planning Division
Tahoe Regional Planning Agency
P.O. Box 5310, Stateline, NV 89449

RE: 8305 Meeks Bay Ave.
8307 Meeks Bay Ave.
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

Notice of TRPA Hearing Officer Hearing: June 9, 2022, 2:00 pm

As the President and Secretary of the **Meeks Bay Vista Property Owners' Association, Inc.** ("Association" or "MBVPOA"), a California nonprofit corporation since 1975, we are submitting this letter as public comment on behalf of our Board of Directors and **over 100 of our Association members** who are all owners of properties located within or adjacent to the Meeks Bay Vista Subdivision (the "Subdivision") located just south of Meeks Bay, El Dorado County, CA. The Meeks Bay Vista Subdivision's first Map was recorded in 1924 and consists of a North Tract and South Tract. Attached to this letter as **Exhibit 1** is a copy of the first page of the 1924 Meeks Bay Vista Subdivision Map with the **155 lots** in our subdivision highlighted in yellow. On the attached map, you will see how the Meeks Bay Vista Subdivision surrounds the two parcels of properties identified as 8305 Meeks Bay Ave ("8305") and 8307 Meeks Bay Ave ("8307").

Our Association's Board of Directors and membership universally opposes both of the Applicant's TRPA Applications for Permits to construct new residences on 8305 and 8307 for multiple reasons.

1. First, the Buccola Application for 8305 (the “8305 Application”) is **incomplete on its face and must be rejected by the Hearing Officer for this reason.** On the Buccola Single Family Dwelling Application for 8305, **the Applicant has failed to declare, under penalty of perjury,** that “all property restrictions and easements have been fully disclosed.” The Applicant clearly failed to initial the 8305 Application making this declaration and material representation under penalty of perjury. More importantly, the Applicant appears to have intentionally failed to disclose to the TRPA and the public certain deed restrictions and covenants running with the land arising from a 1947 Deed which appear to impose restrictions on Applicant’s use of portions of 8305 and 8307. The Applicant knew of this 1947 Deed when it filed the 8305 Application – but has failed to disclose to the TRPA and the public the deed restrictions and covenants running with the land that are clearly present in the attached 1947 Deed. As a result, all current proceedings before TRPA should be immediately suspended until Applicant files an Amended Application that cures this existing defect and fully discloses to the TRPA and the public all deed restrictions, easements, or other restrictions, that exist on 8305 and 8307 and addresses any deed restrictions and covenants running with the land arising out of this 1947 Deed.
2. The Applicant appears to have intentionally manipulated TRPA rules and procedures to avoid TRPA considering the entire project previously proposed by Applicant on these two adjoining properties, both of which are owned by Applicant. **TRPA should acknowledge that the Applicant filed Single Family Dwelling Applications for both 8305 and 8307 at the same time on 9/22/2021 and requested in the Submittal Letters that TRPA consider both projects together and require that both projects be evaluated at the same time.**

Now, at the last minute, Applicant appears to be manipulating the TRPA review process and “withdrew” the Applicant’s Single Family Dwelling Application for 8307 (the “8307 Application”) in what appears to be a tactical decision to avoid the TRPA Staff concurrently considering the enormity of the 12-bedroom, 17,251 sq. ft. commercial short term rental facility proposed for 8307 at the same time as TRPA reviews the 8305 Application for the 5-bedroom commercial short term rental facility originally named the “Detached Garage” and now re-named the “Guesthouse.” The Applicant’s action in withdrawing the 8307 Application is an example of “**piecemealing,**” where an Applicant chops up a large project into several smaller projects to avoid a review of the total project (both 8305 and 8307) which, combined together, will have a significant impact on the environment and surrounding neighborhood.

TRPA and the Hearing Officer must reject this improper “piecemealing” tactic by the Applicant and require that the Applicant submit complete applications for the entire project for **concurrent review by TRPA** – just like the Applicant did when it first filed the 8305 and 8307 Applications and request for a Boundary Line Adjustment on 9/22/2. That

review should include an analysis of the **combined impact** of both the 8305 Application and 8307 Application to build these proposed commercial facilities surrounded by the 98-year-old single-family residential neighborhood. As a result, **the Association respectfully requests that the TRPA Hearing Officer exercise discretion to reject the 8305 Application, without prejudice**, and require the Applicant to submit the 8305 Application with a new Application for 8307 so TRPA staff can analyze both applications **concurrently** and allow the public to comment upon the combined impact of these two proposed commercial short term rental facilities surrounded by a single-family residential neighborhood.

3. The Applicant's two Single Family Dwelling Applications have **also failed to disclose to TRPA and the public that Applicant holds two (2) El Dorado County Vacation Home Rental (VHR) Permits**, one for 8305 and one for 8307, and that by all indications, the Applicant intends to offer for rent, and to rent out, these two commercial businesses **in expanded facilities** (one with 12 bedrooms, one with 5 bedrooms, for a total of 17 rentable bedrooms), thereby **expanding the Applicant's commercial short term rental business** surrounded by a deed-restricted single family residential neighborhood.
4. The Buccola 8305 Application also fails to disclose a proposed engineered remedy to redesign the steep slope of the common driveway that the Revised Site Plan states **exceeds 15% in slope in violation of the TRPA Code of Ordinances**.
5. Finally, the 8305 Application and 8307 Application do not consider or address parking and traffic impacts on a narrow country road and the complications of a common driveway (serving 8305, 8307, and 8311 Meeks Bay Ave) accessing Meeks Bay Ave exacerbating a narrow and critical entrance road intersection effectively creating a 4-way intersection with blind corners and steep slopes. Since the 1920s, Meeks Bay Ave has been a narrow country road carved across a steep hillside, where many times, one car has to stop and pull to the side to allow another vehicle going in the other direction to pass. Meeks Bay Ave also has many blind spots, and in some places, substantial slopes, and approval of the 8305 Application and 8307 Application will result in the likelihood of dangerous congestion if Applicant is allowed to expand his historic 1930s cabins into two new custom designed buildings designed with 17 bedrooms for short term rental. If approved, this new development will result is a significant impact on the surrounding residential neighborhood which universally opposes this expansion of a short-term rental business in expanded facilities on these single-family residential parcels.

Background on Buccola Single Family Dwelling Applications for 8305 and 8307 Meeks Bay Ave..

Initially, it is important to point out that the Association is not opposing Applicant building a new larger single-family residence on each of the two parcels if the property was used by a single family and not as a 17-bedroom short-term rental commercial enterprise, in a 98-year-old neighborhood of single-family homes. If the Applicant were to agree as a condition of a TRPA Permit to record a deed restriction that the proposed expanded buildings on 8305 and 8307 will never be rented as a short-term rental and will only be used by the Owner without paying guests, much of the neighborhood concern would dissipate – although concerns about traffic and parking on the right-of-way would remain. But if the Applicant will not deed restrict his parcels to prevent commercial short-term rentals, that will confirm the Applicant’s intent to operate a short-term rental commercial business in this residential neighborhood. Currently, TRPA is now being asked to approve the expansion of an existing short term rental commercial business operating in small existing facilities to approve a “Guesthouse” on 8305 that appears to be two times the square footage of the existing cabins. Plus, the Applicant has already disclosed to TRPA and the public his 8307 Application and Plans for a new 12-bedroom hotel structure at 8307, with approximately six times the rental space of the current cabin. Our Association members know that such expanded rental facilities will result in increased traffic, congestion, and parking issues, generated by occupants of 17 new rental bedrooms. Certainly, TRPA must see the same impacts on the neighborhood. In addition, the Applicant’s 17,025 sq. ft. Main Residence will dwarf the other homes in the neighborhood and, according to the topographic drawings, the roofline of the Main Residence will be taller than the elevation of Meeks Bay Ave at the top of the driveway. For these many reasons, our Association and Board of Directors urges the TRPA Hearing Officer to reject the 8305 Application because the operation of an expanded commercial short-term rental business will permanently change the character of the 98-year-old residential community that surrounds 8305 and 8307.

Two Single Family Dwelling Applications and one Boundary Line Adjustment Application Filed with TRPA on 9/22/2021.

As TRPA is aware, Mr. Buccola, the common owner of the parcels located at 8305 and 8307, originally submitted Applications on 9/22/21 to TRPA seeking the following Permits:

- (1) **A TRPA Permit and approval of a proposed Boundary Line Adjustment (BLA) to make the parcel size at 8305 smaller and the parcel size at 8307 substantially larger to accommodate the proposed 17,251 sq. ft. Main Residence that will not fit on the existing 8307 parcel.**
- (2) **A TRPA Permit to demolish the existing cabin and garage at 8307 Meeks Bay Ave to construct a new 17,251 sq. ft., 12-bedroom, Main Residence on 8307 Meeks Bay Ave.**



The Owner's 9/22/21 Application and Plans for 8507 show the East Elevation of the Applicant's proposed Main Residence facing Lake Tahoe which will be **52 feet tall from the lower-level finished floor (6,252') to the top of the roofline (6,304 feet)**. The Plans measure **the combined width of the Main Residence shown here to be 200' feet wide** – similar in width to the East Elevation of the **Sunnyside Resort and Inn** facing Lake Tahoe. Most Meeks Bay Vista Subdivision lots surrounding 8305 and 8307 are only 50 feet wide – and permanently deed restricted as single family residential.

- (3) **A TRPA Permit to demolish the existing cabins at 8305 to construct what the Applicant described in the 9/22/21 Plans as a 4,231 sq. ft. "Detached Garage"** (with 4 enclosed garage parking spaces). This proposed unit will expand the existing use area on the parcel by adding a "Caretaker's Unit" and a separate 4-bedroom residence above with four more ensuite bathrooms, a kitchen, living room, dining room, and decks.

Combined, **these two proposed new structures will total 21,482 square feet with 17 bedrooms, each with an ensuite bathroom, just like in a hotel.**

Below is an illustration taken from **the common Site Plan** the Applicant submitted to TRPA on 9/22/2022. Clearly visible on the Site Plan is the existing boundary line between 8305 and 8307 which the Applicant proposes must be moved to the west to shoehorn in the massive proposed new Main Residence to an expanded lot. With the proposed Boundary Line Adjustment, the Detached Garage structure on 8305 must be sandwiched into a narrow lot with 5-foot setbacks on each side. As discussed below, this 5-foot setback may violate covenants running with the land that burden 8305 and 8307 and require 10-foot setbacks on all sides.

“Permit Sequencing

As the proposed BLA site plan represents, the proposed lot lines are located in the middle of the existing structure on the Subject Parcel. The Applicant requests that the acknowledgement of the BLA be conditioned in the forthcoming Single-Family Dwelling permit. In addition, the Applicant requests that the completion of the historic resource mitigation strategy also be conditioned in the permit. **It is the Applicant’s goal to acknowledge both the BLA and residential permits concurrently.** The BLA has also requested to be reviewed by a third-party source.” (Emphasis added)

Our Association agrees with the Applicant’s request in the Applicants 9/22/2021 Application and **requests that TRPA must consider BOTH Applications concurrently** to avoid inconsistent decisions or piecemeal review by TRPA of the entirety of the proposed massive change these two projects will make in the 98-year-old single-family neighborhood surrounding these two proposed expanded residences. For this reason alone, the TRPA Hearing Officer should reject the Application for 8305 and mandate that the Applicant submit both Applications **for review concurrently** by TRPA personnel and the public – so the TRPA Staff are not misled and prevented from full access to review the Applicant’s intended commercial use of the two structures on 8305 and 8307.

Vacation Home Rental Permits for 8305 and 8307.

Conspicuous by its absence in the Applicant’s Letters of Submission and TRPA Applications for both 8305 and 8307 is **the Applicant has failed to disclose to TRPA** and to the public that the **Applicant appears to intend to use these two expanded facilities on 8305 and 8307 as a commercial business** for the Applicant who has been issued two (2) separate El Dorado County Vacation Home Rental (VHR) Permits. See **Exhibit 2** and **Exhibit 3**. El Dorado County personnel have confirmed that each of these VHR Permits will continue in place (and can be renewed annually for less than \$200 per year) if the current 1930 cabins remain or if TRPA approves this massive expansion of the Applicant’s commercial enterprise on these parcels **zoned by El Dorado County as Residential – Single Unit**. The entire surrounding neighborhood is similarly zoned Residential – Single Unit and for 98 years, has remained a neighborhood of single-family residences. Now, the Applicant wants to build a form of commercial 17-bedroom hotel on the edge of Lake Tahoe and rent it out for short term rentals. If this property has historically been a single-family residence, why will TRPA consider approving an expanded commercial use of a portion of this historic residential community for a profit minded enterprise?

El Dorado VHR Permit VHR21-0370 (expiring 5/31/23) currently provides:

Street Address of Rental: **8305 Meeks Bay Ave**

Maximum Permitted Occupancy: 8

Maximum Occupancy excludes children five (5) years of age or younger

On-Site Parking Spaces: 4

El Dorado VHR Permit VHR22-0395 (expiring 5/31/23) currently provides:

Street Address of Rental: **8307 Meeks Bay Ave**

Maximum Permitted Occupancy: 10

Maximum Occupancy excludes children five (5) years of age or younger

On-Site Parking Spaces: 4

If the VHR Permit for the single 1930s cabin at 8307 currently allows a maximum occupancy of 10 renters (plus children), imagine how many paying occupants can reside overnight in a boutique 12-bedroom hotel-like structure proposed by the Applicant for 8307 and the additional 5 bedrooms on 8305? Those are just the overnight guests allowed under the VHR Permits. All of the rest of the renter's guests attending daytime events, conferences, dinners, bachelor and bachelorette parties, lectures in the "Theater," or just daytime parties out on the large decks, will have to leave the premises before 10:00 pm. Just more traffic on our narrow roadways.

History of the 1924 Meeks Bay Vista Subdivision.

Before we address, on behalf of the Association, the specific defects, and omissions in the current Application for 8305, let me provide some history of the 1924 Meeks Bay Vista Subdivision.

Oswald Kehlet was the dreamer who envisioned a residential subdivision south of Mr. Kehlet's Meeks Bay Resort in the early 1920s. The roads on the west shore finally improved for summer travel and an improved bridge was constructed across Meeks Creek in the middle of Meeks Bay, CA, in the early 1920s. Soon, Mr. Kehlet and his partners recorded the Subdivision Map creating the Meeks Bay Vista Subdivision ("Subdivision") on 9/10/1924¹. Before the first lot was sold in the Subdivision, Oswald Kehlet **insisted** that every original Deed to buyers of the lots in the Subdivision include several deed restrictions² **permanently burdening each lot to maintain the residential character of the future community.**

¹ A Map of the Meeks Bay Vista North Tract Addition, comprising 17 lots, was later recorded on June 2, 1931, to divide the property between the newly relocated State Highway and Meeks Bay Ave in the North Tract into additional lots.

² See, *Meeks Bay Memories*, Carol Van Etten, Silver Syndicate Press, Reno, NV, pp 58-60.

As a result, each original Deed in the Meeks Bay Vista Subdivision included a “Deed Restriction 2” that states the following:

“2. All lots in said subdivision shall be used for residence purposes only and no mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon, and that all buildings erected on said premises, except customary outbuildings, shall be confined to one family residences.”

This permanent deed restriction, included in all original deeds to each Meeks Bay Vista Subdivision lot since the 1920s, permanently limits the use the lots in the Subdivision to “one family residences” and prohibits any “mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, **nor shall any hotels, rooming houses, or places of amusement be conducted thereon.**” As a result, in the 98-year history of the Meeks Bay Subdivision, all lots have been developed into “one family residences.”

The Association acknowledges that not all lots on Meeks Bay Ave are in the Meeks Bay Vista Subdivision. As the 1924 Meeks Bay Vista Subdivision Map (Exhibit 1) illustrates, a small parcel of land, located in Section 28, Township 14 North, Range 17 East, Mount Diablo Meridian, was owned by others when the 1924 Meeks Bay Vista Subdivision Map was recorded. The *Lake Tahoe Parcel Tracker* confirms that this parcel of land in Section 28 has later been divided into eight (8) separate parcels (the “**Section 28 Parcels**”) all of which were deeded to subsequent owners by metes and bounds legal descriptions. The Applicant’s 8305 and 8307 properties are not located within the boundaries of the Meeks Bay Vista Subdivision.

As confirmed in the **Historic Resources Inventory and Evaluation Report** (“Historic Resources Report”) the Applicant submitted to TRPA for 8305 and 8507, these two parcels have been used **solely for single family residential uses** as is evidenced by the existing cabins on these properties the Report states were built in the 1930s. These existing uses since the 1930s have been consistent with the surrounding neighborhood, including the Meeks Bay Vista Subdivision. While the Applicant has failed to disclose existing deed restrictions and covenants running with the land impacting 8305 and 8307 in its incomplete 8305 Application, **these 1947 deed restrictions and covenants running with the land are consistent with the historic use of 8305 and 9307 and require “[t]hat the premises shall be used and occupied only for private residential purposes.”** This 1947 Deed and restrictions on the use of portions of 8305 and 8307 will be discussed below.

A Recent Change in Tactics by the Owner/Applicant – “How to Erase the Main Residence.”

In early April 2022, the Applicant’s TRPA Consultant suddenly changed plans and has informed TRPA staff that the Applicant has requested to “withdraw” the 8307 Application for the Main Residence and Boundary Line Adjustments associated with 8307 (TRPA ERSP2021-1501). **The Applicant did not state that this was a permanent withdrawal** of Applicant’s disclosed plans for 8307. The TRPA online files now show the Application for the proposed Main Residence at 8307 as **“WITHDRAWN.”** As a result, because of the Applicant’s intentional “piecemealing” of its TRPA Applications, at the June 9, TRPA Public Hearing, the Applicant now seeks TRPA approval of the Applicant’s original Plans for the “Detached Garage” at 8305 that is now conveniently re-labeled as a “Guest House/Garage.”

It appears clear that this “Withdrawal” of the Application for the Main Residence by the Applicant is an example of “piecemealing,” a tactical move by the Applicant to attempt to **first obtain TRPA approval** of the 4-car Detached Garage (now called a “Guesthouse/Garage” with 5 bedrooms, 2 kitchens, living and dining room) **without any reference to the proposed 17,251 sq. ft. Main Residence with 12 additional bedrooms that the common Owner proposed in September 2021 to locate next door at 8307.**

To facilitate this attempted subterfuge (i.e., the temporary “Withdrawal” of the 8307 Application) to **avoid concurrent review with the massive Main Residence proposed by Applicant**, the Applicant has submitted a **new Site Plan to TRPA**, showing the **identical structure** of the “Guesthouse” (formerly called the “Detached Garage”) in the **same exact location and footprint** as originally submitted on 9/33/2021. Now, the new Revised Site Plan has conveniently deleted the 17,021 sq. ft. 12-bedroom Main Residence from the drawing and only the existing 1930s residence and garage are shown at the adjacent 8307. The proposed 12-bedroom Main Residence has **magically disappeared** from the amended 8305 Site Plan even though the Plans, Application, and Submittal Letter for 8307 remains online in the TRPA’s files.

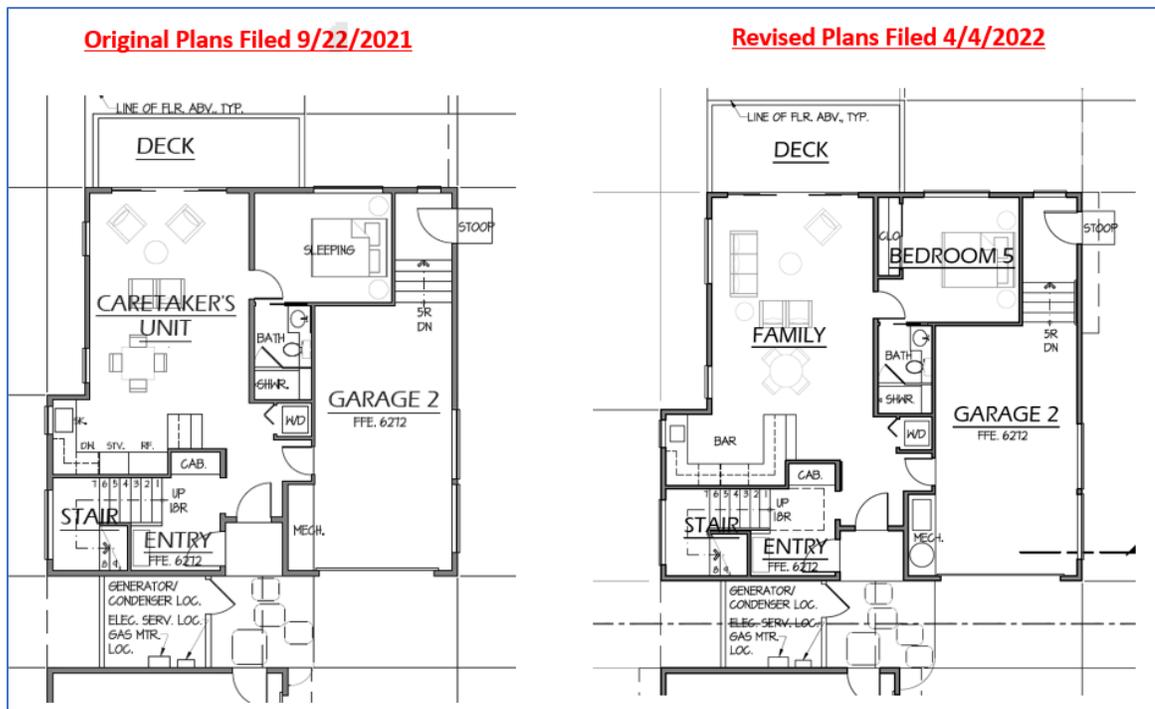
- **The piecemealing and tactical (and highly likely “temporary”) “Withdrawal” of the Application for the TRPA Permit for the Main Residence at 8307 has apparently been a successful tactic for the Applicant and has forced the TRPA Staff to ignore the “elephant in the room” - the proposed Main Residence at 8307.**
- **Some of our Association members are sure the Applicant and his TRPA consultant are celebrating with “high fives” now that TRPA Staff have recommended approval of 8305 in the “vacuum” forced on TRPA by the recent piecemealing and “withdrawal” of the 8307 Application.**

- **If the newly re-named structure on 8305 is a “Guesthouse,” what larger house does it serve?** The Merriam-Webster Dictionary defines “Guesthouse” as “: a building used for guests (as on an estate).”
- **Whether this structure is labeled as a “Guesthouse” or “Detached Garage” with Caretaker’s Unit, this structure at 8305 is designed to support another structure.** In this case, Applicant’s 8307 Application filed 9/22/2021, confirms that whether this structure is called a Detached Garage or a Guesthouse, **the structure on 8305 is associated with the massive Main Residence on 8307.** Why else would the Applicant propose a “Caretaker’s Unit” and then try to disguise that original designation re-naming it as a “Family Room” and “Bedroom 5”?
- **Respectfully, the Association requests that the TRPA Hearing Officer should reject this tactic and not allow such piecemealing and open manipulation of TRPA’s planning process, ordinances, and this subterfuge to obtain a permit for a structure that Applicant still intends to use as a Detached Garage and Caretaker’s residence supporting the Main Residence at 8307.**
- **If the Applicant truly claims it has “withdrawn” its current plans for 8307, if the Applicant continues to press the TRPA Hearing Officer for a decision on the 8305 Application at this time, the TRPA Hearing Officer should add a condition to the TRPA Permit for 8305 that the Applicant cannot re-apply for the same or similar 17,251 sq. ft. 1`2-bedroom Main Residence for at least five (5) years after the Permit for 8305 is issued.**
- **The best confirmation that this “tactic” and piecemeal manipulation has worked is the Staff Summary prepared by the TRPA Staff or the private outside contract Evaluator which has recently recommended approval of this 4,231 sq. ft. Guesthouse as proposed. The TRPA Staff Summary expressly confirms that the author of the Staff Summary ignored the Applicant’s 8307 Application and Plans for the 17,251 sq. ft. 12-bedroom Main Residence that the Applicant proposed for 8307. The TRPA Staff Summary states:**

“Furthermore, TRPA is aware of “Phase II” of this project that was proposed which included the construction of a residence on the adjacent property at 8307 Meeks Bay Avenue. However, the “Phase II” project has been withdrawn and was not included in TRPA’s review, nor is it included with the proposed approval.” (Emphasis added)
- **The quote from the Staff Summary above, confirms that the Applicant’s “piecemealing tactic” of using a (likely temporary) “withdrawal” of the Application for 8307 has been successful.** The TRPA Staff or Outside Evaluator **have put on “blinders”** and are **intentionally ignoring** the elephant in the room – the massive 12-bedroom 17,000+ sq.

ft. Main Residence the Owner has proposed **just 9 months ago** for 8307. **Does the TRPA Staff think that massive residence will simply go away?** If anyone looks at the work that has gone into the design and Plans for this 12-bedroom hotel-like structure, they know that another application for the Main Residence will be refiled soon.

- The absurdity of the Applicant's tactic can be seen in the new "Revised Site Plan" the Applicant filed with the TRPA on 4/4/2022. Originally, the Applicant's Plans filed on 9/22/21 referred to the structure proposed for 8305 as a "**Detached Garage**" which included a "**Caretaker's Unit**" on the ground floor next to the 4 garage bays³ and 4-bedroom residence upstairs. Now, the 4/4/22 "Revised Site Plan" uses "cut and paste" to **rename the Caretaker's Unit** as a "**Family Room**" with "**Bedroom 5**" of the Guesthouse. Did the Applicant really change the design? Below is a comparison of the ground floor of this Detached Garage structure from the original Plans to the revised Plans.



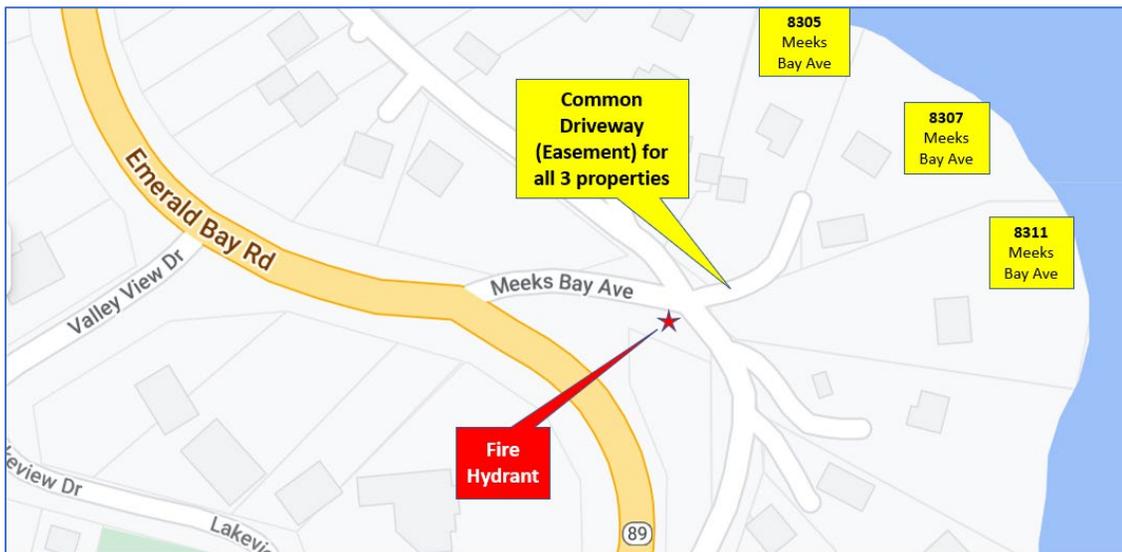
The Applicant's architectural touchup to the Plans is simply an attempt to disguise from the TRPA and the public the Applicant's apparent intent to build a "Caretaker's Unit" to

³ The TRPA description of this Project at 8305 states the project includes a "**three-car garage.**" **That is mis-leading to the public.** The Project does include a three-car garage (Garage 1 - with three single garage doors) and also includes a separate one-car garage (Garage 2 - located at a 90-degree angle to the other three garage doors). **Please look at the floor plan for the structure and correct the TRPA description for the 8305 Project and the record.**

service the massive 12-bedroom short term rental Main Residence proposed by the Owner on 8307. It will be very simple for the Applicant to convert the “Family Room” and “Bedroom 5” into the Caretaker’s Residence as originally proposed and disclosed by the Applicant. No changes will be necessary. It is the same unit. **All that has changed are the labels of the names of the room** on the new revised Plans and the addition of a small closet in the bedroom (as required for a bedroom anyway). Other than the labels giving a new name to the downstairs rooms, the elimination of a few labels on the caretaker’s kitchen cabinets, and correction of the drawings to add a closet in the bedroom on the lower level, **everything else on the 4/4/22 Revised Plans for the Guesthouse is the same as on the original 9/21/2021 Plans for the Detached Garage.** In addition, the 4/4/22 Revised Site Plan continues to locate the structure in the **exact same footprint** on 8305 – squeezed to within 5’-0” of the boundary line to the property on the west so the Applicant can later resume efforts to obtain TRPA approval of its proposed Boundary Line Adjustment – just as shown on the original Application.

Parking, Congestion, Emergency Vehicles, and Increased Traffic from 17 new Bedrooms.

- The **only concession** the TRPA Staff Summary makes for the neighborhood is that the TRPA Staff recommend that the final TRPA Permit include a condition that **construction parking (only) is prohibited from parking within the Public Right-of-Way (i.e., on Meeks Bay Ave).** But this proposed Permit condition only applies **during construction.** This condition will **not** prohibit the Owner, Users, Occupants, and Renters, of this expanded 5-bedroom property from parking on the Public Right-of-Way for years into the future.



- The traffic patterns and congestion on Meeks Bay Ave **will be permanently altered** by this additional overflow parking from renters and guests using 8305 and 8307. **The TRPA Staff have completely ignored the consequences of overflow parking from this commercial 17-bedroom Project (after it is constructed) onto Meeks Bay Ave at the top of the common driveway and along narrow Meeks Bay Ave to the north and south.**
- A two-minute inspection of this intersection will confirm that there is no place for anyone to park at this narrow intersection where the Applicant's common driveway intersects with Meeks Bay Ave and the sloped access road uphill to State Route 89 and creates a public safety hazard.
 - If there is no parking at this location, **where does TRPA suggest these overflow vehicles will park?** There is no parking on State Route 89 for quite some distance. The answer is obvious to all (except the TRPA Staff), **the drivers of these overflow vehicles will likely park as close as they can to the Applicant's common driveway on the public right-of-way (Meeks Bay Ave.)** clogging our Subdivision's primary access to State Route 89 with vehicles parked and left by the drivers or, the overflow parking will be forced to drive 100 or 250- or 500-yards, or farther, down Meeks Bay Ave (in each direction) **to park wherever they find a place to park their car partially on or off the roadway.** Renters and guests of renters do not care about the neighborhood. They will find this to be a "nuisance" and will park where they please. **Unless occupants, renters, or users, of 8305 or 8307 are prohibited from parking in the public right of way in perpetuity, every owner on Meeks Bay Ave will be impacted by the TRPA's Staff's failure to protect adjacent and distant property owners along Meeks Bay Ave** from being impacted by overflow parking from this commercial 17-bedroom commercial venture proposed by the Applicant.
 - If that parked overflow car from the Applicant's property blocks another property owner's vehicles, driveway, or parking pad, **or blocks emergency vehicles (including large Fire trucks) from driving down narrow Meeks Bay Ave, that unacceptable result will become a permanent stain of omission by current TRPA Staff.** Plus, when that overflow parking from the Project parks further down Meeks Bay Ave, the impacted neighbor will have to search and search for the car owner – who will be hundreds of yards away at the Applicant's commercial project. This may cause **unnecessary conflicts and disputes** between the overflow parkers from 8305/8307 and property owners who have historically parked in front of their homes. Who will have to referee these disputes? Will the El Dorado County Sheriff be forced to intervene?

- **Additionally, if TRPA Staff did not consider the proposed massive short-term rental hotel/residence at 8307** in preparing its Staff Summary, our Association members can only assume that **TRPA has not considered the residence located at 8311 Meeks Bay Ave (“8311”) that shares an easement and common driveway with 8305 and 8307.**
 - This old home at 8311 Meeks Bay Ave (“8311”) was built in the 1930s or 1940s and has not been occupied for years. **Even a casual look shows the structure at 8311 is in substantial disrepair.**
 - Recently, Todd Braden, the Broker from Acumen Real Estate Group (530-478-5901), who has listed this 8311 property for sale for \$6,500,00, has informed our Association’s secretary, Bill Magrath, that **the 8311 property has been sold** and is **“in escrow.”**
 - The buyer of 8311 will no doubt need to remodel or demolish the 1930s structure on the site and build a new residence after obtaining TRPA and governmental approval. Once again, there will be **more construction traffic** and, after completion, **that new residence will add more construction and owner vehicle trips up the steeply sloped common driveway shared with 8305 and 8307.** So, in addition to the additional traffic from the commercial short term rental business at 8305 and 8307, Meeks Bay Ave can expect even more traffic from the owners of 8311.
- **What about Fire and Emergency Vehicles?** Regularly, a drive down Meeks Bay Ave will disclose many narrow spots caused by construction vehicles parked on the right-of-way, dumpsters placed on the narrow roadway, and resident’s vehicles squeezed onto the uphill side of road in this very steep terrain. Driving south on Meeks Bay Ave from 8305/8307 shows a roadway with a steep hillside on one side supporting State Route 89 and a significant slope/cliff on the Lake side of the narrow road). Drivers on Meeks Bay Ave frequently have to pull over into a driveway or stop on the far side of the road for a vehicle going the opposite direction to pass.
 - It has always been a concern for residents if Fire and Emergency Services have room to come down Meeks Bay Ave to render aid to a person or property in need.
 - Adding overflow parking from the newly expanded short term rental business operated by the Applicant at 8305 and 9307 will exacerbate this congestion and could delay emergency services.
- **What about weather and snow?**
 - **Has anyone at TRPA personally observed Meeks Bay Ave during snow events?**

- **Meeks Bay Ave is an undulating narrow country road that has a very low priority on the El Dorado Public Works' snowplow schedule.** The steeper roads in the West Shore area are always cleared of snow first. **Sometimes, the snowplows will not come down Meeks Bay Ave for several days after a big snowstorm.** The result is that one or two 4-wheel drive vehicles will create "first tracks" up the roadway making a one-vehicle wide set of two tire tracks for others to attempt to follow through the snow. Sometimes those intrepid neighbors just get stuck in the middle of Meeks Bay Ave.
- At the intersection shown in the drawing above where the common driveway from 8303, 8305, and 8311, access Meeks Bay Ave., **this narrow one vehicle track in the snowy road usually encounters and develops substantial ice and snow blocking the neighborhood's access route to State Route 89.** The uphill slope of the hillside next to the roadway, many large granite boulders, and foliage, adjacent to this intersection location on the west (uphill) side of Meeks Bay Ave **create a "shady" condition which causes the snow and ice in this intersection and up this sloped roadway to State Route 89 to last for weeks.** Many times, a driver will find another driver stuck in the snow on this sloped entrance to State Route 89.
- The steep common driveway is these two commercial rental properties' (and the residents of 8311) only access to Meeks Bay Ave. Approval of these residences without a permanent ban on parking on the public right-of-way will create a "perfect storm" of congestion in perpetuity if TRPA approves this expansion of the commercial short term rental facilities at the bottom of that steep common uses driveway.
- **The traffic patterns and congestion on Meeks Bay Ave will permanently be altered by this additional surge of overflow parking from these enlarged short term rental facilities if approved by TRPA. The TRPA Staff have completely ignored the consequences of overflow parking from this commercial project (after it is constructed) onto narrow Meeks Bay Ave at the top of the common driveway . If TRPA considers approving this Project, a condition of the Permit should prohibit parking by the owners, occupants, users, and renters, of 8305 and 8307 on the public right of way in perpetuity.** No parking on Meeks Bay Ave ever. There is plenty of property on these large parcels to provide for on-site parking. Perhaps the Applicant can give up a few rental bedrooms and provide more onsite parking. Why burden other innocent property owners with overflow parking?

Why Does TRPA allow Applicants to Manipulate TRPA's Review Processes?

Why will the TRPA Staff agree to participate in this obvious “We want to withdraw part of our other Application” tactic to improve an Applicant’s chances of success with a piecemeal Application? Why does TRPA allow its staff to close their eyes to the “withdrawn” Application and Plans of what **TRPA clearly acknowledges is “Phase II” of the Applicant’s combined project** – the massive 17,251 sq. ft. 12-bedroom Main Residence? **The TRPA has in its files the Owner’s original plans for 8305 and 8307 Meeks Bay Ave.** The TRPA has the Applicant’s Application for a Boundary Line Adjustment to make the lot at 8307 Meeks Bay Ave larger to fit the massive Main Residence. **Now is the time for TRPA to discharge its legal duty** charged in the Compact to **protect neighborhoods from commercial businesses and unchecked growth** proposed by manipulative consultants and Applicants who know how to “play the game” to maximize the chances of their **partial** project getting approval. **The TRPA Hearing Officer should simply DENY a Permit to this Applicant without prejudice until the Applicant is prepared to submit ALL plans, drawings, and applications for BOTH projects, so TRPA Staff are not forced to look at parts of a combined project in a vacuum.**

The Applicant already has the Plans drawn and can re-apply for the Permits for 8307 in a matter of weeks. **TRPA can then take its blinders off and evaluate the entire hotel project proposed by the Applicant for 8307 with its “Detached Garage” on 8305. What is wrong with making the Applicant show all of the Applicant’s cards before TRPA considers approving such a major tandem project?**

With all due respect to the TRPA Staff, many of our Association members believe that TRPA has allowed its Staff to be manipulated by the Applicant and his experienced TRPA Consultant to force TRPA to ignore the combined September 22, 2021, Applications by the Applicant, with all the assorted filings, and combined drawings proposing two massive increases in the size of short-term rental properties operated by the Applicant on these parcels.

The Applicant cannot protest if the TRPA Hearing Officer mandates a concurrent review of the entire project proposed for both 8305 and 8307 because **the Applicant originally requested that BOTH projects considered together**. Our Association members respectfully request that the TRPA Hearing Officer should DENY the current application for 8305 and require the Applicant to submit Applications for both 8305 and 8307 for concurrent review and a hearing. Nobody is fooled if TRPA adds some sunlight to the administrative review process and eliminates these disguised and unproductive tactics of a “temporary withdrawal” of half of the Applicant’s proposed Project.

The TRPA Staff Summary also Ignores the El Dorado County VHR Permits.

Another surprise in the TRPA Staff Summary is the **absence of any reference that this property at 8305 Meeks Bay Ave is a commercial enterprise holding a VHR Permit and actively offering short term rentals in the middle of a 98-year-old single-family Lake Tahoe residential community.** Perhaps, the TRPA Staff were not informed by the Applicant or Applicant's TRPA Consultant that since Applicant purchase 8305 and 8307, the Applicant had made available and rented out the 1930s cabins to renters who occupied the 1930s cabins and paid short term rental income to Applicant under the Applicant's separate VHR Permits. This commercial enterprise resulted in payment of occupancy taxes to El Dorado County and individual income the Association assumes was personally reported by the Applicant on his Federal and California personal income tax returns. Has TRPA asked the Applicant if this short-term rental business is operated in his own name personally or through some other business entity? The VHR Permits are in the Applicant's name and all income received by the Applicant must be reported by him individually – not through a separate entity. TRPA should ask the Applicant this question under oath and demand copies of tax returns to assure TRPA the Applicant is not in violation of his VHR Permits.

TRPA Staff should know that if the Applicant is approved to build substantially larger facilities on 8305 and 8307, including 17 bedrooms, the income producing capability of these short-term rental properties would increase to the financial benefit to the Applicant. One would have thought that the Applicant's Plans and Applications to build a Main Residence **with 12 bedrooms** (with ensuite bathrooms) would have put TRPA **on inquiry notice** to check if the Applicant intends to build a form of luxury or boutique hotel facility, conference center, or other commercial establishment, on property zoned Residential – Single Unit. However, in the TRPA Staff Summary, the **TRPA Staff make no mention that the Applicant has used the property as a commercial business renting the property to tenants as short-term rentals and intends to operate an expanded commercial business in the new structures in the future.**

Perhaps the Applicant failed to disclose the Applicant's short-term rental business operated on the 8305 and 8307 properties to the TRPA staff. However, if the TRPA Staff had known the properties were used for a commercial business, TRPA Staff should have considered if the Applicant's Application for a permit to **double the square footage of the 1930s cabin at 8305** to expand the commercial use of this 8305 property was an appropriate expanded use of the property if it would detrimentally impact the surrounding residential single-family neighborhood. In effect, by approving this proposed expanded Guesthouse or Detached Garage with five bedrooms at 8305, **TRPA is approving of the expansion of the commercial operation at this site** and increasing the short-term rental value of the property when the neighbors are barred from operating commercial businesses on their properties.

The Applicant's Application for 8305 is Incomplete or Falsely Claims No Deed Restrictions Exist.

TRPA relies on the honesty of its Applicants and consultants in filling out Applications for projects seeking TRPA Permits. On the Applicants' 8305 Application, the Owner's Agent is required to sign, **under penalty of perjury**, a Declaration that states in pertinent part:

DECLARATION: I hereby declare under penalty of perjury **that this application and all information submitted as part of this application is true and accurate to the best of my knowledge. . . . I understand i . . . that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action. . . . I understand that additional information may be required by TRPA to review this project.**

The **Project Owner** is also required to execute a Declaration, which is not under the penalty of perjury, on the TRPA's 8305 Application that states:

I/We authorize Exline & Company, Inc. to act as my/our representative in connection with this application to TRPA for the subject property and agree to be bound by said representative. **I understand that additional information may be required by TRPA beyond that submitted by my representative, to review this project. . . . I also understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action.**

From our Association's review of the Applicant's 8305 Application personally signed by the Applicant and Applicant's Representative (under penalty of perjury) on 9/2/21, and uploaded to the TRPA and Tahoe Parcel Tracker Website, **the Applicant's 8305 Application is incomplete or falsely omits to declare, under penalty of perjury, that the 8305 property is not subject to Property Restrictions/Easements.**

Property Restrictions/Easements *(List any deed restrictions, easements or other restrictions below in the space provided.)*

None -See attached.

I hereby declare under penalty of perjury that all property restrictions and easements have been fully disclosed. **Initial here:** _____

On page 1 of the 8305 Application, **Applicant has failed to complete this important portion of the Application and has also failed to initial the Application confirming, that the Applicant declares, "under penalty of perjury, that all property restrictions and easements have been fully disclosed."**

Shown above is the incomplete portion of Applicant's 8305 Application. While the Applicant typed "**-See Attached**" on this portion of the 8305 Application, **the Applicant does not appear to disclose in any other documentation attached to the 8305 Application in the public files of TRPA any "deed restrictions or other restrictions" or confirm that "all property restrictions have been fully disclosed" under penalty of perjury.**

TRPA should require the Applicant to identify where in the 8305 Application or Submittal Letter the Applicant disclosed the existence of the 1947 Deed or why the Applicant hid the existence of this 1947 Deed from TRPA Staff. Regardless, the Applicant's initials are not on the 8305 Application.

The Applicant cannot claim ignorance of the 1947 Deed.

- The 1947 Deed is disclosed as "**Reference R-7**" under the heading "**REFERENCES**" on the **Applicant's "8305 & 8307 Meeks Bay Ave. Existing Conditions Coverage & Topographic Map"** (the "Existing Conditions Map") prepared by Lumos & Associates and filed with TRPA as part of the Land Capability Verification for APN 016-063-016 in TRPA File LCAP2021-0034. A true and correct copy of this Existing Conditions Map, downloaded from the TRPA files for File ERSP 2921-1500 is attached to this letter as **Exhibit 4**. Specifically, **Reference R-7 and the 1947 Deed is shown on the Applicant's Existing Conditions Map** as follows:

R7) DEED, BOOK 238, PG. 385, RECORDED APRIL 1, 1947, OFFICIAL RECORDS EL DORADO COUNTY.

- Under the "NOTES" section on the same Existing Conditions Map, the following entry can be found.

9) THE AVAILABLE COPY OF THE ACCESS EASEMENT (R7) IS NOT FULLY LEGIBLE AND THEREFORE NOT PLOTTED.

- No explanation is provided by the Applicant why a legible copy of the 1947 Deed was requested directly from the El Dorado County Recorder. That is where our Association obtained a legible copy of the 4/1/1947 Deed.
- On April 1, 1947, a Deed (the "4-1-1947 Deed") was recorded in the Official Records of El Dorado County by which **Edna R. Hollenbeck and Millard A. Hollenbeck, her husband, deeded a piece of real property to L. Huntley, subject to multiple deed restrictions and covenants running with the land.** A true and correct copy of this Hollenbeck to Huntley

4-1-1947 Deed, recorded April 1, 1947, in Book 238, at Page 385, obtained from the El Dorado County Recorder's Office, is attached to this letter as **Exhibit 5**.

- **TRPA and the Hearing Officer Must Immediately Suspend All Consideration of the Applicant's 8305 Application.** The TRPA was **not informed** of the 4-1-1947 Deed by the Applicant or his TRPA Consultant as required by the TRPA Application form. As a result of the discovery of this 4/1/1947 Deed, **TRPA should immediately suspend all consideration of the 8305 Application until the Applicant can provide assurance and proof to TRPA, under penalty of perjury as required by TRPA, that the 4/1/1947 Deed does not restrict the use of any portion of 8305 and 8307.**
- **In the Declaration of the Applicant's TRPA Consultant** (cited above) on the 8305 Application, the Applicant's Consultant **swore under penalty of perjury**, that **"I understand that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action.**
 - After a review of the Applicant's Existing Conditions Map (Exhibit 4) and the 4/1/1947 Deed (Exhibit 5), **it appears clear that the Applicant's 8305 Application is "inaccurate, erroneous, and incomplete."**
 - Until that **incomplete** portion of the 8305 Application is completed by the Applicant under penalty of perjury and the 4/1/1947 Deed is fully explained to the TRPA and the public, including all parties interested in the 6/9/2022 TRPA Public Hearing, **the TRPA should suspend all work on the 8503 Application and remove the 8305 Application from the Agenda for the 6/9/2022 TRPA Hearing Officer Public Meeting.**

The History Behind the 1947 Deed.

- From information the Association has located in the TRPA files and the **Historic Resources Report** the Applicant commissioned and filed with TRPA, Mr. and Mrs. Hollenbeck **owned property that was commonly known as the "Hollenbeck Tract" and located in the Section 28 Parcels.**
- It also appears that **prior to 4/1/1947**, the Hollenbecks owned a portion of the property now described as 8305 and 8307 Meeks Bay Ave. As will be described below, when the Hollenbecks sold a portion of their property to L Huntley using the 4/1/1947 Deed, **Mr. Huntley, as Grantee, agreed to take title to the property subject to certain reservations, deed restrictions, and covenants running with the land.**

- Page 15 of the **Historic Resources Report** discussed the 8305 and 8307 properties and states:

“8305 and 8307 Meeks Bay Avenue

Although not located within the 1924 Meeks Bay Vista subdivision, **the development of the subject properties, 8305 and 8307 Meeks Bay Avenue, was undoubtedly spurred by and influenced by that subdivision, both in development and architecture, as they were located on a promontory on a small portion of Section 28, between the Meeks Bay Vista North and South Tracts in Section 29, T14N, R17E (Wildman 1924, Figure 4).”**

- On page 16 of the **Historic Resources Report**, describing the title holders of 8307, the author states:

In March 1932, **Lathrop Huntley purchased a parcel of land near Meeks Bay (Deed Book 125:80), on which he built a residence, garage/guest house, pump house, pier, and other amenities. In December 1946, Millard and Edna Hollenbeck (owners of the adjoining Hollenbeck Tract) sold him what is now the southwest diagonal portion of the parcel, on which the Huntley Garage was located, Deed Book 238:387.** The following April, the Hollenbecks deeded a 16-ft. wide Right-of-Way, for road and utility purposes, between the Hollenbeck and Huntley properties (Deed Book 238:385). **This right of way includes the present driveway between 8305 and 8307 parcels, while the diagonal piece of land includes the present paved parking area.**

- **Before TRPA conducts the TRPA Hearing Officer Public Meeting, TRPA should require the Applicant to retain a licensed California Surveyor to survey and plot the boundaries of the property sold to L. Huntley by the Hollenbecks in the 4/1/1947 Deed.** This will assist to **exactly define the property conveyed by the Hollenbecks to L. Huntley, the Applicant’s predecessor in title of 8305 and 8307.**
- A review of the balance of the **4/1/1947 Deed** details that the Hollenbeck’s Deed conveyed the described property to L. Huntley **but the Deed also states** “**reserving to the grantors, their heirs and assigns, a right of way for road and utility purposes over, along and across a strip of land 8 feet in width next adjoining on the north of the initial 125 feet of the first above described parcel”** and also gave L. Huntley, as the grantee rights to the 8 feet of land to the south of the boundary line so a 16’ roadway could be built on this common border – extending 125 feet to the east from Meeks Bay Ave..

- **The Hollenbecks also reserved the right to utility easements** on the common lot boundaries.
- **Finally, the 4/1/1947 Deed describes multiple covenants running with the land which appear to benefit the Hollenbecks and their successors in interest.**

“THIS DEED conveys a portion of a larger tract, hereinafter described, for the protection of which it is made and accepted subject to the following express conditions, which shall constitute covenants running with the land:

1. **That the premises shall be used and occupied only for private residential purposes.**
2. . . . [No billboards or commercial signs on the property]
3. No person of African or Mongolian descent, or any person other than of the Caucasian Race⁴ shall use or occupy (except when employed as domestic help by the owner or occupant) said premises or any part thereof.
4. . . . (No sale of alcoholic or intoxicating liquors...)
5. **This deed is made and accepted upon the further express condition that plans and specifications for any building to be erected on the premises shall, prior to commencement of construction thereof, receive the approval in writing of the grantors or their successors in interest; and provided further that no building shall be erected closer than ten (10) feet to any side property line,** and there shall be installed and maintained with any building erected on the premises and approved type of septic tank for the disposal of sewage.
6. Each dwelling, with customary outbuildings, erected or maintained on the premises must be on a plot of land having an average width of not less than 50 feet and **with road frontage of not less than 30 feet.**
7. No horses or other animals, except dogs or cats, shall be housed or kept on the premises.

The conditions hereinabove set forth constitute a portion of a general plan of community improvement, shall run with the land hereinabove described as the servient tenement, and may be specifically enforced by the owner of any portion of, or interest in, the balance of that certain tract of which the above is a part, constituting the dominant tenement, which is situated in the County of El Dorado, State of California, and is more particularly described as follows:” (Emphasis added)

⁴ Note: This Covenant #3 in the Deed is illegal and void under laws passed since 1947 and is not enforceable.

[At the end of the Deed, the 4/1/1947 Deed includes a second “metes and bounds” description describing the properties in the “tract” that are the “dominant tenement” and the owners of that property (as successors in interest to the Hollenbecks), who can specifically enforce and benefit from the covenants that run with the land.]

- **TRPA should require the Applicant to engage a California Surveyor to plot and identify on a credible map the properties Mr. and Mrs. Hollenbeck described in the 4/1/1947 Deed as the “dominant tenement”** and identify the properties the 4/1/1947 Deed intended to benefit with the covenants running with the land. This will identify the current property owners who the Hollenbecks intended to have the power to enforce the covenants that ran with the land.
- In the years since April 1, 1947, the Hollenbeck Tract has since been divided into six (6) separate parcels and deeded to successors in interest of Mr. and Mrs. Hollenbeck. Each of these properties is believed to be identified by a separate El Dorado County Assessor Parcel Numbers and is identified with different street addresses, including **8311, 8315, 8317, 8319, 8321, and 8323 Meeks Bay Ave.** All of these properties are located in the Section 28 Parcels.

Several members of our Association own properties in the Section 28 Parcels described above which are believed to be part of the former Hollenbeck Tract and have expressed to members of the Association’s Board of Directors those members’ opposition to the Applicant’s proposed expanded commercial use of 8305 and 8307. Upon information and belief:

- These Association Members who currently own portions of the former Hollenbeck Tract in the Section 28 parcels have not been asked by the Applicant if they consent to the expanded commercial use of 8305 and 8307.
- These Association Members have not received any request to approve the Plans for 8305 and 8307 submitted by Applicant to the TRPA.
- Finally, to the extent that the Applicant’s original Site Map and Revised Site Map both show the Detached Garage or Guesthouse proposed to be located within 5’-0” of the western side yard property line of 8305, **TRPA should reject this Site Plan as it may violate the requirement in the 4/1/1947 Deed’s Covenant 5 that “no building shall be erected closer than ten (10) feet to any side property line.”**

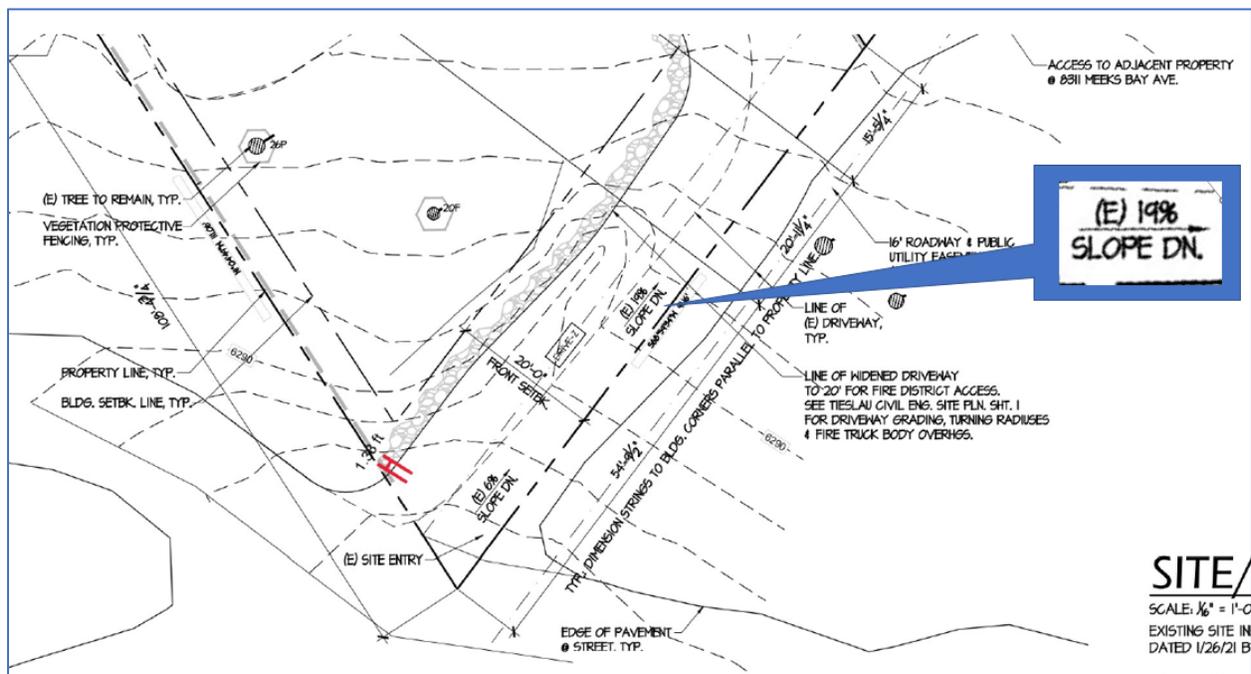
The Slope of the Common Driveway to 8305 Exceeds the Maximum Slope Allowed by the TRPA Code of Ordinances.

Section 34.3.2 E of the TRPA Code of Ordinances provides as follows:

E. Slope of Driveways

Slopes of driveways shall not exceed the standards of the county or city in whose jurisdiction the driveway is located. **Driveways shall not exceed ten percent slope**, unless TRPA finds that construction of a driveway with a ten percent or less slope would require excessive excavation and that the runoff from a steeper driveway shall be infiltrated as required in Section 60.4. **In no case shall the driveway exceed 15 percent slope.** (Emphasis added)

In the Applicant's Revised Site Plan and Drawings for 8305 submitted to TRPA on 4/4/2022, the surveyed Site Plan from Lumos & Associates shows a **19% slope** on the common driveway entrance.



This is another reason the Hearing Officer should reject the Site Plan and 8305 Application until the Applicant submits a redesigned common driveway with a lesser maximum slope for access from 8305, 8307, and 8311, Meeks Bay Ave to Meek Bay Ave. It would be preferred by the Association that when the driveway is redesigned to comply with the maximum slopes allowed in the TRPA Code of Ordinances, that the common driveway access Meeks Bay Ave at a location different than the current location due to congestion and traffic conflicts caused by vehicles exiting 8305, 8307, and 8311 Meeks Bay Ave up the current steep sloped common

driveway into cross traffic on Meeks Bay Ave at **this critical intersection** with the access road to State Route 89.

MANDATORY FINDINGS BY TRPA.

In the **Applicant's 9/22/2021 Submittal Letter** accompanying the 8307 Application, the Applicant's TRPA Consultant listed multiple "Findings" that **the Applicant states the TRPA Hearing Officer must make** to approve this proposed Guesthouse structure and issue a TRPA Permit.

The Association accepts the Applicant's representation in his submittal letter and agrees with the Applicant that the Hearing Officer must consider the following findings to approve this project at 8305. However, for the reasons stated below, the Association believes the facts and evidence are insufficient for the Hearing Officer to make these required findings.

The Applicant's 8305 Submittal Letter states:

"Project Findings

1. 4.4.1. Findings Necessary to Approve Any Project

"21.2.2.A: The project to which the use pertains is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located." (Emphasis added)

The Applicant then offers the Applicant's response to this **required finding** stating:

Finding Response 21.2.2.A: The Applicant is **proposing a single-family residence on a single parcel. The surrounding community also maintains single-family residences**, thus adhering to the existing and surrounding community residential density and intensity. **The nature of the proposed residence is similar to the nature of the surrounding residential units** and adheres to TRPA height, coverage and scenic limitations for littoral residential development projects. The Proposed Project adheres to all **applicable TRPA and Washoe County Codes** and regulations. (Emphasis added)

The Applicant's Submittal Letter **incorrectly** cites to *Washoe County Codes*. As the Hearing Officer knows, Reno and Incline Village, Nevada, are in Washoe County. Washoe County's Codes have nothing to do with development in El Dorado County.

More importantly, the Applicant's explanation above omits a critical difference between 8305 and 8307 and the Meeks Bay Vista Subdivision. **Both of these properties are operated as "for profit" commercial enterprises renting the premises out to short term**

rentals. The TRPA Staff Summary's review of this 8305 Application **ignores** that **this expanded 5-bedroom Guesthouse (or Detached Garage) structure is a short-term rental property with a VHR Permit operating as a commercial enterprise** which the Applicant seeks to **double in size**. This **expanded size of this rental home** will obviously impact the **"scale, density, intensity, and type" of use of this property making this an INappropriate use for the "surrounding area in which it will be located."**

The Meeks Bay Subdivision is not a subdivision of rental properties. It is a subdivision with deed restrictions requiring single family homes. **These two uses are as different as apples and oranges. The Board respectfully believes the TRPA Hearing Officer cannot make this required finding to approve this Project.**

The Applicant's Submittal Letter also argues that **the TRPA Hearing Officer must also make this additional finding:**

2. **"21.2.2.B: The project to which the use pertains will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood,** or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of the surrounding property owners; and (Emphasis added)

Here, the Applicant again argues the Hearing Officer can make this required finding because "Single-Family residences in PAS Rubicon are an "Allowed" use and the Applicant is proposing a single-family residence."

However, **the Applicant makes no mention** that this new "expanded size" **Guesthouse residence will add more bedrooms** to this commercial enterprise used for short term rentals. The Applicant also **does not mention the additional income the Applicant will receive from more bedrooms and better accommodations** to induce greater profits from short term rentals.

The Applicant's argument also **ignores the increased density of this Project** and the fact that **renters in this proposed Guesthouse will be using the steep common driveway (shared by 3 separate parcels) to access Meeks Bay Ave. at the most congested and dangerous intersection in the entire Meeks Bay Vista community.** This intersection is fraught with blind corners, narrow streets, and during winter months, dangerously collects ice and snow because of the shade of the hillside. **Increasing the number of vehicle trips on this narrow steep driveway which feeds into this dangerous intersection will further congestion and endanger all users of that roadway.**

Finally, the Applicant argues that the TRPA Hearing Officer must make the following finding:

3. “21.2.2.C: **The project** which the use pertains to **will not change the charter of the neighborhood, or detrimentally affect or alter the purpose of the applicable planning area statement, community plan, and specific or master plan, as the case may be.**”

Urging that the TRPA Hearing Officer make this finding, the Applicant summarily argues “The surrounding community character is single-family. The Applicant is proposing a tear down/rebuild of a single-family residence. The Proposed Project adheres to the existing character of the neighborhood. The Proposed Project adheres to the applicable Plan Area Statement (PAS), Rubicon “Allowed” uses.

Again, what the Applicant artfully avoids discussing is that the proposed use of this structure will be as a commercial short term rental unit.

In 1924, Oswald Kehlet established a “community plan” for the Meeks Bay Vista Subdivision and neighborhood by creating the Meeks Bay Vista Subdivision. Every subdivision lot in the Meeks Bay Vista Subdivision is deed restricted as follows:

“2. All lots in said subdivision shall be used for residence purposes only and no mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon, and that all buildings erected on said premises, except customary outbuildings, shall be confined to one family residences.”

This Applicant is attempting to take advantage of this 98-year-old “community plan” by spending millions to buy two lake front lots just outside the border of this Subdivision Map and then designing a luxurious hotel-like structure to rent on a short-term basis. The surrounding Meeks Bay Vista Subdivision neighborhood is deed restricted and will always remain single family residential – so the Applicant can advertise and promote the “quiet neighborhood atmosphere” surrounding his commercial enterprise as he rents his 17 bedrooms to conferences, corporate retreats, large families (or combination of families), bachelor parties, bachelorette parties, or anyone else, who will pay the premium rental this Lakefront property will generate.

The Association’s Board believes that this proposed **expanded commercial rental facility** in this “Guesthouse” will permanently change the charter and character of the surrounding neighborhood, and detrimentally affect or alter the quiet enjoyment of every resident of the Meeks Bay Vista Subdivision. For these reasons, the TRPA Hearing Officer should declare that the Hearing Officer cannot make this finding – because the

Applicant's intended commercial use at both 8305 and 8307 Meeks Bay Ave must be considered at the same time – because **in combination, the tandem effect of these two commercial properties, adjacent to a 99-year-old single family residential neighborhood, will permanently change the character of the neighborhood.**

Why Has the Applicant Not Merged the Two Properties (8305 and 8307) into a Single Parcel and Prepare a Design with the Main Residence and a Detached Garage?

Our Association members have asked why the Applicant does not merge his two parcels into a single parcel with a Main Residence and a separate Detached Garage. That makes sense to some and would allow TRPA to consider the entire project in a single Application.

The Applicant can obviously answer this question. However, the Association's members have now speculated about an explanation of why the Applicant has not taken this route and merged his two parcels into one parcel. **The answer is increased rental income.**

In Section 5.56.030 of the El Dorado County Vacation Home Rental Ordinance, the term "Vacation Home Rental" is defined as follows:

"Vacation home rental means one dwelling unit, including either the primary single-family home, one unit of a duplex, or a single condominium unit, rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days other than ongoing month-to-month tenancy granted to the same renter for the same unit."

Section 5.56.050 of the Vacation Home Rental Ordinance states, in pertinent part:

"No owner of a vacation home rental shall rent that unit for 30 consecutive calendar days or less without a valid vacation home rental permit for that unit issued pursuant to this chapter. A separate permit shall be required for each vacation home rental but there may not be more than one vacation home rental per parcel."

Based on these two sections of El Dorado County's Vacation Home Rental Ordinance, to keep both structures eligible for short term rentals, the Association believes that the Applicant intends to seek future approval from TRPA of a Boundary Line Adjustment to **manipulate the property boundaries of 8305 and 8307** to maximize the size of 8307 and shrink the size of 8305 so the Applicant can shoehorn in the 17,251 sq. ft. Main Residence on 8307 and can offer 12 separate bedrooms, with ensuite bathrooms like any hotel or motel, and can also construct the "Detached Garage" or "Guesthouse" (on a separate parcel) where the Applicant can also offer five additional bedrooms, with ensuite bathrooms like a hotel or motel, for rent as short term rentals under the Applicant's two VHR Permits. If the Applicant does not keep his two separate VHR Permits on two separate parcels, he cannot maximize his rental income amongst the quiet

single-family Meeks Bay Vista residential neighborhood surrounding his proposed commercial short term rental business.

Final Comments:

The Board Members and Officers of the Meeks Bay Vista Property Owners Association are full or part-time residents of the Meek Bay Vista neighborhood and volunteer their time, for no compensation, to help operate the Association and to take actions which benefit the common good of this 98-year-old neighborhood. Some current Association members trace their ownership in the Meeks Bay Subdivision back to 1924. Every member cares deeply about Lake Tahoe, our neighbors, and neighborhood. That is why the Association has decided to write this letter.

The statements and opinions made in this letter to the TRPA Hearing Officer by the Association are intended as public comment to advise the Tahoe Regional Planning Agency on matters of public concern. The Revised TRPA Notice setting this TRPA Hearing Officer Public Hearing ("Hearing") states:

"Interested persons may provide comments and input to the Hearings Officer prior to the meeting and day of the meeting. **Prior to the meeting submit comments by mail to TRPA, P.O. Box 5310, Stateline, Nevada 89449, or by email to bmcmahon@trpa.gov.** If written comments are not received prior to the date of the meeting, then they will not be considered.

Because of time limits on public comment at the Hearing set for 2:00 pm on June 9, 2022, and the TRPA Notice inviting written comments from the public on the Applicant's 8305 Application, the Association felt it best to include the Association's public comments in this letter to allow the TRPA Hearing Officer to consider the contents of this letter before, during, and after the Hearing. The contents of this letter are offered for the public good and are intended to provide the opinions and concerns of our members.

Respectfully submitted:



Bill Lyons, President.
maperanch@aol.com



Bill Magrath, Secretary
wmagrath@mcwlaw.com

*Andrew Strain, TRPA Hearings Officer
Brandy McMahan, AICP
Tahoe Regional Planning Agency
June 7, 2022
Page 31*

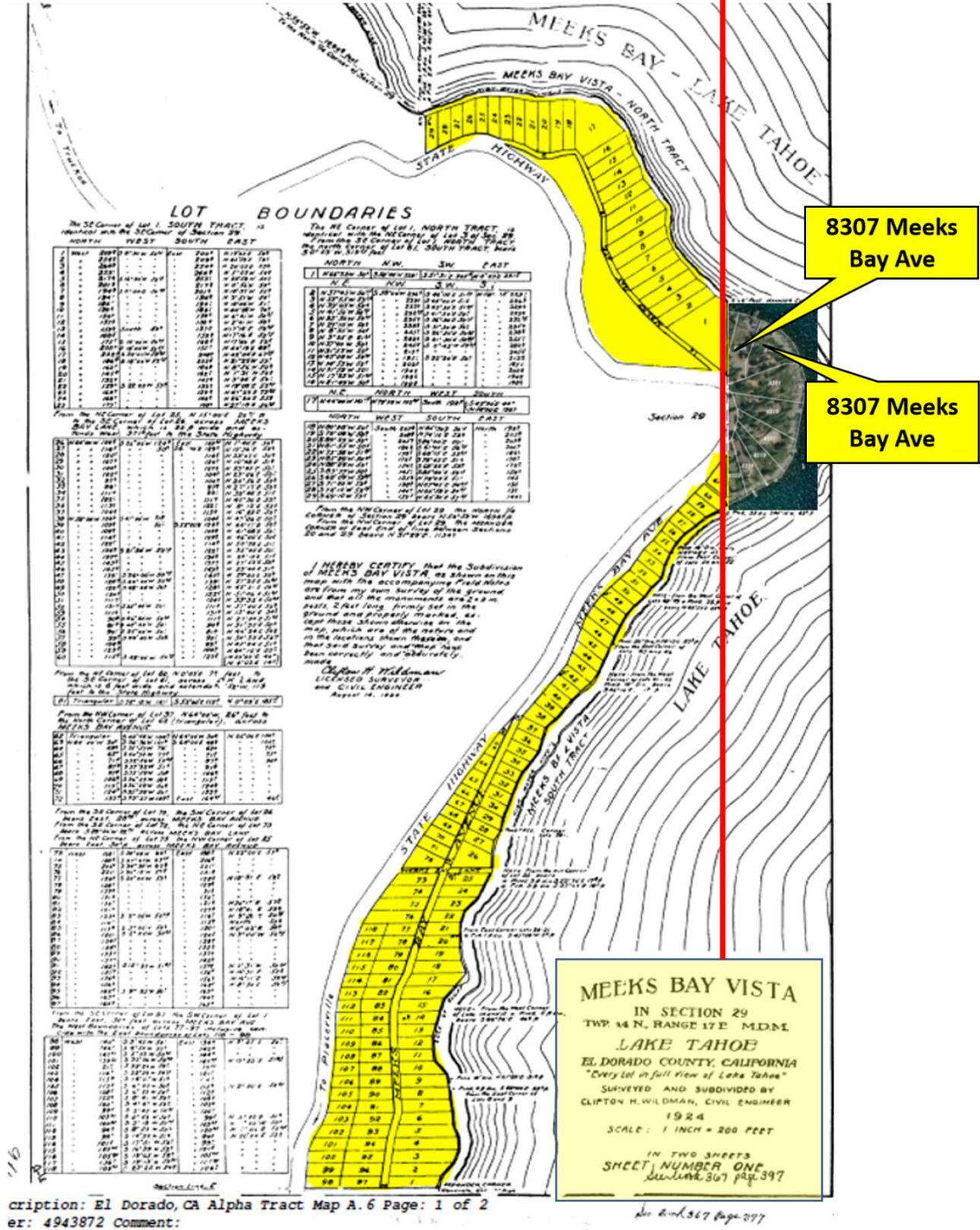
cc: Members of the Meeks Bay Vista Property Owners Association
El Dorado County Board of County Supervisors
1st District: John Hidahl - bosone@edcgov.us
2nd District: George Turnboo - bostwo@edcgov.us
3rd District: Wendy Thomas - bosthree@edcgov.us
4th District: Lori Parlin (Chair) bosfour@edcgov.us
5th District: Sue Novasel – bosfive@edcgov.us
El Dorado County Planning and Building Services Department
Friends of the West Shore - jmtornese@aol.com
Meeks Bay Fire & Rescue

Section 29

TWP 14 N., Range 17 E.
Mt Diablo Meridian

Section 28

TWP 14 N., Range 17 E.
Mt Diablo Meridian



cription: El Dorado, CA Alpha Tract Map A. 6 Page: 1 of 2
er: 4943872 Comment:

El Dorado County

VACATION HOME RENTAL PERMIT

This permit becomes null and void upon change of ownership and must be renewed annually

MUNICIPAL CODE 5.56

VHR Permit #: VHR21-0370

Expiration Date: 5/31/2022

Street Address of Rental: 8305 Meeks Bay Ave

Maximum Permitted Occupancy: 8

Maximum Occupancy excludes children five(5) years of age or younger

Drinking Water Source: Municipal

Day of Trash Pick-Up: Friday

On-Site Parking Spaces: 4

Fire Inspection Expiration Date: 5/31/2023

This permit to be posted inside the residence adjacent to the front door



El Dorado County

VACATION HOME RENTAL PERMIT

This permit becomes null and void upon change of ownership and must be renewed annually

MUNICIPAL CODE 5.56

VHR Permit #: VHR22-0395

Expiration Date: 5/31/2023

Street Address of Rental: 8307 Meeks Bay Ave

Maximum Permitted Occupancy: 10

Maximum Occupancy excludes children five(5) years of age or younger

Drinking Water Source: Municipal

Day of Trash Pick-Up: Friday

On-Site Parking Spaces: 4

Fire Inspection Expiration Date: 5/31/2023

This permit to be posted inside the residence adjacent to the front door





01/28/2021

ROBERT BUCCOLLA
8305 & 8307 MEES BAY AVE
EXISTING CONDITIONS
COVERAGE & TOPOGRAPHIC MAP

EL DORADO COUNTY
MEES BAY

REV.	DATE	DESCRIPTION

BAR IS 1" HIGH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

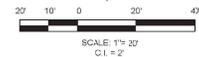
V1.0
DRAWN BY: MBC
DESIGNED BY: RBB
CHECKED BY: RBB
JOB NO.: 10243.000
SHEETS: 1 OF 1

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (2011) EPOCH 2110.00, ZONE 2. DISTANCES SHOWN ARE GROUND DISTANCES USING A PROJECT COORDINATE GRID TO GROUND SCALE FACTOR OF 1.000841875.

BASIS OF ELEVATIONS

datum LAKE TANGUE DATUM
PROJECT BENCHMARK = LAKE ELEVATION 1204.02020
HAVING AN ELEVATION OF 6225.67'



REFERENCES

- R1) GRANT DEED DOCUMENT NO 2018-0087527, RECORDED SEPTEMBER 28, 2018, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R2) GRANT DEED DOCUMENT NO 2015-002134, RECORDED MAY 30, 2015, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R3) MEES BAY SUBDIVISION MAP, BOOK 4, PG 016, RECORDED SEPTEMBER 10, 2004, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R4) RECORD OF SURVEY FOR PUTMAN ET AL., DOCUMENT NO. 2001-002202-00, BOOK 24, PG. 126, RECORDED APRIL 23, 2001, OFFICIAL RECORDS OF EL DORADO COUNTY, STATE OF CALIFORNIA.
- R5) BACKSHORE RESULTS FOR PUTMAN & WILLIAMS, DATED JUNE 13, 1997 BY B. JUDGE, TRPA RECORDS.
- R6) TOPOGRAPHIC SURVEY FOR CHRISTIANSON, DATED SEPTEMBER 28, 2016, TRPA RECORDS.
- R7) DEED, BOOK 138, PG. 385, RECORDED APRIL 1, 1947, OFFICIAL RECORDS EL DORADO COUNTY.
- R8) AGREEMENT WATER SYSTEM AND UTILITIES, BOOK 279, PG. 211, RECORDED JULY 16, 1946, OFFICIAL RECORDS OF EL DORADO COUNTY.

NOTES

- 1) THIS SHEET IS PROVIDED FOR INFORMATION ONLY, SHOWING EXISTING CONDITIONS AT THE TIME OF SURVEY AND NOT A PART OF DESIGN REVIEW.
- 2) FIELD WORK WAS PERFORMED ON 12/4/2020 & 12/7/2020.
- 3) AT THE TIME OF SURVEY THERE WAS 0'-4" OF SNOW ON SITE.
- 4) ONLY TREES 2" IN DBH OR LARGER WERE LOCATED.
- 5) THE BACKSHORE SHOWN IS A COMPOSITE OF THE BACKSHORE DELINEATION PER R3 & R6.
- 6) Boulders shown are from aerial imagery. Additional boulders may exist where obscured by vegetation.
- 7) HIGH WATER LINE WAS DETERMINED BY A COMBINATION OF LASER SCANNING AND AERIAL PHOTOGRAPHY.
- 8) THE BOUNDARY SHOWN IS MEASURED VALUES BETWEEN FOUND MONUMENTS. A RECORD OF SURVEY WILL BE FILED WITH EL DORADO COUNTY DOCUMENTING THE BOUNDARY SURVEY.
- 9) THE AVAILABLE COPY OF THE ACCESSIONMENT (R7) IS NOT FULLY LEGIBLE AND THEREFORE NOT PLOTTED.
- 10) THE DESCRIPTION OF THE AREA EFFECTED BY (R8) REGARDING THE WATER SYSTEM AND UTILITIES IS NOT READILY PLOTTABLE. REFER TO DOCUMENT FOR DETAILS.
- 11) SANITARY SEWER MAINS WERE FOUND TO BE GREEN LOCATE PAINT AND/OR GREEN PAINTED LATH.

COVERAGE

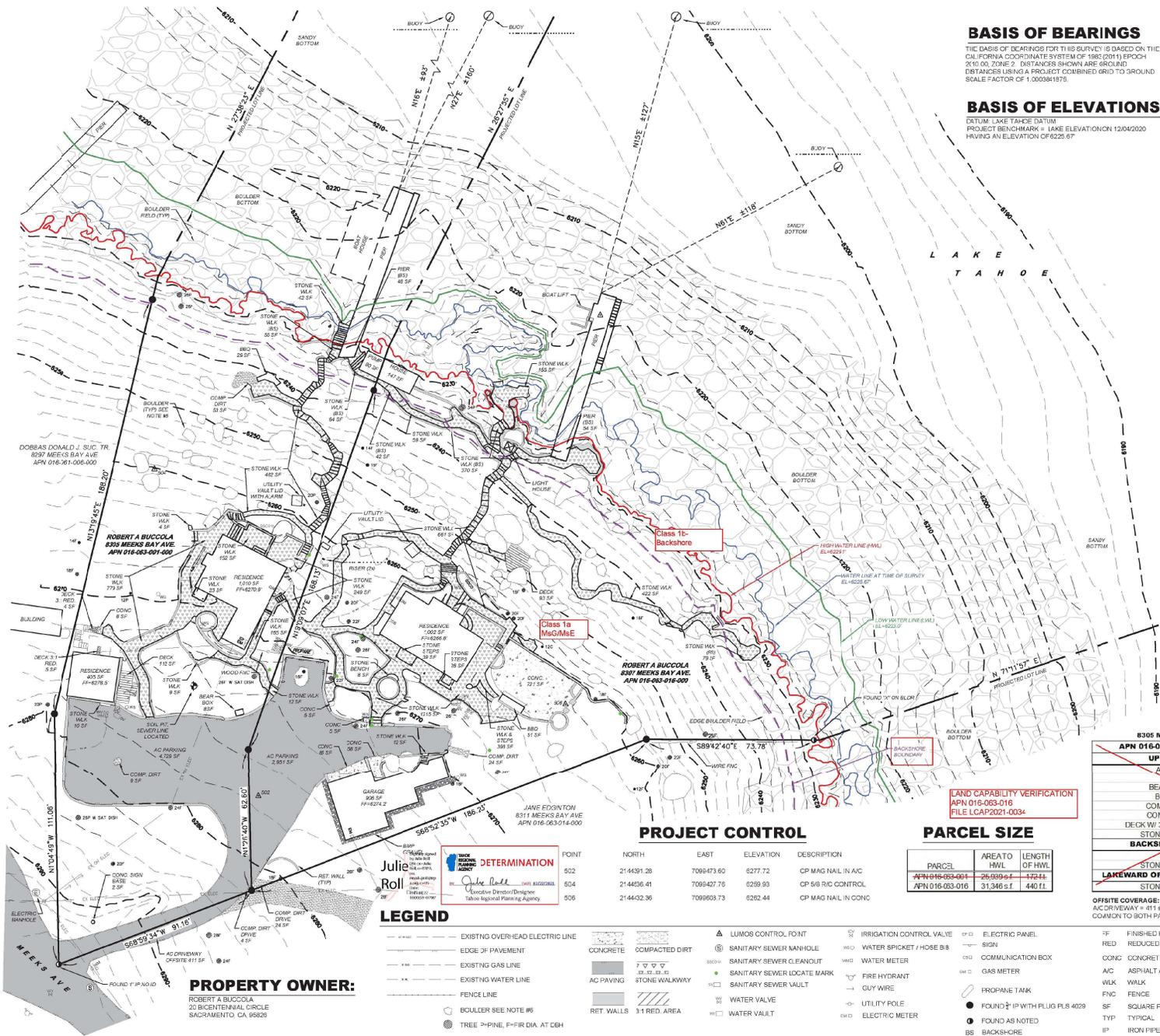
8305 MEES AVENUE APN 016-063-001 = 8,058 s.f.		8307 MEES AVENUE APN 016-063-016 = 8,929 s.f.	
UPLAND	7,849 s.f.	UPLAND	7,849 s.f.
ASPHALT	4,279 s.f.	ASPHALT	2,951 s.f.
BEAR BOX	8 s.f.	BEAR BOX	8 s.f.
BUILDING	455 s.f.	BUILDING	2,057 s.f.
COMP. DIRT	167 s.f.	COMP. DIRT	48 s.f.
CONCRETE	1,843 s.f.	CONCRETE	875 s.f.
DECK W/ 3/1 REED	167 s.f.	DECK	93 s.f.
STONE WALK	167 s.f.	STONE WALK	2,846 s.f.
BACKSHORE	167 s.f.	BACKSHORE	545 s.f.
PER	48 s.f.	PER	48 s.f.
STONE WALK	159 s.f.	STONE WALK	491 s.f.
LAKEWARD OF HWL	42 s.f.	LAKEWARD OF HWL	55 s.f.
STONE WALK	42 s.f.	STONE WALK	159 s.f.

OFFSITE COVERAGE:
AC DRIVEWAY = 411 s.f.
COMMON TO BOTH PARCELS

SITE INFORMATION:

APN 016-063-001-000
8305 MEES BAY AVE
EL DORADO COUNTY, CA
PORTION OF SEC 28 T14N R17E MDM
0.598 ACRES

APN 016-063-016-000
8307 MEES BAY AVE
EL DORADO COUNTY, CA
PORTION OF SEC 28 T14N R17E MDM
0.720 ACRES



PROJECT CONTROL

POINT	NORTH	EAST	ELEVATION	DESCRIPTION
502	214431.28	7089473.60	6277.72	CP MAG NAIL IN AC
504	214436.41	7089427.76	6259.93	CP S/R RIC CONTROL
505	214432.36	7089693.73	6282.44	CP MAG NAIL IN CONC

PARCEL SIZE

PARCEL	AREATO OF HWL	LENGTH OF HWL
APN 016-063-001	26,699 s.f.	172.44'
APN 016-063-016	31,346 s.f.	440.11'

LAND CAPABILITY VERIFICATION
FILE LCAP2021-0034

LEGEND

- EXISTING OVERHEAD ELECTRIC LINE
- EDGE OF PAVEMENT
- EXISTING GAS LINE
- EXISTING WATER LINE
- FENCE LINE
- BOLLER SEE NOTE #6
- TREE 2" IN DBH, 1" IN DIA. AT CBH
- LUMOS CONTROL POINT
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- SANITARY SEWER LOCATE MARK
- SANITARY SEWER VAULT
- WATER VALVE
- WATER VAULT
- IRRIGATION CONTROL VALVE
- WATER SPOCKET / HOSE BIB
- WATER METER
- FIRE HYDRANT
- GUY WIRE
- UTILITY POLE
- ELECTRIC METER
- ELECTRIC PANEL
- SIGN
- COMMUNICATION BOX
- GAS METER
- PROPANE TANK
- FOUND 2" IP WITH PLUG PLUS 4029
- FOUND AS NOTED
- BS BACKSHORE
- FINISHED FLOOR
- REDUCED
- CONC CONCRETE
- AC ASPHALT / CONCRETE
- WALK WALK
- FENCE FENCE
- SF SQUARE FEET
- TYP TYPICAL
- IP IRON PIPE

PROPERTY OWNER:

ROBERT A BUCCOLLA
20 BICENTENNIAL CIRCLE
SACRAMENTO, CA 95826

STATE OF CALIFORNIA,)
COUNTY OF) ss.

On this 1st day of April, 1947, before me, Helen B. Benson, a Notary Public in and for said County, personally appeared Oscar C. Reichert and Alma M. Reichert, husband and wife known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

(SEAL)

HELEN B. BENSON

Notary Public in and for said County and State.

Filed for Record at the Request of INTER-COUNTY TITLE CO. APR. 1 A.D. 1947 at 8 min. past 4 o'clock P.M.

NO. 1267.

JAMES W. SWEENEY
Recorder of El Dorado County

COMPARED

EDNA P. HOLLENBECK et vir

to

D E E D

L. HUNTLEY
#####



FOR VALUE RECEIVED EDNA R. HOLLENBECK and MILL RD A. HOLLENBECK, her husband, GRANT to L. HUNTLEY, a married man, all that real property situate in the COUNTY of EL DORADO, STATE of CALIFORNIA, described as follows:

Beginning at an "x" mark on a rock on the West line of fractional Section 28, Township 14 North, Range 17 East, M. E. B. & M. from which point the South meander corner set on said Section line bears South along said Section line 496.76 feet and running thence from said point of beginning North 70° 29' East 276.61 feet to a point; thence North 89° 59' West 33.82 feet to a 1 1/4" capped galvanized iron pipe set in a fence line; thence North 89° 59' West 227.00 feet to a 5/8" reinforcing bar set at a fence corner on the West line of the said Section 28; thence South along said Section line 92.88 feet to the point of beginning, reserving to the grantors, their heirs and assigns, a right of way for road and utility purposes over, along and across a strip of land 8 feet in width next adjoining on the North of the initial 125 feet of the first above described course of this parcel, and including to the grantee, his heirs and assigns, a right of way for road and utility purposes over, along and across a strip of land 8 feet in width next adjoining on the South of the initial 125 feet of the first above described course of this parcel. Said rights of way constitute a roadway 16 feet in width for the use in common of the owners of same.

Subject to easements and rights of record or established.

TO HAVE AND TO HOLD the same subject always to the following:

SUBJECT to the right of the grantors, their successors and assigns, to grant easements for electric light poles, and for the installation of subsidiary pipes, wire and cables in, over, through, under, upon and along the rear or side lines of said lot, and to construct and install pipes for water or gas or conduits or cables along property lines as may be necessary, such

easements, however, not to exceed three (3) feet in width; and subject further to the right hereby reserved by the grantors, their successors and assigns, to permit water, gas or sewer mains, and electric light, power and telephone poles with appurtenances thereto to be installed in the roads in said property, and to grant easements for any and all of said purposes.

THIS DEED conveys a portion of a larger tract, hereinafter described, for the protection of which it is made and accepted subject to the following express conditions, which shall constitute covenants running with the land:

- 1 - That the premises shall be used and occupied only for private residential purposes.
- 2 - No bill boards or commercial signs shall be maintained on the said premises.
- 3 - No person of African or Mongolian descent, or any person other than of the Caucasian Race shall use, or occupy (except when employed as domestic help by the owner or occupant) said premises or any part thereof.
- 4 - No alcoholic, vinous, malt or intoxicating liquor or any wine shall ever be manufactured, sold, given away, or exposed for sale, or disposed of as a beverage in any place of public resort upon the said premises or any part thereof.
- 5 - This deed is made and accepted upon the further express condition that plans and specifications for any building to be erected on the premises shall, prior to commencement of construction thereof, receive the approval in writing of the grantors or their successors in interest; and provided further that no building shall be erected closer than ten (10) feet to any side property line, and that there shall be installed and maintained with any building erected on the premises an approved type of septic tank for the disposal of sewage.
- 6 - Each dwelling, with customary outbuildings, erected or maintained on the premises must be on a plot of land having an average width of not less than 50 feet and with a road frontage of not less than 30 feet.
- 7 - No horses or other animals, except dogs or cats, shall be housed or kept on the premises.

The conditions hereinabove set forth constitute a portion of a general plan of community improvement, shall run with the land hereinabove described as the servient tenement, and may be specifically enforced by the owner of any portion of, or interest in, the balance of that certain tract of which the above is a part, constituting the dominant tenement, which is situated in the County of El Dorado, State of California, and is more particularly described as follows:

BEGINNING at the South meander corner set on the West Section line of fractional Section 28, Township 14 North, Range 17 East, M.D.B. & M., a 6" x 6" post set for the said corner, and running thence North 589.64 feet to a 5/8" reinforcing bar set at a fence corner, from which the North meander corner set on the said West line of the said fractional Section 28 bears North 222.21 feet, thence South 89° 57' East 337.03 feet to a steel fence post set at the shore of Lake Tahoe; thence Southerly along the shore of Lake Tahoe the following 4 courses and distances: South 9° 53' East 99.99 feet, South 11° 24' West 309.00 feet, South 33° 05' West 101.17 feet, and South 02° 07' West 266.85 feet to a point which is South 22.00 feet from the South meander corner above described, thence North 22.00 feet to the point of beginning, together with all the land lying between the above described parcel and the ordinary low water line of Lake Tahoe, and bounded on the North by the Easterly extension of the North line of said parcel, and bounded on the West by the West Section line of fractional Section 28, Township 14 North, Range 17 East,

M. D. B. & M.

WITNESS our hands December 19, 1946.

BY A. F. HOFFMEYER

WILLIAM A. HOFFMEYER

STATE OF CALIFORNIA,)
County of Placer)

On this 3rd day of January in the year one thousand nine hundred and forty-seven, before me Helen M. Barnard a Notary Public in and for the County of Placer personally appeared EDNA R. HOLLENBECK and MILLARD A. HOLLENBECK, her husband, known to me to be the persons whose names are subscribed to the within instrument, and they duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written.

(SEAL)

HELEN M. BARNARD

Notary Public in and for the County of Placer, State of California
My Commission Expires November 1, 1947.

Filed for Record at the Request of INTER-COUNTY TITLE CO. Apr. 1 A.D. 1947 at 9 min. past 4 o'clock P.M.
P.O. 1280.

JAMES W. SWEENEY
RECORDER OF EL DORADO COUNTY

COMPARED

EDNA R. HOLLENBECK et vir
to
L. HUNTLEY

QUITCLAIM DEED

FOR VALUE RECEIVED EDNA R. HOLLENBECK and MILLARD A. HOLLENBECK, her husband, QUITCLAIM to L. HUNTLEY, a married man, all that real property situate in the COUNTY OF EL DORADO, STATE OF CALIFORNIA, described as follows:
All of that portion of fractional Section 28, Township 14 North, Range 17 East, M. D. B. & M. being and lying North of the North boundary of the following described real property:
Beginning at the South meander corner set on the West Section line of fractional Section 28, Township 14 North, Range 17 East, M. D. B. & M., a 6" x 6" post scribed for the said corner, and running thence North 569.54 feet to a 5/8" reinforcing bar set at a fence corner, from which the North meander corner set on the said West line of the said fractional Section 28 bears North 222.21 feet, thence South 69° 59' East 557.03 feet to a steel fence post set at the shore of Lake Tahoe; thence Southerly along the shore of Lake Tahoe the following 4 courses and distances; South 9° 50' East 99.50 feet, South 11° 24' West 309.00 feet, South 53° 05' West 101.17 feet, and South 62° 07' West 200.83 feet to a point which is South 22.00 feet from the South meander corner above described, thence North 22.00 feet to the point of beginning, together with all the land lying between the above described parcel and the ordinary low water line of Lake Tahoe, and bounded on the North by the Easterly extension of the North line of said parcel, and bounded on the West by the West Section line of fractional Section 28, Township 14 North, Range 17 East, M. D. B. & M.

WITNESS our hands DECEMBER 19, 1946.

EDNA R. HOLLENBECK
MILLARD A. HOLLENBECK

Regarding the Application for

8305 Meeks Bay Avenue, Meeks Bay, El Dorado County, California

APN 016-063-001 / TRPA File Number ERSP2021-1500

Applicant Robert Buccola

TRPA & To Whom it May Concern,

As a joint property owner of 8275 and 8282 Meeks Bay Ave, I have significant objections to the proposed development at 8305 and 8307 which can be categorized as procedural objections, concerns about conserving Tahoe history, and neighborhood preservation. I have enumerated them for you below. I request that they be entered into the official record in advance of the hearing June 9th. Thank you for your careful consideration.

Procedural Objections

First and most immediately, I urge you to refuse to review the plans for one property without the other. I object to the plans of a dual property owner being considered in isolation from each other and would like to insist that the entirety of development be applied for at once. *This is of special importance considering the owner originally applied as a package and appears to have withdrawn and relabeled his applications as a tactic to gain approval to what is clearly an objectionable dual development plan.* As shown from the owner's initial application, the structure currently in question is intended as a "detached garage" containing the caretaker unit, garage, and additional bedrooms for the private hotel / boarding house he is building next door.

I would also like TRPA to reconsider accepting their own staff's summary as it appears to have been rushed. First it completely ignores the vacation rental permits the owner currently holds. I do not understand how you can approve a construction project without considering its intended use. Second, it does not address the fact that the applicant refers to county regulations in Nevada, when this is on the California side of the lake. I request that this hearing be postponed so TRPA can take the time to re-review their own summary & the application carefully for further overlooked errors as this particular development is of grave concern to the preservation of the character of the Lake Tahoe shoreline and our historic neighborhood.

Historic Value & Conservation

As I understand it, the owner is required to mitigate for demolishing historic structures. *I have not seen detailed plans on how either the demolition would preserve nor the new structures restore anything of historic character.* The houses in our subdivision, and especially on the point in question, are of a unique handbuilt small family character which defines the historic nature of our neighborhood. Recreational lake users routinely enjoy slowly cruising by and looking at the little cabins nestled into the trees and we enjoy looking at them as we go on our daily walks. Replacing it with what amounts to a private hotel built on extravagant modern lines goes directly against the history and characteristics of the neighborhood and TRPA's mission to "preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region".

Having recently gone through our own rebuild process, *I am familiar with the area being a Non-Compliance Zone for multiple developments violating TRPA guidelines.* What you have

before you appears to be a blatant flaunting of the purpose of this body to preserve the character of Lake Tahoe communities, especially of lake-front properties. Regardless of its use, the proposed joint project is a massive structure that represents both a complete divergence from the roadside character of the neighborhood and the creation of a glaring modern landmark on the shore that will last for generations.

Neighborhood & Safety Concerns

Meeks Bay Avenue has been a small quiet community of friendly neighbors for 100 years. We grew up with each other, know each other, look out for each other, and help each other. *The introduction of a revolving door of visitors who are not familiar with local concerns, nor concerned about preserving the quiet family-friendly nature of the community, would be a significant and permanent disruption to the peace and safety of the neighborhood as a whole.* Of special concern is our personal safety, the auditory ambiance of the neighborhood, and the increased presence of bears.

First: It is a favorite pastime for most residents to walk the length of the track with their dogs and small children in tow throughout the day. This is not without risks, but the vast majority of drivers on our street know the dangers of the particular blind intersection and traffic on our *narrow, one lane road* is normally light other than peak vacation weekends. *However, this exact spot is the most dangerous stretch of the entire tract as drivers are blind turning into it off Hwy89, blind driving up the hill from the south, and blind coming north around the corner. Additionally the road is steep and slippery with gravel in the summer and ice in the winter. The increase in traffic a private boarding house (and its construction) represents, even if run via shuttle, is a significant and permanent traffic danger to every person in the neighborhood.* Not only us, but as there are plans to run a *bike path* down the center of our *one lane road* this development poses increased risk to many from outside our community as well. This very real traffic safety concern must be adequately addressed before any large development is approved.

Second: this is a quiet community of family vacation homes. We come up to enjoy the natural sounds of the wind in the trees and the waves on the shore, not to make noise nor be subjected to it. *It is of significant concern that the joint development seems intentionally set up for large groups to congregate for a short period of communal enjoyment* (read: parties). As an owner within hearing distance I strongly object to the development of such a facility in the middle of a family neighborhood. Should such a project be approved it must include clauses addressing noise limits, complaints, and penalties. I am specifically requesting a ban on outdoor speaker systems and enforceable quiet hours so our children can sleep.

Third: bears are a huge issue in the neighborhood already. *The introduction of a large number of people unaware of necessary precautions and likely to let loose while on vacation could significantly increase the presence of bears and break ins in the neighborhood.* Especially as the vast majority of homes here are for summer use only with limited food supplies but the joint facility the owner is proposing would increase the year-round presence of bear attractants in the area. This will have a direct fiscal impact on everyone affected by attempted and successful bear break ins. Additionally, as bears become more present the safety of our dogs and children comes more into question. Bears, dogs, and children tend to be free-roaming and any increase in the presence of bears increases the risk to *and therefore limits the enjoyment of all residents.*

Conclusion

The owner of this joint project has shown their hand with their rental permits and in the designs of their initial application, which they have merely split and relabeled to try and get approval. The dual property is clearly set up to allow a revolving door of 32renters (*16 ensuite bedrooms*) being dropped off and picked up on a regular basis. This is a commercial venture in the middle of a single-family deeded neighborhood that will forever change the human environment and limit the enjoyment of not just the property owners in the area but also recreational users on the lake. *I urge TRPA to first require that the adjacent properties be presented as a joint application and ultimately to stand by your mission and deny the developer the ability to go forward with the construction & implementation of what amounts to a private commercial property at a dangerous intersection in a quiet historic neighborhood.*

Should you decide against concerns to allow such a construction, it must be with strict ongoing limitations to preserve the safety of the residents and the quiet character of the community. Any such limitations should be enforceable by ongoing (not one time) and increasingly severe penalty fines. If this body does not have the ability to limit and regulate use, I ask that you prevent objectionable use from being possible in the first place by denying their application.

Thank you so much for your time and consideration.

Summer Chrisman
Owner 8282 & 8275 Meeks Bay Avenue
summerchrisman@gmail.com
847 Division St, Unit D
Pleasanton, CA 94566

Georgina Balkwell

From: Summer Chrisman <summerchrisman@gmail.com>
Sent: Wednesday, June 8, 2022 10:59 AM
To: Brandy McMahan
Subject: Comments for the Public Hearing on 8305 Meeks Bay Avenue
Attachments: 8305 Meeks Bay Ave Hearing Objections.pdf

Brandy McMahan,

Good morning! I am quite nervous about this so I would be very grateful if you would be so kind as to confirm receipt of this email and attached pdf, that I sent this to the correct person, and that it is in time for review. I am also interested in speaking at the meeting itself tomorrow. How do I go about signing up for that?

Thank you so much for your help!

Summer Chrisman

Georgina Balkwell

From: Judith May <judithmay@icloud.com>
Sent: Wednesday, June 8, 2022 10:43 AM
To: Brandy McMahan
Subject: TRPA File No: ERSP2021-1500

Re. Building Plans for 8305 / 8307 Meeks Bay Avenue

Dear Ms. McMahan,

I'm writing to you today to express my extreme concern over the above development proposal for these two lots situated in a tight residential neighborhood. I have viewed the plans on TRPA's website and cannot fathom how a 'home' of >21K square feet can possibly work in this neighborhood of narrow streets and limited parking. While I understand and support the owner's desire to revamp or replace the existing historical cottages, the plan for 21,000 sq ft and 17 bedrooms seems excessive and begs the question of short term rental aims. With limited parking spaces available relative to the capacity of this large project it is clear that both during construction and after our small neighborhood will be severely negatively impacted.

My husband and I purchased a property on this street 6 years ago precisely because of the neighborhood charm. We built a modest sized home where we reside full time. We have experienced years of frustrating delays, unadvertised road closures and speeding construction trucks due to a large ongoing project south of us. That rebuild is about 8K sq ft and has been in production for over 5 years. The influx of homeowners in the summer months is already a challenge due to lack of parking availability but the winter months see a different set of issues due to snow/ice/slope where one stuck car can hamper travel for hours. The proposed project at 8305-7 is almost three times the size of the one south of us and will most certainly result in serious delay and inconvenience to Meeks Bay Ave residents for a long time to come, particularly as the site is at the hazardous entry to our small street. Additionally, the recent withdrawal and resubmitting of plans that do not include the original massive structure seem suspiciously tactical.

In summary, I am opposed to this project for the above reasons and because there seems to be a calculated ploy to deceive or at least mislead the interested parties. My expectation is that TRPA will keep an account of and require a review of the entire project as originally submitted.

Sincerely,

Judith May
8441 Meeks Bay Avenue

Georgina Balkwell

From: rob may <robmay@mac.com>
Sent: Wednesday, June 8, 2022 10:37 AM
To: Brandy McMahan
Cc: Rob May
Subject: TRPA File No: ERSP2021-1500

Re: 8305 Meeks Bay Ave.

TRPA File No: ERSP2021-1500

Assessors Parcel Number: APN 016-063-001

Brandy McMahan,

My name is Robert May and I live full time at 8441 Meeks Bay Ave. I oppose the current proposal listed above.

The applicant had submitted on 9/22/21 to TRPA seeking permits:

1. Boundary Line Adjustment to make 8305 MBA smaller and 8307 MBA larger
2. Demolish the existing cabin and garage at 8307 MBA and construct a 12-bedroom/12 bathrooms main residence (17,251 sq. ft.).
3. Demolish the existing cabins at 8305 MBA and construct a 4,231 garage with 5-bedroom suites each with their own bathrooms.

The applicant has withdrawn his Boundary Line Adjustment and his main residence plan...I feel we're witnessing a "Bait and Switch" maneuver...a piecemeal tactic.

Additionally, there was no mention of the currently approved VHR permits that would allow short term rental on a property with 17-bedrooms each with their own bathroom or a reasonable parking plan for this potential commercial property...where will 17+ cars park? Meeks Bay Ave. is a narrow road and this property is at our entrance. How will the additional traffic and parking shortage be handled? Our emergency vehicle access on snow days or summer weekends is already challenging. This attempt to push through (a one step at a time method) hotel like property would forever change our small single-family neighborhood.

TRPA Staff has recommended approval of this single-family residence. Certainly, TRPA is aware of the second stage of this project and the lack of disclosure is obvious. This application should be rejected and TRPA should require the applicant to disclose his entire plan.

Sincerely,

Robert May

8441 Meeks Bay Ave.

Tahoma, Ca 96142

C 925-381-4354

H 530-525-9417

robdmay@mac.com

Georgina Balkwell

From: Terry Chrisman <tr.chrisman@gmail.com>
Sent: Wednesday, June 8, 2022 3:06 PM
To: Brandy McMahan
Subject: 8305 Meeks Bay Ave Public Hearing

To Whom It May Concern,

As a 3rd generation property owner at 8275 and 8282 Meeks Bay Ave. in the Meeks Bay Subdivision, I cannot, in good conscience, support of the proposed redevelopment for 8305 Meeks Bay Ave. on its own or especially in light of the currently withdrawn proposed development of 8307 Meeks Bay Ave. I have concerns regarding historical mitigation, construction, design/usage, potential noise/subdivision access, and property value reduction.

- I am at loss as to how the construction of rental property(s) counts as a mitigation for the loss of the historical structure(s) that would need to be torn down.
- Construction material delivery blocking subdivision access. The primary access for this property is right on the subdivision main entrance and on a 1 lane road with a steep grade and several sharp turns. I have significant concern regarding potential large truck deliveries and them being unable to turn around/enter and blocking access to the subdivision. I am also somewhat concerned construction employees will not always be able to park on lot and will end up along the road.
- The proposed design of the new building on 8305 (and especially 8307) do not appear be in line with what would typically be considered a single family dwelling and appear designed along the line of a high end boarding house/hotel exclusively for group rental(s).
 - The surrounding properties of the Meeks Bay Subdivision lots have been deed restricted since the 1920s. This limits the use the lots in the Subdivision to “one family residences” and prohibits any “mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, nor shall any hotels, rooming houses, or places of amusement be conducted thereon.” The approval of this redevelopment (and subsequent Phase II on 8307) would destroy not only the historical building(s) and historical appearance of the area, but it will end a 100 year history of a quiet family based community.
 - Also of significant concern is the potential total number of renters at one time once phase 2 is completed as it would be be several times the maximum occupancy of surrounding buildings.
 - Concern over potential renters not caring to/understanding wildlife precautions and their actions inviting an influx of associated issues into the subdivision, not limited to car and cabin break-ins by bears.
 - As of 2020, this area had not met TRPA scenic thresholds. The large number of windows on these building(s) that would be visible from the lake are of

significant concern in terms of quantity (compared to surrounding homes) as well as increased reflectivity due to groupings/size.

- If plan(s) are approved, I have significant concerns about renters being overly loud/excessive revelry, especially late at night as I own property at 8275 and 8282 Meeks Bay Ave.
 - Inline with the above concerns, I am also concerned over subdivision access blockage if renters get behind the wheel while under the influence and crash/get their car stuck/park in the road due to lack of parking (especially in regards to phase 2 due to lack of parking).
- Considering the above items, I am concerned that such development(s) as currently planned will negatively impact the surrounding property values, especially in the long term.

I am hoping that in light of the above concerns, the currently proposed development(s) will be denied and Meeks Bay Ave and its associated shorelines will be allowed to continue in their historical vein. Thank you for your time and consideration.

Sincerely,

Terry Chrisman

PS I am planning a three bedroom, two bath 'woodshed'; you wouldn't have any problem with that, right?

Georgina Balkwell

From: John Strickley <jstrickleynz@yahoo.com>
Sent: Wednesday, June 8, 2022 3:43 PM
To: Brandy McMahan
Subject: Proposed Project at 8305 and 8307 Meeks Bay Ave.

Dear Ms. McMahan,

Please forward this letter to the TRPA hearings officer:

Having recently learned of this issue, the members of my family want to let the TRPA hearing officer know that we are strongly opposed to any approval of the proposed 4,231 sq. ft. guesthouse/ garage at 8305 Meeks Bay Ave. as well as any future application for a 17,251 sq. ft. structure at 8307 on the same narrow road. Our family has enjoyed our cabin at 8221 Meeks Bay Ave. since it was built by my grandparents the mid 1930's and feel that Mr. Buccola's proposed project is extremely inappropriate for our Meeks Bay neighborhood of single family homes and summer cabins. I don't believe that the TRPA staff that has recommended approval of this application has truly considered all the negative impacts it would have on the Tahoe environment as well as on the lives of those of us who live and vacation here.

I realize that Mr. Buccola withdrew his application for the main residence for the time being in order to facilitate the approval of the first stage of his plans. I think it is easy to see, however, that he is more interested in building a huge moneymaking rental facility than just a vacation home for his family. Of major concern is the lack of parking spaces all along Meeks Bay Avenue. It already gets quite congested along this road during busy times of the year, and adding all the vehicles driven by all the folks that could be eventually staying in those seventeen bedrooms could be a real nightmare.

Please remember that the TRPA's mission statement reads, "Our mission is to lead the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region, while improving local communities, and people's interactions with our irreplaceable environment." Considering the size and location of the entire project as well as the fact that it will bring more people, traffic, congestion, and noise to the Meeks Bay Vista community, I do not believe that the TRPA staff recommendation holds to this mission. I respectfully urge you to deny this application at least until a full and complete impact study can be done that includes information and recommendations from other state and county agencies.

Sincerely,

John W. Strickley
16313 Bobcat Ct.
Grass Valley, CA 95949

Georgina Balkwell

From: Felsch, John <felsch@plsinfo.org>
Sent: Wednesday, June 8, 2022 3:50 PM
To: Brandy McMahon
Cc: shawnfelsch@yahoo.com
Subject: Proposed construction project at 8305 and 8307 Meeks Bay Avenue

To whom it may concern,

My family and I have been homeowners and enjoyed the serenity and beauty of Rubicon and Meeks Bay since the late 1940s. While our extended family decided to sell the original lake front home several years ago, my wife and I recently cherished a renewed opportunity to buy a small lot on a Alice Lane and build a modest home where we could continue to enjoy this area's pristine solitude. We are simply outraged a construction project of this magnitude is even being considered at all and as conscientious conservationists vehemently object to its' passage. Not only will this potentially pose a serious environmental threat to our community and culture, the surreptitious means by which the property owner has attempted to orchestrate this is unconscionable, not to mention the parking space debacle it would undoubtedly create.

Needless to say, my wife and I respectfully request that the TRPA deny this property owner's permit to complete this project as it is being currently proposed and seriously dread the detrimental consequences that would surely result if indeed it was approved.

Sincerely,

John and Shawn Felsch

Georgina Balkwell

From: William A. S. Magrath II <wmagrath@Mcdonaldcarano.com>
Sent: Wednesday, June 8, 2022 5:12 PM
To: Brandy McMahan
Cc: William A. S. Magrath II
Subject: 8305 Meeks Bay Ave. ERSP2021-1500

Brandy.

Here is one more comment to the Hearing Officer. Would you please pass this on? Thank you. Bill

June 8, 2022

Andrew Strain, Hearings Officer
Tahoe Regional Planning Agency
128 Market St. / PO Box 5310
Stateline, NV 89449

Brandy McMahan, AICP
Local Government Coordinator
Current Planning Division
Tahoe Regional Planning Agency
P.O. Box 5310, Stateline, NV 89449

RE: 8305 Meeks Bay Ave.
8307 Meeks Bay Ave.
TRPA File No: ERSP2021-1500
Assessor's Parcel Number: APN 016-063-001

Mr. Strain and Ms. McMahan:

My wife and I own a home at 8357 Meeks Bay Ave ("MBA"). When we drive to our home, we access MBA off of State Route 89 by a short downhill roadway which intersects with MBA where the common driveway from the homes at 8305/8307/8311 MBA connect with MBA. I drive through this intersection two to six times a day. This intersection is a narrow road with large, tall boulders perpendicular to the edge of the roadway on the uphill side that make you drive your car in the middle of MBA to avoid this obstruction. You have to be very careful driving through this area due to all the blind spots.

I write in opposition to the TRPA approval of the Guesthouse at 8305 MBA for multiple reasons.

1. The Buccola Application for 8305 MBA is incomplete on its face. The Applicant has not sworn, under penalty of perjury (as required by the TRPA form), that the Applicant has disclosed all restrictions for the use of the property. In addition, it appears that a 1947 Deed exists that granted land to Mr. Buccola's predecessor in title and included deed restrictions, reservations of rights, and covenants that run with the land that appear to impact and burden 8305 MBA and 8307 MBA which the Applicant knew of – but failed to disclose to TRPA and the public. That is grounds for rejection of the Application in its entirety. But at a minimum, TRPA should suspend all review and approval processes of the Application until the Applicant has provided TRPA with a written explanation

of how the 1947 Deed impacts his property. Did the Applicant's TRPA Consultant, who signed the 8395 Application, commit perjury by failing to disclose the 1947 Deed and the covenants running with the land when that 1947 Deed was known to Applicant and referenced on the Applicant's Coverage Map?

2. **The proposed new structures at 8305 and 8307 Meeks Bay Ave are intended to operate as a commercial business if the Applicant will not forfeit his current Vacation Home Rental Permit for each residence and sign a deed restriction prohibiting any commercial use or short-term rentals of these expanded properties.** The Applicant has made a business of renting the current cabins as short-term rentals. Now, the Applicant wants to expand the size of the building at 8305 MBA to increase the square footage and number of bedrooms he can rent to the highest bidder. The applicant wants to explode the size of the single cabin on 8307 to create a facility for short term rentals with 12 bedrooms, all with ensuite bathrooms, like in every hotel in the United States. **This is a commercial business operated in a single-family neighborhood. TRPA is being asked to facilitate this commercial short term rental business by approving bigger premises so more people can rent and occupy these rental facilities. This must be rejected.**

TRPA should condition any Permit for this Guesthouse upon the Applicant voluntarily forfeiting his current VHR Permit for 8305 MBA and agreeing to record a deed restriction prohibiting these expanded premises from being used for any short-term rentals.

When the same issue comes up for the 12-bedroom, 17,251 sq. ft. Main Residence, TRPA should do the same. Forfeit the current VHR Permit for 8307 MBA and record a deed restriction prohibiting the future use of the property as a short-term rental facility. **If the Applicant rejects this forfeiture and deed restriction proposal, then we know the Applicant truly is building new expanded buildings for use as a commercial short term rental business.** TRPA should not issue a Permit for this commercial business to exist within the Meeks Bay Vista single family neighborhood.

3. **The Applicant filed Applications for 8305 MBA and 8307 MBA and a Boundary Line Adjustment in September 2021. The Applicant asked TRPA to review both applications concurrently. That should happen.**

Along with most of my neighbors, **we agree TRPA should consider the entire project, BOTH the Main Residence at 8307 and the Detached Garage or Guesthouse at 8305, concurrently.** This is too big a project in too small of a single-family neighborhood to allow for piecemeal review. But TRPA has apparently approved of this tactic by the Applicant and allowed the Applicant to proceed with the **subterfuge of a "Withdrawal" of the 8307 Application.**

- This is a tactic that TRPA should reject.
- If the Applicant continues to claim the withdrawal was not a tactic, the condition any approval of the Permit for 8305 upon the Applicant agreeing not to submit a new Application to TRPA for the 12-bedroom 17,251 sq. ft. residence for at least five (5) years.
- The Applicant is hoping TRPA and the Hearing Officer will close their eyes to what is proposed on 8307 – to better the Applicant's chances for approval of the 8305 Application. **Allowing "piecemeal" applications for governmental permits are a disfavored process in the Courts because the impact of the entire project should be evaluated and not simply tiny pieces.**
- The TRPA Staff are allowing themselves to be manipulated by a savvy TRPA Consultant intent on ramming through a commercial business at 8305 and 8307 in one hundred-year-old neighborhood restricted to single family homes.

TRPA should not allow this Applicant to withdraw the 8307 Application to avoid TRPA Staff's review and consideration of that massive project on the smaller project. But TRPA Staff did just that. Their Staff Summary proves this stating:

“Furthermore, TRPA is aware of “Phase II” of this project that was proposed which included the construction of a residence on the adjacent property at 8307 Meeks Bay Avenue. However, the “Phase II” project has been withdrawn and was not included in TRPA’s review, nor is it included with the proposed approval.” (Emphasis added)

If the Applicant wants to “withdraw” the 8307 Application, then ask the Applicant to withdraw the 8305 Application too. Submit them both when they are ready.

We urge the Hearing Officer to reject the 8305 Application without prejudice and require the Applicant to resubmit the entire project so all parts of this project can be reviewed as a whole.

4. **Parking and traffic congestion.** The 6/7/22 Letter from the Meeks Bay Vista Property Owners Association has described the traffic and parking problems in the neighborhood that will be exacerbated by the TRPA’s approval of larger lakefront structures in which the Applicant intends to operate a commercial short term rental business with 17 bedrooms. During the summer months, we have to rent parking places at the Meeks Bay Resort for our guests because there is such limited parking on Meeks Bay Ave.

The TRPA Staff Summary has recognized that construction parking was an issue and recommended that the TRPA Permit include a condition that prohibits any construction parking on the public right of way during construction. But what about overflow parking from this commercial short term rental facility after construction is complete?

- 8305 and 8307 are large parcels. The Applicant should be forced to design (or redesign) its site plan to accommodate all parking on site.
- There is no place to park on Meeks Bay Ave. and Permit should be conditioned upon **the Applicant, owners, occupants, and renters, at 8305 Meeks Bay Ave snot being allowed to park on the public right-of-way in perpetuity. Build all parking on the site. The Site Plan does not have adequate parking for both 8305 and 8307.**

5. **Why is the Guesthouse proposed to be built with a 5’-0” setback from the property at 8297 MBA? Why not require the Applicant to center the house on the lot?**



If TRPA Staff are truly ignoring what is proposed for 8307, then TRPA should require the Applicant to center the proposed new building on 8305 in the center of the Lot. There is plenty of room because the second old cabin on 8305 will be torn down.

The TRPA Code of Ordinances requires minimum set back requirements. There may also exist a 10'-0" minimum side yard setback in covenants running with the land from a 1947 Deed that burden portions of 8305 MBA.

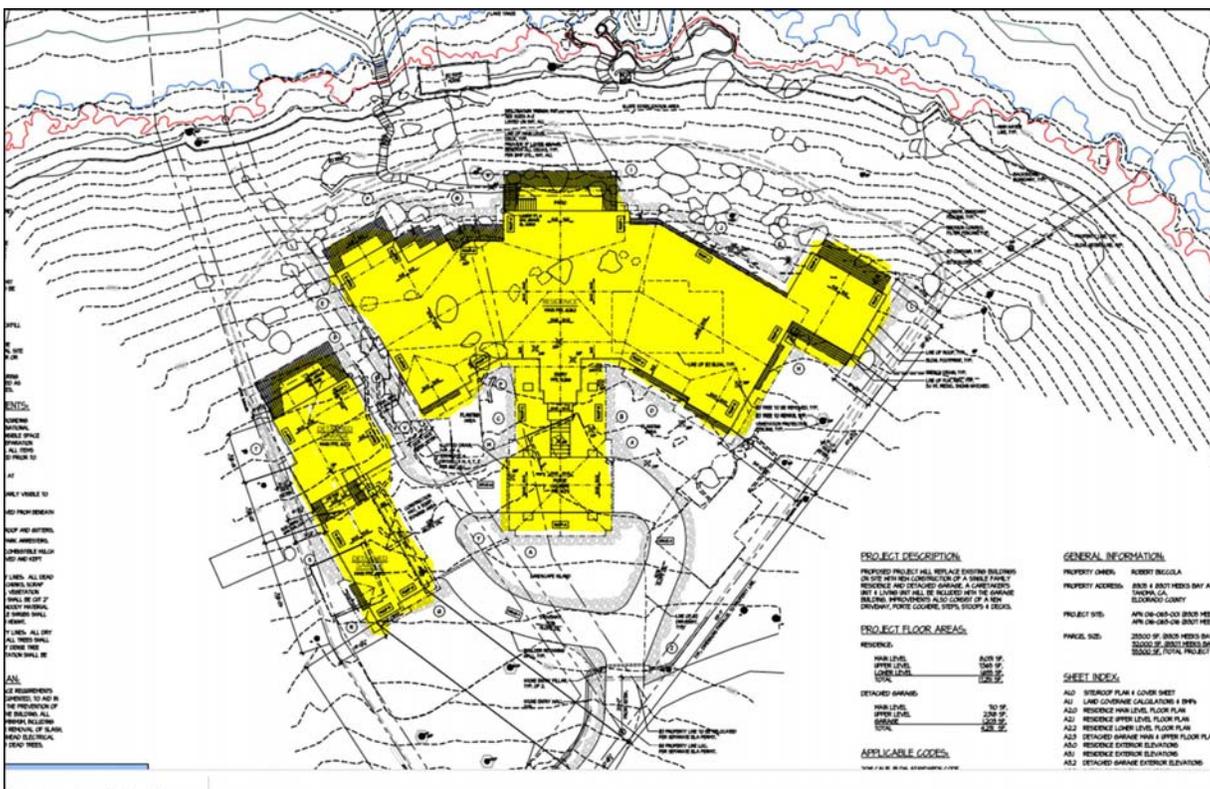
But we all know the real reason the foundation and design of this Guesthouse is placed where it is shown on the Revised Site Plan. This current design is part of the original design of BOTH 8305 and 8307 MBA. Why didn't TRPA Staff recommend that the structure be moved to the middle of the lot? Instead, the TRPA Staff have apparently approved the Applicant's proposed location of the structure on the property to help the Applicant with its future Boundary Line Adjustment.

- Why is the TRPA Staff helping the Applicant with its 8307 Application – which is withdrawn?
- Why isn't the TRPA Staff concerned about the next-door neighbor to the north – Mr. Denny Dobbas.
- Side yard setbacks should be fair. What happened to equal treatment under the law?
- Why is TRPA not being neutral on this?

I recommend that the Hearing Officer make a neutral decision and require that the Guesthouse be located in the center of the parcel – with equal side yard setbacks on both sides of the parcel. If the Applicant does not want this, the Applicant can return and reapply for 8307 and have the entire project considered at the same time.

The Buccola Applications are not compatible with the neighborhood.

We were made aware of Mr. Buccola's multiple Applications for new residences at 8305 MBA and 8307 MBA and the Boundary Line Adjustment. I have carefully reviewed the 9/22/2021 Applications filed by Mr. Buccola for 8305 MBA and 8307 MBA, and the Boundary Line Adjustment Mr. Buccola seeks to reduce the size of 8305 MBA and increase the size of 8307 MBA. As you can see below, Mr. Buccola proposes to shrink down the size of the parcel at 8305 MBA and increase the size of 8307 MBA for the proposed 17,251 sq. ft. 12-bedroom short term rental facility he wants to build.



In the weeks since the first Notice of the April 28, 2021, TRPA Hearing Officer Public Meeting, I have spoken with my neighbors at Lake Tahoe up and down MBA. **Everyone is astonished by this massive commercial intrusion into our hundred-year-old subdivision.** Yes – we have seen old cabins demolished and replaced by larger homes. **But we have never seen a structure designed with 12 bedrooms intended to maximize the commercial value of the short-term rental business in a neighborhood made up of single-family homes.** I understand that I cannot turn my property into a commercial short term rental business because my lot, and the neighbors’ lots, are burdened with a deed restriction that limits the use of my lot to a single-family residence. Why should the Applicant make such an intrusion into our quiet neighborhood?

Below is a photo I took from the water last week of the cabins currently built long ago on 8305 and 8307 MBA.



The single cabin on the left in the photo is the house at 8307 MBA proposed for demolition. The two cabins on the right are on 8305 MBA and both will be demolished to build the proposed “Guesthouse.” The little building on the far right behind two trees is a neighbor’s house (8297 MBA). As you can see, the trees in front of these homes have apparently been trimmed over the years to provide the cabins with an unobstructed view of the Lake. If large new homes are permitted to be built on these parcels, everyone on the Lake will have an unobstructed view of the massive new hotel in Meeks Bay proposed by the Applicant.

I was absolutely astonished with I first saw the East Elevation of the 17,251’ sq. ft. residence intended by Mr. Buccola to face the Lake.



This proposed Main Residence is **200 feet wide**. It is **52 feet tall** from the finished floor of the lower level to the peak of the roof. According to the Topo Map, the roof ridge will be 4 feet taller than the street level of MBA where the driveway is located.

Because the Main Residence is so large – and so out of character with the surrounding neighborhood – and because it can be rented out for corporate events, continuing legal education programs, bachelor and bachelorette parties, and major social gatherings inside the house and on the large decks, **everyone in the neighborhood opposes this intrusion and permanent detrimental impact this Main Residence and Guesthouse will have on our quiet neighborhood of single-family residences.**

Please reject this Application. Do not stretch to make findings in support of this Application. This commercial short term rental business should not be located here.

Thank you for considering my comments.

Bill Magrath

William A. S. Magrath II | Partner



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Georgina Balkwell

From: Linnea Hull <linneakhull@gmail.com>
Sent: Wednesday, June 8, 2022 5:30 PM
To: Brandy McMahon
Subject: Fwd: TRPA Hearing on 8305 Meeks Bay Ave. - Enclosed TRPS Staff Summary and Notice

To: TAHOE REGIONAL PLANNING AGENCY
From: Linnea Kehlet Hull
Re: 8305 and 8307 Meeks Bay Avenue
TRPA File number ERSP2021-1500
Hearing on June 9 @ 2:00

I am writing on behalf of myself and individuals listed below to express our strong opposition to the development of the properties located at 8305 and 8307 Meeks Bay Avenue.

This a residential neighborhood with single family homes. For the last 99 year, homeowners have created a very unique community. Generations rotate in and out, cabins have been bought and sold, torn down and replaced with larger homes. It saddens us to see these small cottages and replaced. One constant is the love of the lake and our Meeks Bay Vista neighborhood.

This proposal is different than a remodel or a rebuild of a family cabin. This is a deliberate attempt to generate income and thereby exploit our neighborhood. It will increase traffic and parking problems, generate excessive noise from large group events and will become an out of place eyesore from Meeks Bay Avenue AND from the Lake.

The secret is out. West shore is the best shore. If TRPA approves this motel on the Lake, it will no longer be the special it is today.

Lisa Ferrari
Elizabeth Hichcock
Gary Baldwin
Mike McCauly
Jeff Platte
Krewn Platte
Gayle Rammer
Ron Rammer
Jack Hitchcock
Geoergeanne Hitchcock
Carla Ferrari
Bill Ferrari
Leslie Stradley
Craig Stradley
Tami Fletcher
Hal Flectcher
Carrie Asplund
David Asplund
Ottie Biondi
Aria Allen

Pete Ross
Ada Ross
Debra Ayers
Ann Ayers
Dr. Cynthia Ferrera
Travis Falls
Elliott Hull
Greg Hull
Jeff Fisher-Gasper
Maren LeGate
Eric Kehlet
Kirsten Kehlet
Mimi Morse
Mike Morse
Arne Kehlet
Jon Kehlet
Marilyn Kehlet
Ricki Day
Rob Day
David Kehlet
Jen Kehlet
Ingrid Kehlet Smith
Walker Smith
Astrid Smith
Rollin Kehlet
Grace Kehlet
Hanna Delgado
Cody Delgado
Andria Allen
Andrea Henley- Allen
Arne Kehlet
Gayle Kehlet
Kirsten Kehlet
Jackson Angle
Naila Labrie
Sara Qutami
Kelsey Barrowman
Noah Damiani
Nick Garcia
Evan Root
Kenneth Young
Maiti King
Mike Malloy
Keolani Kaovaka
Audrey Wilbur
Katie Sugrue
Blu Navarrete
Paul Biondi
Tila Kehlet Biondi
Ottilia Biondi
Dane Kehlet
Daret Kehlet
Renee Kehlet
Karsen Kehlet
Olin Kehlet
Gregory Hull
Lauren Hull

Karsen Kehlet
Steven Kehlet

Georgina Balkwell

From: Lisa Chrisman <lj.chrisman@gmail.com>
Sent: Wednesday, June 8, 2022 10:05 PM
To: Brandy McMahon
Subject: TRPA File No: ERSP2021-1500

To the TRPA Hearings Officer

RE:

Location of Subject Property: 8305 Meeks Bay Ave., Meeks Bay, CA.

TRPA File No: ERSP2021-1500

Assessor's Parcel Number: APN 016-063-001

In 2020 a bear broke into our home through a sliding glass door. In the process of replacing this glass door, I discovered we could not replace it in kind because “Your property is in an area that is not in attainment with TRPA scenic thresholds”, (Quoting a TRPA reponse email dated July 14, 2020 from Tiffany Good (and copied to Robert Graves)).

The proposed project(s) request permission to replace small cabins of historic value with large building(s) on the point between Meeks and Rubicon Bays. If one small sliding door looking onto the lake is of such importance to TRPA, how can you as an organization approve the replacement of small historic cabins in a quiet residential area with limited access (the 2 way road is really only one lane wide) with such a huge project?

The obvious intent to rent (the owner has rental permits in hand) sets this property up as a business, not a family residence with an occasional rental.

How can the loss of these historic cabins be “mitigated”? The proposed construction merely destroys what was there. And proposes to replace them with two buildings that face the lake, one being 200 feet wide and 52 feet tall.

The proposed projects are too big for this neighborhood and do not fit in with the desire to maintain TRPA scenic thresholds OR preserve historic buildings.

The Meeks Bay Vista Property Owners Association has prepared a response to this project which I am not copying here, but agree with completely.

Sincerely,

Lisa Chrisman,

3rd generation Property owner, 8275 and 8282 Meeks Bay Avenue

Georgina Balkwell

From: Jay Gudebski <jay.gudebski@gmail.com>
Sent: Wednesday, June 8, 2022 10:35 PM
To: Brandy McMahan
Subject: 8305 Meeks Bay Avenue

RE: **TRPA File No.:** ERSP2021-1500 (the proposed "Project")

Location of Subject Property: 8305 Meeks Bay Avenue, Meeks Bay; El Dorado County, California

Assessor's Parcel Number: APN 016-063-001

Applicant: Robert Buccola

Brandy,

I previously submitted comments to this project on May 8th and would like to add the following comments:

1) **Piecemeal Permitting:** I still believe it is inappropriate to bifurcate the permit sequencing for a residential development of such massive scale. The applicant is clearly piecemealing his intended development of both 8305 and 8307 parcels in an attempt to manipulate the TRPA permitting process to his advantage. He has withdrawn his original plans for both parcels and resubmitted for only the 8305 "guesthouse" – formerly known as the "detached garage". He has changed this 8305 project in name only and this guesthouse/garage is clearly still an accessory unit to the 17,251 sf main house acknowledged in the TRPA staff report as "Phase II". Given the fact that he maintains rental permits on both parcels and he has already shown his intent to expand the capacity of those units significantly within our single-family neighborhood, it is clear that this project is not of such a nature, scale, density, intensity, and type to be appropriate use for the parcels and surrounding area. A commercial property in the middle of a purely residential neighborhood is a completely inappropriate use for the parcel and the surrounding area.

The permitting of 8305 should be inextricably linked and concurrent to the permitting of 8307. This is not a simple redevelopment of one parcel; it is a massive reconfiguring of 2 separate parcels in order to achieve the primary objective of building "phase II" -- a 17,251 sf commercial enterprise that is completely inappropriate and out of scale for our single-family neighborhood.

If the applicant's intent is not to run the properties commercially as rentals and, indeed, is to use them purely as a single-family residence (as has been implied in this permitting application), then that intent can be solidified in this permitting process through a recorded deed restriction for both parcels to prohibit any rentals, and by the applicant forfeiting the vacation home rental permits for both parcels.

2) **Historic Resource Mitigation:** The proposed mitigation for demolition of the historic cabins in this report is insufficient. On February 15, 2022, TRPA requested consultation with the CA State Historic Preservation Office (SHPO) regarding the Historic Resources report for these two properties, but SHPO never formally responded to the TRPA request. The staff report states that "CAL SHPO did not provide any comments but TRPA staff has determined that the report is satisfactory." This is woefully inadequate for a historic resource of this quality.

Finding 67.7.3: *Historic resources shall not be demolished, disturbed, or removed unless TRPA finds that: A. The action will not be detrimental to the historic significance of the resource.* Staff determined that Finding “A” is applicable to this project. I could not disagree more with the idea that the action of demolishing these historic cabins will not be detrimental to the historical significance of the resource. It seems rather absurd to say that an inventory of what once existed is somehow just as equal to the actual resource existing!

3) **Construction parking:** The staff report acknowledges homeowners' concerns regarding parking; stating that offsite parking is prohibited in the public right of way and is addressed in the draft permit. Unfortunately, this will do nothing to actually deter contractors from parking in the public right away as they have been doing for years along our narrow road. This site is especially concerning given the nature of multiple roads and highway entrances converging together at this parcel’s driveway entrance. This convergence and lack of space on the road will create major life safety issues for the neighborhood and undoubted headaches for me as a next door neighbor. A better solution needs to be proposed!

Thank you,

Jay Gudebski

JAMES NICHOLS ARCHITECTURE LLC
245 Nassau Street -2nd Floor, Princeton, NJ 08540

Architecture, Facility Planning & Sustainable Design
jpnarch@gmail.com Tel 609-439-8484 Fax 609-924-3936

Brandy McMahon
TRPA
P.O. Box 5310
Stateline, NV 89449
June 8, 2022

RE: APN 016-063-001/TRPA File Number ERSP2021-1500
8305 Meeks Bay Avenue, Meeks Bay, El Dorado County CA
VIA: email to bmcmahon@trpa.gov

Dear Ms. McMahon:

I am writing to object to the proposed development of the properties at 8305 and 8307 Meeks Bay Avenue, of which a portion is under current consideration for approval by TRPA. My perspective is that of an architect in practice for 30 years and joint owner of a family residence along Meeks Bay Avenue that would be negatively impacted by the proposed project.

The project comprises the "Main House" with 12 bedrooms, including a large master bedroom suite, and a bedroom/bunkroom, (sleeping 26 minimum), as well as the "Detached Garage" which is in fact a separate, two-family residence, including a four-bedroom, four-bathroom house (sleeps 8) together with a separate, one-bedroom caretakers' apartment) (sleeps 2), for a total of 36 simultaneous occupants in dedicated bedrooms alone.

The description of the "single family dwelling" in the TRPA application is intentionally misleading as the building is designed and labeled as two separate residences with separate entrance doors. It appears to be designed to capitalize on the existing short-term rental permits attached to these properties.

The combined building complex is the scale of an admittedly upscale hotel or inn, but lacking the operational characteristics needed to successfully manage such a facility without imposing on its neighbors and natural surroundings in terms of people, vehicular traffic, noise, and septic requirements. The project would effectively wall off lake views for an established residential community, and forever change the environment for the worse. No on-site parking space is provided for the main house.

The project is located at an especially hazardous turnoff Route 89, posing an increased danger due to traffic resulting from twenty or more cars visiting overnight on a regular basis.

Please note also that the “Attached V1.1- Existing and Allowed Lot Coverage Information” referred to on sheet A1.1 is not included with the set, making it impossible to fully comprehend the enormous loss of open space, views and quality of life impact that would result from the approval of this project.

I understand that the “Main House” application has been temporarily withdrawn in the cynical hope that approval of the individual pieces will be easier to achieve, and that the “Detached Garage” two-family house is before you now. I urge you to reject this strategy, and to review and reject both projects simultaneously.

Sincerely,

James Nichols AIA.

Georgina Balkwell

From: donna hajduk <dzhajduk@yahoo.com>
Sent: Wednesday, June 8, 2022 6:39 PM
To: Brandy McMahon
Subject: do not approve new humongous building in Meeks Bay Vista...PLEASE

To Whom It May Concern:

I am writing to express my deep concern regarding a new HUGE project you are rumored to be going to approve in Meeks Bay Vista. I am questioning IF you have forgotten your purpose as TRPA representatives....have you read your Mission and Vision statements lately? Do you know what you have been charged to do?

" Our mission is to lead the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region, while improving local communities, and people's interactions with our irreplaceable environment.....

Our vision is for a Lake environment that is sustainable, healthy, and safe for the community and future generations."

How can you in good conscience approve such a ridiculously large and absolutely unnecessary "single family" building project? How will this "fit in" the community and not distract from a very quiet peaceful west shore side of Lake Tahoe? Are you truly so easily swayed by the wealthy? Do \$\$\$\$\$\$\$\$ guide your every decision?

I ask that you reexamine your purpose and mandate that this project be thrown out. It has NO place in Meeks Bay Vista.

Thanks for you consideration. Donna Hajduk

Georgina Balkwell

From: Noël Chrisman <noel.chrisman@outlook.com>
Sent: Wednesday, June 8, 2022 7:13 PM
To: Brandy McMahon
Subject: Subject: 8305 Meeks Bay Ave Public Hearing

To Whom It May Concern,

As a 4th generation property owner at 8275 and 8282 Meeks Bay Ave in the Meeks Bay Subdivision, I cannot, in good conscience, approve of the proposed redevelopment for 8305 Meeks Bay Ave on its own or especially in light of the currently withdrawn proposed development of 8307 Meeks Bay Ave.

COMMERCIAL INTENT

The surrounding properties of the Meeks Bay Subdivision lots have been deed-restricted since the 1920s. This limits the use the lots in the Subdivision to “one family residences” and prohibits any “mercantile business of any kind or nature shall be carried on, on any of said lots or portions thereof, **nor shall any hotels, rooming houses, or places of amusement be conducted thereon.**”

The current properties under discussion are operating under **VHR permits as a commercial enterprise**. While the **doubling of the size of the existing building** at 8305 Meeks Bay Ave is troublesome enough, it cannot be taken by a reasonable person in conjunction with the temporarily withdrawn proposal for 8307 Meeks Bay Ave **as anything but an intent to build and operate a commercial short-term lodging compound**. This will obviously impact the “scale, density, intensity, and type” of use of this property making this an INappropriate use for the “surrounding area in which it will be located.”

The neighborhood is a residential neighborhood with the expectation of peace and quiet, not the fluctuations of revelry inevitable from a small-scale resort.

INFRASTRUCTURE & SAFETY

Meeks Bay Avenue is already a narrow road with no shoulder. Anyone trying to park along the public-access road turns the road into essentially a one-lane road, which makes it even more challenging for the frequent pedestrians and bicyclists through the neighborhood. Occasional improperly parked vehicles have previously made passage impossible, which is incredibly dangerous for anyone in the subdivision experiencing needing emergency attention or evacuation. The fact that unfamiliar cars could be improperly parked further away from the property make it more difficult to find the car owner to move in case of emergencies.

While the proposed parking spaces included at 8305 Meeks Bay Ave may seem adequate, **they cannot be considered separately from the temporarily withdrawn proposal for a 12-bedroom**

property on the adjacent lot with the intent of commercial enterprise. While construction parking is an issue on its own, **the long-term intent and feasibility of the entire property's plan must be considered**. If the larger property is also advertised as a place to hold events such as parties, retreats, and weddings, the influx of day-to-day parking and traffic fluctuations would be significantly detrimental to the peace and operation of the neighborhood.

In the summertime, there is a constant stream of pedestrians, cyclists, dogs, and children making their way up and down Meeks Bay Ave to and from Meeks Bay Beach. An increase in ignorant or uncaring vehicle drivers increase the possibility of accidents and discomfort along the road.

The access point to HWY 89 closest to the property in question is already difficult to navigate. Improperly parked vehicles at the turn in front of 8305 and 8307 Meeks Bay Ave could make the turn impossible or highly dangerous, cutting off one of only three access points of the mile-long the neighborhood. The road surface regularly degrades, and high-density traffic will further rapidly degrade the segment of road.

Additionally, the southbound 89 turn onto Meeks Bay Ave at that access point is also a left-hand turn across highway traffic against a blind turn is already risky enough for those familiar with it; it is a recipe for disaster to allow a commercial high-density short-term residential property with unfamiliar traffic constantly flowing in and out in this subdivision.

OPERATING IN GOOD FAITH

The applicant initially proposed both development plans to be reviewed in tandem. Withdrawing one without a stated change of intent shows this is a tactical move in the hopes of garnering approval.

As property owners within the community, we are not against renters or redevelopment. We are against actors of bad faith, who ignore the reasonable concerns from generations of residential experiences in the face of commercial opportunity.

I hope that the TRPA will act in good faith as well as the stewards they purport to be of the Lake Tahoe communities, and take not just the face value of these proposals but the intent behind them, the future they engender for the community, and the real, human impacts they will have, not just on property values but on the peaceful enjoyment of a shared heritage.

I am hoping that in light of the above concerns, the currently proposed development(s) will be denied and Meeks Bay Ave and its associated shorelines will be allowed to continue in their historical vein. Thank you for your time and consideration.

Sincerely,

Noël Chrisman