



PC 3/23/17
#5
Charlene Tim <charlene.tim@edcgov.us>
8 pages

Fwd: CORRECTION - 3/23/17 Item #5 Public Comments - S10-0009/Villa Florentina B & B Violations & SUP Revocation

Planning Department <planning@edcgov.us>
To: Charlene Tim <charlene.tim@edcgov.us>

Wed, Mar 22, 2017 at 8:27 AM

Please see email.

----- Forwarded message -----

From: **Melody Lane** <melody.lane@reagan.com>

Date: Tue, Mar 21, 2017 at 10:56 PM

Subject: RE: CORRECTION - 3/23/17 Item #5 Public Comments - S10-0009/Villa Florentina B & B Violations & SUP Revocation

To: planning@edcgov.us, Roger Trout <roger.trout@edcgov.us>, edc.cob@edcgov.us, Jim Mitrison <jim.mitrison@edcgov.us>, Michael Ranalli <michael.ranalli@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>

Cc: john.hidahl@edcgov.us, sue.novasel@edcgov.us, brian.veerkamp@edcgov.us, shiva.frentzen@edcgov.us, bosfive@edcgov.us, bosfour@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

See attached corrected Public Comments to be posted to 3/23 Planning Commission Agenda Item #5, S10-0009/Villa Florentina B&B Violations & SUP Revocation.

Melody Lane

Founder – Compass2Truth

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Tuesday, March 21, 2017 3:24 PM

To: 'planning@edcgov.us'; 'Roger Trout'; 'edc.cob@edcgov.us'; 'Jim Mitrison'; 'Michael Ranalli'

Cc: 'john.hidahl@edcgov.us'; 'sue.novasel@edcgov.us'; 'brian.veerkamp@edcgov.us'; 'shiva.frentzen@edcgov.us'; 'bosfive@edcgov.us'; 'bosfour@edcgov.us'; 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'

Subject: RE: CORRECTION - 3/23/17 Item #5 Public Comments - S10-0009/Villa Florentina B & B Violations & SUP Revocation

CORRECTION: PREVIOUSLY SUBMITTED MATERIALS SHOULD READ VILLA FLORENTINA (NOT Villa Felice)

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Tuesday, March 21, 2017 3:18 PM

To: planning@edcgov.us; Roger Trout; edc.cob@edcgov.us; Jim Mitrison; Michael Ranalli

Cc: john.hidahl@edcgov.us; sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; shiva.frentzen@edcgov.us; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

Subject: 3/23/17 Item #5 Public Comments - S10-0009/Villa Florentina B & B Violations & SUP Revocation

Please refer to the attached public comments for Item #5 ensuring the entirety of this correspondence is timely distributed and posted to the government website.

5. 17-0278 Hearing to consider Special Use Permit S10-0009/Villa Florentina Bed & Breakfast to determine if there is substantial evidence that the Special Events conducted on the site are not in compliance with the Conditions of Approval and determine if a hearing should be set to modify or revoke the Special Use Permit on property identified by Assessor's Parcel Number 006-132-28, consisting of 3.57 acres, in the Coloma area; and staff recommending the Planning Commission take the following actions: 1) Find that there is substantial evidence that the Special Events conducted on the site are not in compliance with the Conditions of Approval for Special Use Permit S10-0009; and 2) Direct staff to set a hearing to modify or revoke Special Use Permit S10-0009. (Supervisorial District 4)

2016 RMP Annual Report Page 62 – Public Comments:

We look forward to meeting with you again in approximately three months for follow up on these important issues. In the interim it is expected Roger Trout will reply in writing to each Code Enforcement complaint as he agreed with a reminder of the "3 strikes" consequences for SUP violations.

Meeting was refused by Ashton, Canacci & D. Agostini.

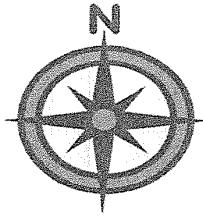
Respectfully,

Melody Lane

Founder – Compass2Truth

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

 **Villa Florentina SUP Revocation 3-18-17.pdf**
2127K



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

March 18, 2017

El Dorado County Planning Commission
C/o Development & Planning Services
2850 Fairlane
Placerville, CA 95667

RE: Villa Florentina Bed & Breakfast SUP #S10-0009 Violations & Revocation

Dear Commissioners,

I have been a resident of Coloma for nearly 20 years living close to the intersection of Carvers and Mt. Murphy Roads located within the Quiet Zone of the S. Fork American River. Not only can we hear excessively loud events emanating from Villa Florentina, residents are frequently bombarded simultaneously by multiple amplified events at the Coloma Resort and other surrounding campgrounds. (See Exhibit A)

Egress in the event of an emergency is also cause for concern frequently expressed by neighbors on the north side of the Mt. Murphy Road Bridge. This becomes a public safety issue when large events create traffic jams.

The Quiet Zone as described in the River Management Plan (RMP) begins at Indian Creek above Coloma, and ends at Greenwood Creek below Rivers Bend. RMP noise restrictions apply to the river rafters as well as to campgrounds, business establishments, and private property owners. The majority of residents moved to Coloma for the peace and quiet of the rural lifestyle. The purpose of the Quiet Zone is to respect the rights and reasonable expectations of adjoining landowners.

The specifics of SUPs and requirements are delineated in Sections 4 through 8 of the RMP. Section 8.2 of the RMP states only the County Sheriff's Department has the authority to fine and enforce County Code violations involving private campgrounds and private land owners. Should a resident desire to obtain a Temporary Use Permit (TUP) for a special amplified music event, they would be required to pay a fee to obtain a permit through the Sheriff's Department. To date, Public Record Act requests for information reveal there have only been about a dozen TUPs issued by EDSO over the course of more than 15 years, most of them held at Henningson-Lotus Park. None have ever been issued for Villa Florentina.

Significantly excessively noisy events, such as those emanating from Villa Florentina, have negative impacts not only upon the quality of life of residents living within this stretch of the river, but also upon the value of neighboring homes. The historic failure of the county to apply consequences for SUP violations as per the RMP exacerbates the problem of unacceptable levels of noise. The campgrounds, businesses, and event

coordinators expect Code and Law Enforcement to turn a blind eye and deaf ear to resident's complaints; hence business continues as usual in EDC.

Noise violations within the Quiet Zone have been a bone of contention in our community long before I even moved here. Once it was realized what a problem SUP violations actually were, I joined others in circulating petitions for SUP revocations and volunteered as secretary for the Community Clamor Committee (CCC). The purpose of the CCC was to mitigate the frequent SUP violations, lack of appropriate monitoring within the Quiet Zone, and to develop a plan of action to bring the offending parties into compliance. Because these meetings could get very contentious, I invited law enforcement to actively participate as per the RMP. Note it is not necessary to have a decibel meter or hire a professional to determine the level of noise. (See Exhibit B)

The minutes of the CCC meetings were integrated into the RMP, but in essence the county failed to recognize and/or take any remedial action. Consequently bully tactics were applied against anyone who dared complain about disturbances of the peace. Ultimately the Sheriff's Department and Code Enforcement failed miserably to abide by the requirements of the RMP. Again, business continued as usual.

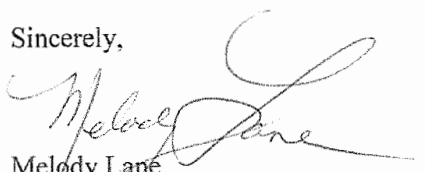
Every resident has a right to live in peace and safety. Therefore in 2010 we began meeting with Sheriff D'Agostini as well as County and CA State Parks personnel to further develop a plan of action to mitigate the RMP noise problems and associated concerns that have plagued our community for decades.

It is significant that Adam Anderson, owner of Villa Florentina, is the Business Representative for the River Management Advisory Committee (RMAC). I was accompanied by four individuals to the September 14, 2015 RMAC meeting. Supervisor Ranalli was also present. The purpose of the agenda item I'd specifically requested was to address RMP violations and recommend revocation of the SUPs to the Planning Commission. In addition to multiple audio recordings, my four witnesses can attest Adam Anderson falsely accused me of using profanity while I was quietly seated in the audience. Adam has failed to demonstrate integrity, and in fact, has a conflict of interest as delegate to RMAC. (Please refer to Consent Item #2 for the RMP to be pulled & removed.)

Using RMAC as a bully pulpit, it became evident RMAC delegates had colluded with county personnel to set up and publicly discredit me and the organization, *Compass2Truth*. Consequently that incident became the subject of meetings with County Counsel, Supervisor Ranalli and other EDC staff. (See Exhibit C)

Please ensure that the Planning Commission REVOKE the SUP for Villa Florentina Bed & Breakfast.

Sincerely,



Melody Lane
Founder - *Compass2Truth*

Attachments:

Exhibit A – Trout letters to American River Resort & Coloma Resort

Exhibit B - EDSO Examples of Sound Levels

Exhibit C - 11/14/16 RMP Public Comments

CC: Roger Trout
Supervisors Districts #1, 2, 3, 4 & 5



EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Fairlane Court
Placerville, CA 95667

<http://co.el-dorado.ca.us/planning>

Phone: (530) 621-5355
Fax: (530) 642-0508

June 9, 2000

Fred Faieta
P.O. Box 516
Coloma, CA 95613

RE: Noise levels from Coloma Resort

Dear Mr. Faieta:

The Planning Department is aware that Coloma resort has been regularly utilizing amplified music, including karaoke, at the campground. The resulting noise levels are likely exceeding the noise standards of your special use permit. Condition 9 of special use permit S93-03 states:

The noise level of campground activities shall be regulated by the following dBA. At the property line:

10:00 p.m. to 7:00 a.m. - 50 dBA
7:00 a.m. to 10:00 p.m. - 60 dBA

Attached is examples of sound levels to give you a subjective description of the noise levels anticipated from various activities. Note that noise above a normal conversation would exceed the 60 dB threshold.

Please review your campground noise policies and ensure that your campground activities are planned in accordance with your special use permit conditions. It is recommended that you especially concentrate on noise activities which may be annoying to local residents, such as the use of P.A. systems, including karaoke.

Should neighbors file complaints with the County, it would be considered a violation of the special use permit. If you have any questions, please call me at 621-5355.

Sincerely,

Roger Trout
Senior Planner

Attachment

EXHIBIT A-1



EL DORADO COUNTY
PLANNING DEPARTMENT

2850 Fairlane Court
Placerville, CA 95667

<http://co.el-dorado.ca.us/planning>

Phone: (530) 621-5355
Fax: (530) 642-0608

June 9, 2000

Melvin A. Hamilton
P.O. Box 315
Coloma, CA 95613

RE: Noise levels from American River Resort

Dear Mr. Hamilton:

The Planning Department is aware that American River Resort resort may have been regularly utilizing amplified music at the campground. The resulting noise levels are likely exceeding the noise standards of your special use permit. Condition 16 of special use permit S91-06 states, in part:

No amplified music, singing, radios, stereos or other noise sources will be allowed on the site which exceed the required General Plan noise allowances.

Condition 15 limits the noise activities in the campground to:

7:00 a.m. to 7:00 p.m. -- 60 dB
7:00 p.m. to 10:00 p.m. -- 55 dBA
10:00 p.m. to 7:00 a.m. -- 50 dBA

Attached is examples of sound levels to give you a subjective description of the noise levels anticipated from various activities. Note that noise above a normal conversation would exceed the 60 dB threshold.

Please review your campground noise policies and ensure that your campground activities are planned in accordance with your special use permit conditions. It is recommended that you especially concentrate on noise activities which may be annoying to local residents, such as the use of P.A. systems, including karaoke or live music.

Should neighbors file complaints with the County, it would be considered a violation of the special use permit. If you have any questions, please call me at 621-5355.

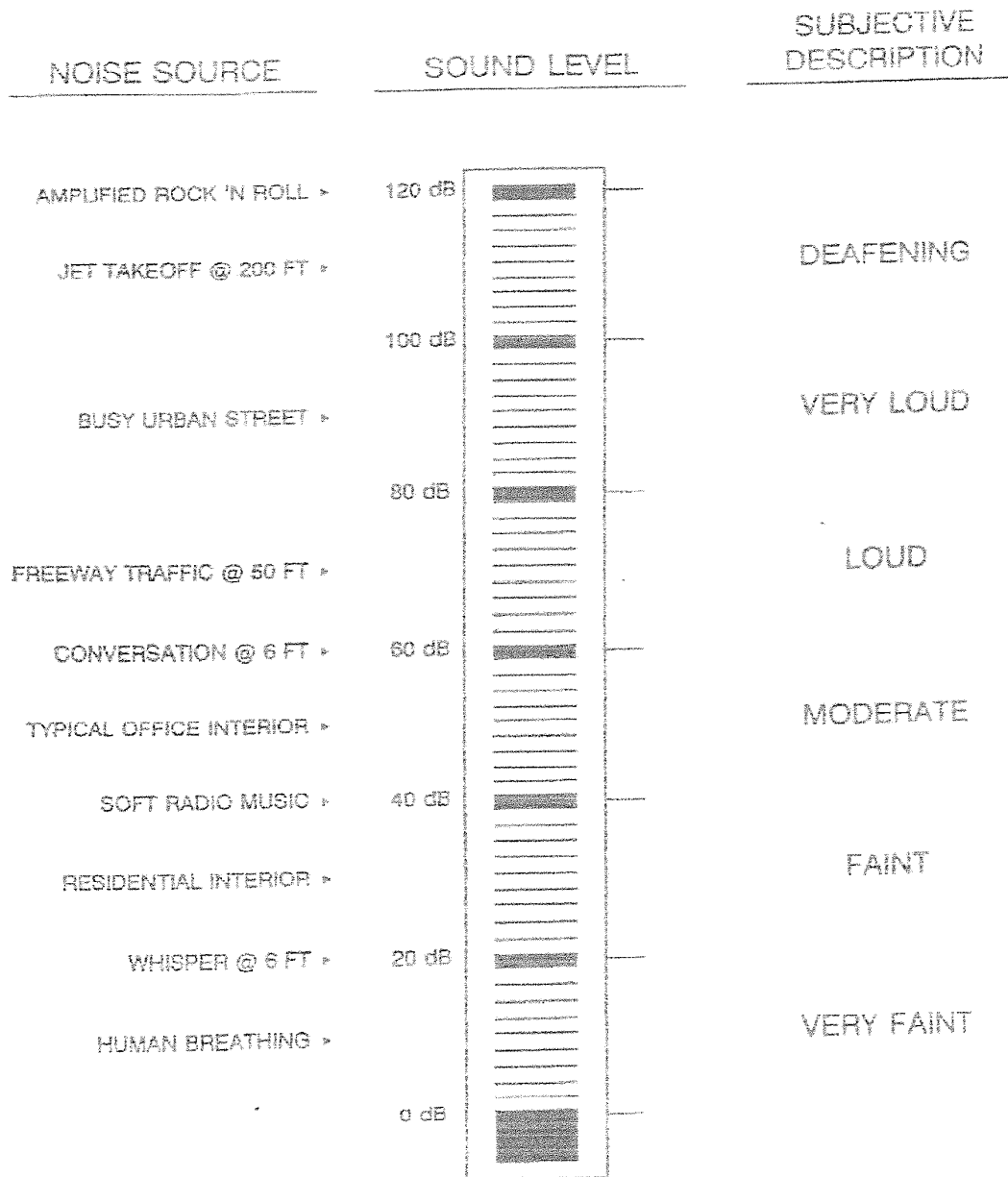
Sincerely,

Roger Trout
Senior Planner

Attachment

EXHIBIT A-2

EXAMPLES OF SOUND LEVELS



SOURCE: BROWN-BUNTIN ASSOCIATES (1994)

EXHIBIT 13

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Tuesday, March 21, 2017 3:09 PM
To: planning@edcgov.us; Roger Trout; edc.cob@edcgov.us; Jim Mitrising; Michael Ranalli
Cc: john.hidahl@edcgov.us; sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; shiva.frentzen@edcgov.us; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us
Subject: 3/23/17 Planning Commission - Please pull and remove Item #2 from Consent
Attachments: RMAC Annual meeting 11-14-16.pdf

Please pull and remove from Consent Item #2.

2. 17-0273 Chief Administrative Office, Parks Division, submitting request to receive and file the 2016 Annual Report on the River Management Plan; and staff recommending the Planning Commission take the following actions:
- 1) Approve 2016 Annual Report on implementation of the River Management Plan; and
 - 2) Recommend continued implementation of the River Management Plan as currently prescribed.

We hear a lot about government transparency and accountability. The public is entitled to due process and honest services. Public concerns involving the transparency of operations and integrity of data have been ignored and/or misrepresented by Parks & Recreation staff and RMAC delegates. In actuality audio recordings prove Brown Act violations have been consistently prolific. Refer to page 62 of the 2016 RMP Annual Report–Public comments. (also attached as .pdf)

Accordingly, the Board of Supervisors were publicly notified during the 11/15/16 BOS meeting that the 11/14/16 Annual meeting of the RMAC was in actuality only 26 minutes in duration before RMAC representative Adam Anderson initially moved the meeting be adjourned. Including myself, there were only three members of the public present at that meeting: former RMAC Chairman Steve Liles and American River Resort manager Arnie Chandola. **Note Adam Anderson is the owner of the Villa Felice B&B in Coloma, agenda item #5 on the 3/23/17 Planning Commission agenda for SUP revocation.**

During 2016 the 7/11 and 9/12 scheduled RMAC meetings were cancelled. A special RMAC meeting was scheduled for 7:00 PM on 5/26/16 at the Marshall Gold Discovery Museum, but by 7:30 no one at all had showed up and was subsequently cancelled. This year the 1/9/17, 2/13/17 and 3/13/17 RMAC meetings have been CANCELLED at the eleventh hour. The next scheduled RMAC meeting isn't until April 10, 2017.

Continued blind implementation of the RMP as currently prescribed and recommended by the RMAC is contrary to the purpose and legal requirements delineated in the RMP.

Melody Lane
Founder – Compass2Truth

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

EXHIBIT C



PC 3/23/17
#5
Charlene Tim <charlene.tim@edcgov.us>

Fwd: County of El Dorado Community Development Agency, Development Services Division-Planning Services - Regarding the hearing on March 23, 2017 for Villa Florentina

Planning Department <planning@edcgov.us>
To: Charlene Tim <charlene.tim@edcgov.us>

Wed, Mar 22, 2017 at 2:13 PM

----- Forwarded message -----

From: **Grant Petersen** <GPproductionsonline@live.com>
Date: Wed, Mar 22, 2017 at 12:16 PM
Subject: County of El Dorado Community Development Agency, Development Services Division-Planning Services - Regarding the hearing on March 23, 2017 for Villa Florentina
To: "planning@edcgov.us" <planning@edcgov.us>
Cc: "james.williams@edcgov.us" <james.williams@edcgov.us>

County of El Dorado Community Development Agency, Development Services Division-Planning Services

Dear El Dorado County Planning Commission,

Regarding the hearing on March 23, 2017 for Villa Florentina.

For all the time that I have known

the owner Adam Anderson I have found him to be considerate and committed to our community. My business is DJ Grant Petersen and Villa Florentina is a valuable business

partner to me. Every time that I have had the honor to DJ a wedding at Villa Florentina they have always been very clear that the volume must stay below a certain decibel as they have a decibel-O-meter.

In fact they walked to the fence line at various times during the event to make sure it was under the level. Wherever I DJ I respect the venues requests to keep the volume at a certain level as I understand some people such as neighbors might be disturbed

by noise. It is my belief with DJing over the past 16 years that there are just some people that are hard to get along with in this type of situation and I feel for venues such as Villa Florentina.

Villa Florentina is an asset to our community and should be allowed to continue to operate under their current permit. Adam runs a good business and provides real value to his guests and to the County. They have shown much respect to their neighbors and

I hope to see them thrive with many years of weddings and celebrations in years to come.

Thank you for your consideration,

Grant Petersen (530) 651-4634

www.GPproductionsonline.com