

(Related File: CUP18-0013)

File Number: CUP-A19-001

Receipt No.: 211801

Date Received: 6/26/19

Amount: 2394

**APPEAL FORM**

(For more information, see Section 130.52.090 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT Richard D Mason Pensco FBO

ADDRESS PO Box 1148, Pollock Pines Ca 95726

DAYTIME TELEPHONE 530-613-4115

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT \_\_\_\_\_

ADDRESS \_\_\_\_\_

DAYTIME TELEPHONE \_\_\_\_\_

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

APPROVAL OF AN APPLICATION 19-0881.

SEE ATTACHED STATEMENT.

DATE OF ACTION BEING APPEALED 6-13-2019

[Signature]  
Signature

6-26-19  
Date

APPEAL FORM  
SUPPLEMENTAL STATEMENT

19-0881

06-13-2019

This appeal is for the location of cell tower on APN 096-120-072 as referenced on Planning Commission item # 3 19-0881 dated 6-13-2019. My property is APN 096-120-73 which the property is east of the subject property. Map A-1 attached

On 19-0881, page 3 of 8 section 2.6 (Attached B-1), there is a statement of fact that a mine shaft etc. was annotated . The portal has been closed as it could created a possibility of harm to any person entering the mine. The location of any tunnels has not been determined.

The Appeals question is that no one knows what type of tunnel system is present. With the weight of the structure to be built, it could someday create a sink hole or a complete collapse of the underground workings (tunnels/rooms) with the loss of life and/or a major fire. As any added problem, my well in located about 30-50 feet down slope at 750' depth. Any slippage of the pad might collapse the well and then what.

I would be remise if I did not remind the board as to the problems at Spanish Hill ( Eskaton) and numerous other problems concerning mines.

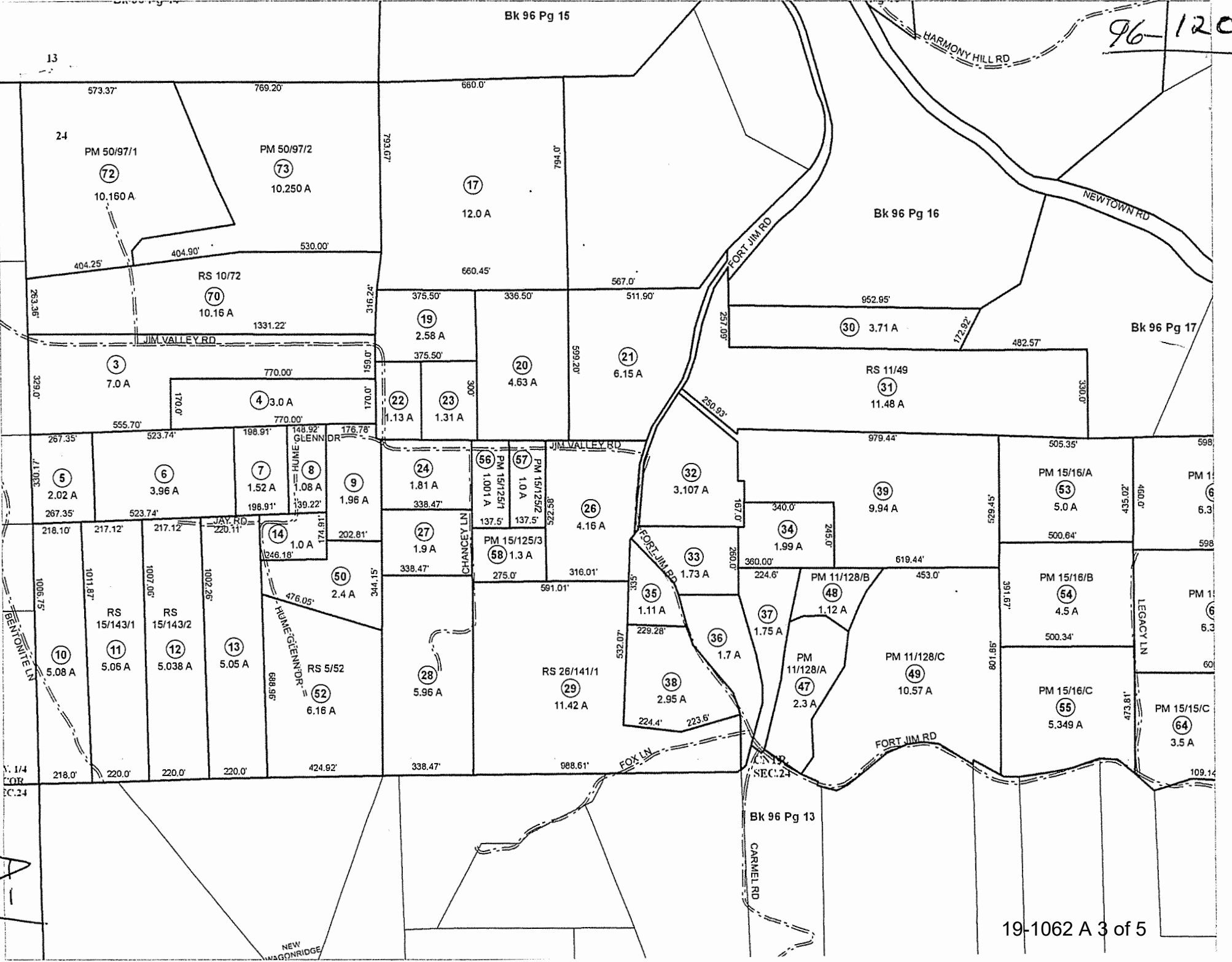
• CONCLUSION

I am requesting that a complete Geotech GPR (Ground Penetrating Radar ) survey of the effect area's on both APN's to be performed as to ascertain where any tunnels/rooms are that might create problems and have the proper experts approve any results. This should be order as a condition of the permit.

If this condition is not included in the permit process than I believe that the county, contractor and AT&T will assume responsibility for any future damages.

Richard D. Mason

96-120



A-1

Protection District for compliance with County and fire codes during the plan check process.

**2.5 The project is consistent with General Plan Policy 7.4.4.4.**

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources in accordance to the standards of the Oak Resources Management Plan (ORMP).

Rationale: The proposed project includes the removal of one oak tree located within an oak woodland. A technical study was prepared for the project and identified the oak tree to be removed as a blue oak (*Quercus douglasii*) with a diameter at breast height (dbh) of 17 inches equating to the removal of 0.05 acres of oak woodland canopy. The project would be required to mitigate for the removal of oak woodland in the effect of a \$414.25 in-lieu mitigation fee.

**2.6 The project is consistent with General Plan Policy 7.5.1.3.**

General Plan Policy 7.5.1.3 requires that cultural resource studies shall be conducted prior to approval of discretionary projects. The avoidance and protection of sites shall be encouraged.

Rationale: The project provided an archaeological report for which a field study was conducted by Archeological Resources Technology (ART) on December 7, 2018. Portions of the Cornwall Mine, including a vertical mine shaft and several mining ditches were determined to be located within the project area. The project utility trenching would cross and disturb one mining ditch. The archeological report concluded that the mining ditch does not constitute a historical resource or unique archaeological site. Information regarding the mining ditch was recorded and archived.

**2.7 The project is consistent with General Plan Policy 8.4.2.1.**

General Plan Policy 8.4.2.1 requires that the County Agricultural Commission shall evaluate all discretionary development applications located on lands adjacent to properties zoned Timber Production Zone (TPZ) and shall make recommendation to the approving authority. Prior to granting an approval, the approving authority shall make the following findings:

- A. The proposed use will not be detrimental to that parcel or to the adjacent parcels for long-term forest resource production value or conflict with forest resource production in the general area;
- B. The proposed use will not intensify existing conflicts or add new conflicts between adjacent proposed uses and timber production and harvesting activities;



**Cash Register Receipt**  
County of El Dorado

**Receipt Number**  
**R11801**

DESCRIPTION	ACCOUNT	QTY	PAID
<b>ProjectTRAK</b>			<b>\$239.00</b>
<b>CUP-A19-0001</b>	<b>Address: 500 JIM HILL RD</b>	<b>APN: 09612072</b>	<b>\$239.00</b>
<b>APPEALS FEES</b>			<b>\$239.00</b>
ALL APPEALS	3720200 0240	0	\$239.00
<b>TOTAL FEES PAID BY RECEIPT: R11801</b>			<b>\$239.00</b>

Date Paid: Wednesday, June 26, 2019

Paid By: Richard D Mason

Cashier: EAC

Pay Method: CHK-PLACERVILLE 2865

Pursuant to Government Code section 66020, you are hereby notified that the 90-day protest period has begun. If you fail to file a timely protest within that period regarding any of the fees, dedication requirements, reservation requirements, or other exactions imposed on your project, complying with all the requirements of Government Code section 66020, you will have failed to exhaust your administrative remedies and will be legally barred from later challenging such exactions in court.

