

## **Special Meeting Permit Application Review – July 30, 2020**

### **Sonoma Coast MAC – Timber Cove Country Inn Permit Application**

#### **Meeting Overview:**

This is the first Special Meeting called by the Land Use AdHoc Committee for the MAC. The purpose of this meeting is to provide an opportunity for the public to learn about and comment on the Permit Application for a new Inn and spa in the parcel adjacent to the current Timber Cove Resort.

Presenting the plan and reports will be Owner and project managers:

- Michael Barry (Owner – Timber Cove Country Inn): [mbarry@ironstate.net](mailto:mbarry@ironstate.net);
- Colin Leary (Project Manager – Timber Cove Country Inn): [cleary@ironstate.net](mailto:cleary@ironstate.net);
- Margaret Grahame (Project Manager – Timber Cove Country Inn): [margaret.grahame@timbercovecountryinn.com](mailto:margaret.grahame@timbercovecountryinn.com).

Request for a Use Permit, Coastal Permit, Design Review, and Local Coastal Plan Amendment for a new inn consisting of 12 detached guest cabins, each approximately 649 square feet in size, a 2,623-square foot reception and spa building, and a sauna room and pool served by an onsite septic system and the Timber Cove County Water District on a 12.74-acre parcel off of Highway 1 and adjacent to the coast. Only the spa will be open to the general public. Passenger vehicle access will be from Highway 1 and emergency vehicle access from the adjacent parcel (Timber Cove Resort). There will be 18 onsite parking spaces and 3 bicycle parking spaces

[Here is the link to the application.](#)

All public comments noted below were gathered from the meeting and will be provided to Permit Sonoma as part of the application.

To follow is the link to the Zoom Meeting <https://youtu.be/PrGEaUYPK38>

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#### **Council Member Questions:**

- Marti Campbell
  - Ms. Campbell appreciated the care taken by the Timber Cove Country Inn to provide pictures of the different views from various parts of the property, the inclusion of the scale of the site and the detail of the presentation. She is still taking in the information and nothing popped out to her that wasn't included in the presentation. She added that the agencies listed in the presentation will also comment and they have more knowledge regarding air quality, traffic flow, etc. She has no negative comments to make.
- Dibby Tyler
  - Ms. Tyler had no negative comments but does have a lot of questions (most are for the County Planning Staff). She felt there was a need for more history of the Timber Cove Inn especially the background why the Inn itself was not allowed to expand. She

wondered about the rationale for no expansion and commented that this appears to be an expansion, but she understands it is a separate project with its own organization. She is interested in the rationale behind no expansion for the Inn. This is a question and not a complaint.

- Michael Berry - The project team has tried to research the expansion issue also. His understanding is that the Inn was involved in violations and wasn't a good member of the community at the time. He added that this is all hearsay and his team has tried to research the issue for the exact questions that are being asked. This information was given to them in an informal manner.
- Margaret Grahame – Ms. Grahame confirmed that her understanding is the same as Mr. Berry's. There are no records in the County, but they did get access to Coastal Commission files. There was a survey completed where one person who responded commented that the Inn (at the time) was not being properly managed.
- Ms. Tyler asked about worker housing. The LCP/County Plan although they speak to worker housing, makes it difficult to provide that option. They encourage visitor facilities, but don't really address the working housing issue. She asked if the Project could include a provision for worker housing on the site and include it in the plan or make a commitment to provide housing to local workers.
  - Michael Berry - The small parcel on the east side of Hwy 1 might be an option for worker housing. If given approval, he would build as many apartments as the county deems suitable for that site to provide for worker housing. Worker housing is needed, and it is difficult to find people who want to drive for 30 to 45 minutes to work. There is minimal public transportation that is available on the coast. Mr. Berry is open to suggestions regarding worker housing and it is important to him.
  - Margaret Grahame - There are conditions by the County for worker housing in an urban area that don't exist on the coast. What Mr. Berry and his team wants to show is that housing is important to them. Mr. Berry purchased housing up on the ridge, is in the process of building a house in Timber Cove and has also rented homes in the area to provide for worker housing. This includes not just Timber Cove Country Inn along the coast, but other businesses in the area. This requires an honest open discussion with the County rather than just a pat solution.
- Ms. Tyler asked if this is a good time to start a new business?
  - Although it may not be the best time to start a new business, Mr. Berry responded that they are long term players and things should be more normal in a year or two.
- Abby Gomez - Ms. Gomez has no comments currently. The project managers have already been in contact with the tribe and she received an update from them.
- Wanda Swenson - Ms. Swenson mentioned climate change and the effects of building (especially wooden structures) has on the coast. She noted that the fire storms occurring now run parallel with the atmospheric river storms that happen in the winter. It won't happen every year which brings up drought and water. Building on the coast in 2020 seems short

sighted and noted that if this had come up in 1970, people would have thought it was great. Ms. Swenson added that the Coastal Plan is set up to protect the coast. She also wants to address the water issues. She asked about the takings clause in the constitution which is mentioned in the project and if the project isn't approved if that might happen.

- Colin Leary - The premise of the takings discussion is about the expansion issue on an adjacent lot discussed earlier (in the Dibby Tyler discussion points). Their land use attorney referenced the takings clause in the document. Mr. Leary stated there are no plans to sue the county and asked Michael Berry to clarify. Regarding climate change, there was a study completed by an individual very familiar with the site who has worked on it for a number of years. Sea level, the bluffs and location of the buildings was taken into consideration. Fire is also a consideration. The buildings are prefab and the type of foundation of the buildings has been a significant point of discussion. Mr. Leary stated they are open to comments and discussions regarding these issues.
- Michael Berry - Mr. Berry will look further into the taking's clause and review.
- Margaret Grahame - Mr. Leary asked Ms. Grahame to discuss water and drought. Timber Cove Water District is state controlled and regulated. She has a will serve letter from the Water District and PG&E. They will make sure that the community has sufficient water. Ms. Swenson asked about water being trucked into Timber Cove in the past. Ms. Grahame responded that the operations weren't as effective as we could have been. There are no issues with water availability now. Timber Cove does have the capacity to furnish water.
- Scott Farmer - Mr. Farmer was asked by Erich Lynn (Timber Cove Fire Protection District Chief) to report that they are looking at and in discussion regarding fire and emergency access. They will be reporting this information to the County. Mr. Farmer asked Margaret Grahame to speak to the cliff bluff trail and the effects of TOT (transient occupancy tax).
  - Margaret Grahame - The Coastal Commission requires public coastal access to the bluff where possible. As part of the plan, there will be coastal access available from sunrise to sunset. The cabins will be available for a buy out for 24 days a year. There will be no weddings, loud music, etc. during those 24 days. Chief Lynn (Timber Cove Fire Department) is concerned about emergency access, bluff access, and additional tourists. There will also be additional TOT generated (\$200,000 to \$250,000) by the new development which goes into the general fund. Ms. Grahame will work hard to bring the funds back to the coast to support, e.g. volunteer fire department.
- Cal Ares - Mr. Ares has concerns about Jenner and cars passing through since they are already almost at full capacity. What traffic parameters are you looking at? Mr. Ares also mentioned water capacity on the coast. He thanked Mr. Leary for his thorough description of the traffic issue.
  - Colin Leary - W-Trans was commissioned to perform an initial traffic study. W-Trans did a trip study based upon the number of rooms. The study reported that the site generated less than significant traffic. There are more details included in the report that Mr. Leary or Ms. Grahame are happy to discuss with Mr. Ares.
- Brooks Rooney - Most of her questions have already been answered. Where are the access points to the coastal trail for the public? Does it create a parking problem for the Inn, emergency access issues?

- Colin Leary - Regarding emergency access, there is a K turn (for emergency vehicles) south of the reception building and also through the Inn driveway. Adobe Engineers have been with the project for the last couple of years and have studied the site. Part of the process is to speak to local officials (Fire, EMT, etc.) to make sure they are comfortable with the coast plan. The parking has been considered based upon the development. There is parking capacity in an adjacent lot near the Buffano Bench.
- Cathy Beck - Ms. Beck pointed out that she is concerned about the water and the will serve letter that is not dated or signed. She is very concerned about the water, quality, and capacity. She is also concerned about the PG&E will serve letter which is 2 years old.
  - Colin Leary - There is no issue with having the letters updated. This is a fair point. Ms. Grahame will get the letters updated. Ms. Beck also added she is concerned about adequate water for fires. Per Scott Farmer, Erich Lynn is also bringing up the issue of water for fire protection.
- Che Casul – Mr. Casul spoke to the younger generation coming up noting he is one of the younger members of the council. He also has worked in Timber Cove/West County in social services for 13 years and also manages an environmental organization. He grew up in the area and noted that all of his El Molino High classmates who lived in Fort Ross and Timber Cove worked at the Timber Cove Inn. All but two have left the county and those two people still work at Timber Cove Inn. Mr. Casul believes we need to look at a resource for our young people to live and work in the community where they grew up. We can have responsible conservation in place and do this in a responsible way. Mr. Casul is very in favor of expanding and bringing in more jobs to this community. Often that butts directly with environmentalism but added a reminder that he manages an environmental organization. Mr. Casul’s staff biologist did a study of the wetlands and is very familiar with them. He found them to be dry wetlands and not that viable. He wants nesting birds to be kept in mind when building and the project should not be done during nesting season. He also doesn’t expect any new buildings to stand out since they are near the existing Inn and very low profile.
  - Colin Leary - Mr. Leary appreciated the perspective and history of the community. Ms. Graham, Mr. Berry, and Mr. Leary are very aware of the nesting bird issue and have discussed. Regarding the view of the bluffs, many visual assessments were done. Depending upon the distance in the ocean from the bluff, the view of the building will vary. They feel good about the position of the structures. If screening is needed, native material will be used.

#### **Public Comments and Q&A:**

- Anne Vernon (direct neighbor of the Inn) - Ms. Vernon said she has spoken with Margaret Grahame. She was not aware that a permit had been pulled to build employee housing on the east side of Hwy 1 across from the Inn. This lot borders her lot. She stated that the lot is zoned for one unit. The existing Timber Cove Inn water tank is on Ms. Vernon’s property. Ms. Vernon noted that the lot is zoned for 1 unit as are all of the lots in Timber Cove, Unit 2. Building a multiple unit building on the vacant lot would not be a good entry to Timber Cove. She does believe there should be affordable housing, but Timber Cove shouldn’t take the hit in a rural

area. There are very reasonably priced lots available in Timber Cove where homes could be built.

- Colin Leary – Mr. Leary responded that no permit has been pulled for the lot across the street from the Inn. If that were an actual concept, it would be part of the plan. If it was a plan, public comment would occur. It is a challenge to find affordable housing. Mr. Berry spoke and said he was just expressing his thoughts. He did purchase a lot in Timber Cove and is building a home on the lot. He is happy to have a dialogue about this issue. Any housing built would be done in a pleasing and aesthetic manner.
- John Rea (direct neighbor of the Inn) - Regarding the water district serving the new project, there was never an agreement to serve Timber Cove Country Inn. The existing Timber Cove Inn does have an agreement to obtain their water from the Timber Cove Water District. A previous owner of the existing Inn said they would build a water tank but that never happened. Anne Vernon and Mr. Rea are for growth and want to work with you. The Water District should have a discussion with the Timber Cove County Water District.
  - Margaret Grahame - Ms. Grahame did contact the Timber Cove County Water District (TCCWD) and obtained a will serve letter. She will check if it was dated and signed. If there is a concern about the water district having the capacity to provide water, Ms. Grahame will absolutely research and get to the bottom of the issue.
  - Leo Chyli-(Lynda Hopkin's staff) added he has spoken with Permit Sonoma. The plan was submitted on July 16, 2020. At this time, no building permits have been filed. The details have been shared with other agencies to determine what is needed. This project is still very new so there are limited records available.
- Rick Coates had 5 questions. On the traffic study is that vehicle miles travelled or is it level of service? With the water issues, has the Inn considered rain harvesting, specifically for fire protection or perhaps land scaping?; Is there any tree removal?; Will there be power lines (considering fire safety and the look of power lines or underground?; Has anyone considered cumulative impacts and the big picture?
  - Colin Leary
    - Traffic study - He believes the primary focus on the study was trip generation which was deemed not to be significant. Mr. Coates questioned if the issue was actually level of service and Mr. Leary agreed.
    - Water harvesting - They will take a look at water harvesting and see if there is any potential for it.
    - Tree removal - Mr. Leary believes that any trees removed are quite small so there are no large trees being removed.
    - Power lines - There will be no above ground power lines. All power lines will be underground
    - Cumulative impact and the big picture - Mr. Leary has no response that he can provide regarding the last question.
- Steve Burdlebough - Mr. Burdlebough is concerned about weekends when Hwy 1 becomes very congested. He noticed in the completion of the RCSPA, that no arrangements were made for car sharing or shuttle arrangements. As the LCP comes up for review, it is being suggested that Sonoma County do the same as Marin on busy weekends if a shuttle/ride sharing was required.

- Colin Leary - This project is expected to produce less than 10 trips per peak hour. The agencies have deemed this less than significant. The project is modest in scale and is deemed not to have a large number of trips. A shuttle service would not be appropriate for this type of development.
- Margaret Grahame - Because of the different schedules and the distance travelled by employees, carpooling isn't an option. There is one bus that travels the coast from Santa Rosa in the morning and evening. If the greater community went down the same path as Muir Woods and Marin, that would be a conversation to have with the coastal community, state parks, County, etc.
- Richard Sachen Jr (Sierra Club Sonoma Group/Chairman of Executive Committee) - Mr. Sachen has a few questions: Will the project be LEED certified and to what level?; And if not LEED certified, why not?; How many years before there is remediation on the cliff and how many years do the engineers expect the cliffs to last before they get worn away?; Concern about the spa and pool down by the cliffs and how that will interact with the coastal access during the day?
  - Colin Leary
    - LEED Certified - We are not using LEED certification. A decision was made that the components of the project are very attractive and don't warrant the need for LEED certification stamp although they do believe that LEED is great in general
    - Remediation of Cliffs - Mr. Leary stated he would have to check the report although he believes it is 50 to 100 years. The entire analysis is found in the report and if Mr. Sachen has any trouble finding it, the team would be happy to go over it with him.
    - Interaction with Coastal Access - Mr. Berry stated that the pool and spa are at the same elevation as the cabins although they may appear to be nearer the cliffs.
- Grace O'Malley (Timber Cove) – Ms. O'Malley appreciated the opportunity to learn more about the project. Margaret Grahame has been very good about bringing her into the loop some months ago. Ms. O'Malley and her husband have lived full time in Timber Cove for 18 years. They live about a mile north of the Resort (existing Timber Cove Inn). When they first moved here, the Resort wasn't used much. Over the years, the Resort has been used more and more. With the current owners, the Resort has had outstanding success. Ms. O'Malley reviewed the documents and appreciated the fact they will tread lightly. She likes the design very much, simple style, and the extended eaves that take on the Timber Cove look. She thinks they went out of their way to minimize the visual impact to HWY 1. However, she has concerned the cabins have been pushed too close to the bluffs. This maximizes the visuals to the neighbors. Ms. O'Malley would like to talk to the project managers about this issue. The existing Resort creates a very large degree of night lights. The new project will use the dark sky approach, and this could teach the Resort a few things. We need to make sure that both properties use the dark sky approach.
  - Michael Berry responded that the dark sky approach resonates with the project team and it is a focus.
- Open questions on Q&A

- The primary septic tanks appear to be uphill from the buildings, does that mean that the contents are pumped up to the septic tanks? If that is the case, how will the pumps be kept operating during the many power failures?
  - Colin Leary - The septic does have capacity to get through any power outage. Adobe Engineering designed a system that has the capacity, flexibility, and would not be overwhelmed in the event of a power outage.
- Annie Cresswell (Timber Cove) – Are you sure the water limits don't have to do with the water supply for the area? The subdivision hasn't been built out yet and during droughts this is a water scarce area?
- What is the reason for the 24-day closure of the bluff trail? What sort of events are planned?
  - Margaret Grahame - There will be no special events (weddings, music, etc.) held at this facility. There will be times when a group will book the facility and will want privacy. During these 24 days, the bluff trail may be closed at various times during the year. This was part of the agreement to build the facility.
- Janet Smith – Heimer (Timber Cove) - She is concerned about the water service. TCCWD is already stretched both physically and financially. Most water districts have a water permit process, so an unsigned/undated letter poses a risk with the developer.
  - Colin Leary - This was discussed earlier in this meeting. We are more than happy to go back and get an updated letter from the water district.
- Margie Johnson - Thank you for having this process, but I was surprised by the short 2-day notice for the meeting?
  - Scott Farmer – Because of the two-part system for comments on the permits, we thought we were bound by an August 6 deadline, but over the weekend we received a notice we had more time. Rather than reschedule, we decided to have the meeting since the discussion would be the same if the meeting was held later.
- Tim McKusick (Timber Cove) - Mr. McKusick had a couple of questions: What size meter is slated for the project? When was the will serve letter issued by the Timber Cove County Water District? He also added that the Resort was not allowed to expand due to lack of water.
  - Colin Leary – With respect to the water, Margaret Grahame did a lot of research and found the survey (discussed earlier) that was done a number of years ago. If there is different documentation, please let us know. Ms. Grahame added that the will serve letter was issued in October 2018.
- The question regarding the septic was not about capacity, but if there was the pumping needed to send the contents uphill to the septic.
  - Colin Leary - The project team will review with Adobe Engineering.
- Annie Cresswell (Timber Cove) - if the bluff trail is a public trail it should not be closed at all. How are you going to notify the public in advance about closure dates?
  - Colin Leary - This is currently not a public trail but was proposed as a public trail. It seems like a net positive for everyone and was agreed upon. The Country Inn

is committed to this agreement and not allowing the number of days to creep up.

- Rubin Weinsveg - There is a similar agreement regarding no events with the wineries. There has been event creep. The ambiguity of the 24-day closure is very problematic.
- Grace O'Malley requests that the parking lot be screened and also that there should be a lighting study.
- When will the story poles go up?
  - Margaret Grahame - When this application is deemed complete by the county, that is when the 4-week review period to put up the story poles is open.
- Rick Coates – In regard to power outages, they can last for weeks at a time and that needs to be taken into account. The Coast seems like low man on the totem pole when it comes to fixing the outages. You've admitted that there will be a small increase in the number of miles travelled which speaks to my concern about cumulative impacts. The heavy traffic on weekend detracts from the enjoyment of the coast. It got there incrementally and not all at once.
  - Margaret Grahame – Ms. Grahame is more than happy to meet with Mr. Coates to discuss the traffic study.

#### **Council Member Wrap up**

- Dibby Tyler - Ms. Tyler believes there may be a reason to relook at the setback from the bluff, for both visual and safety. Reducing the setback from the wetlands may be a better option since they aren't very lovely wetlands. It appears if all setbacks were implemented, there would be nothing left. She was very concerned about the geologic report. It costs quite a bit of money to do it right.
  - Colin Leary – We respect your comment regarding reducing the setback from the wetlands, but it might not be achievable. We will check on this issue. We worked with many consultants on this issue and feel very confident that the site plans meet the requirements.