

This is a Request for Appeal from a Decision of the Following Committee: Architectural Standards

COMMITTEE DECISION INFORMATION

Date of Meeting Nov 18, 2020
Result of Decision Approval of Major Application without provisions for preservation of trees

SUBJECT PROPERTY

Unit 4
Lot 544

APPELLANT INFORMATION

Property Owner Name Requesting Appeal Mark Jones

Mailing Address Redacted

Primary Contact Phone Redacted

Home Phone Redacted

APPEAL HEARING

Name of owner(s) or designee(s) to appear at the hearing: Mark G. Jones

Mark G. Jones

Attached is a written statement why I believe I have a basis for appeal. I understand that all decisions of the Appeal Board shall be final and binding.

Date Dec 20, 2020

Draw your signature into the box below.



Upload Basis of Appeal Letter

[12-20-2020 Letter of Appeal to Tahoe Donner Board RE-Lot 544 Tree Removal with Enclosure.pdf](#)

Reason for Appeal/Additional Comments:

Please see attached letter dated December 20, 2020 for details. Basic reason for appeal is that the ASC approved the project on Lot 544 without adequate conditions for preservation of existing mature trees on the lot.

**Mark G. Jones
Redacted Privacy Info**

Tahoe Donner Address: 14527 Christie Lane (Unit 4, Lot 543)

December 20, 2020

Board of Directors
Tahoe Donner Association
Truckee, California

Via E-Mail
aso@tahoedonner.com, &
Electronic Transmission
via TD Website

Subject: Major Application for Proposed Project at 14543 Christie Lane (Unit 4, Lot 544); Permit No.: 20-6030-P; Notice of Appeal of ASC Permit Approval

References: (1) Letter from Mark G. Jones to the Tahoe Donner Architectural Standards Office, dated November 16, 2020, RE: Neighbor Comments to Proposed Project
(2) Letter from Tahoe Donner Architectural Standards Office to Mark G. Jones, dated December 2, 2020, RE: Meeting Minutes of ASC, Permit: 20-0630-P

To the Tahoe Donner Board of Directors:

I acknowledge receipt of the Reference No. 2 letter from the Tahoe Donner Architectural Standards Office, setting forth the Meeting Minutes from the November 18, 2020 meeting of the Tahoe Donner Architectural Standards Committee (ASC) which approved, with a few minor clarifications, the subject Major Application for the proposed project at 14543 Christie Lane. I am the adjacent property owner to the east, at Unit 4, Lot 543, and hereby submit this letter in support of my appeal of the approval of the subject Major Application and respectfully request that the Tahoe Donner Board of Directors review and provide some relatively minor clarifying conditions with respect to the approval of this project. In addition, I request that the

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Board provide guidance to the ASC regarding future permit applications which would prescribe and require a much more careful consideration of, and place limitations on, unwarranted tree removal on Tahoe Donner residential lots.

I transmitted the Reference No. 1 letter (copy attached hereto, and is incorporated herein by reference) to the Tahoe Donner Architectural Standards Office setting forth my comments concerning the preservation of trees with respect to the subject Major Application, and I attended via Zoom teleconference the meeting of the ASC held on November 18, 2020 which was conducted to review the project. My concerns regarding the actual and potential future unnecessary tree removal are set forth in the Reference No. 1 Letter, and therefore will not be repeated here.

I have been a Tahoe Donner property owner for more than 36 years, and I am aware that, at least in the past, every effort was made through the Forestry Department and by the ASC (formerly known as the Environmental Control Committee) to preserve as many trees within the Tahoe Donner subdivision as possible, especially large and mature trees that are many, many decades old. Such policy is especially important as the buildout of Tahoe Donner has proceeded and many trees have unfortunately succumbed to beetle infestations over the decades. The procedures for Major Applications as set forth in the ASC Rules as well as the Tahoe Donner Covenants and Restrictions require approval by various Tahoe Donner departments before removal of any mature trees, obviously in an effort to protect/preserve as many trees as possible.

At the November 18, 2020 ASC meeting, several things transpired. At the beginning, the ASC noted that the project proposed a driveway width at the property line of 23 feet, which is 3 feet wider than the maximum allowed by the applicable ASC Rules (See Page 9 of the ASC Rules). The Project owner readily volunteered to reduce the width of the driveway, which by itself, would have resolved the issue of the removal of the two trees along the easterly line of the proposed driveway. When the issue of removal of these two trees subsequently came up, the ASC was completely indifferent to preservation of these mature trees, even though a reduction in the driveway

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width to the maximum allowed of 20 feet and perhaps a slight relocation of the driveway entrance could have easily preserved these trees at no cost to the owner. Notably, the ASC did not even ask the owner during the hearing if he would be willing to implement a slight relocation of the driveway in order to save trees in question. Likewise, when I pointed out that the proposed water and sewer lines are schematically shown to run right through a grove of mature lodgepole and fir trees that are near the street, once again, the ASC was completely indifferent other than to comment that the owner should try his best to route any trenches away from the trees. Such comments were made even though I pointed out that a simple rerouting of the sewer and water lines to the east and careful trenching to avoid major tree roots would solve the problem, and without careful trenching, any or all of these seven large trees can be lost due to the installation of the sewer and water lines, which tree losses had occurred in the past during sewer line installations on nearby lots.

It is worthwhile to note that the owner of the subject project mobilized the next day after the ASC meeting and promptly removed all trees slated for removal, even though he had not, as of that date, obtained a building permit from the Town of Truckee, and the Town shortly thereafter red-tagged his project. I also met personally with the owner, Mr. Dustin Walsh, at the project site before the two trees in question were removed and pleaded with him to save the trees and make a minor adjustment to the driveway. Unfortunately, he refused to do so and the trees were removed. I respect Mr. Walsh's right to construct a home on Lot 544, and this appeal is not intended to delay his construction program, but to make improvements to the project as a whole for the benefit of the neighborhood.

The essence of my appeal of the ASC approval of the subject Major Application is that the ASC is making, at least in this instance, absolutely no effort whatsoever to preserve trees as part of building projects. This was a case where an extremely minor, zero cost modification to the driveway location and stipulations to carefully route the sewer and water lines could save a minimum of two trees and possibly a total of nine healthy and mature trees. Mature trees in a forest environment are a major asset of Tahoe Donner and should be given far more consideration in building permit

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applications, as was the case for many decades in the past when homes were built around the existence of mature trees. I hereby request that the Board of Directors grant my appeal order a modification to the conditions of approval for the subject Major Application, as follows:

1. Due to the completely unnecessary removal of two mature trees along the easterly edge of the driveway (without even waiting for the disposition of this appeal which the owner knew was going to be filed by the undersigned), the owner of the project should be required to plant two specimen (10-15 feet high) Jeffrey Pines or White Firs near the easterly boundary of his property at the conclusion of construction and before a Certificate of Occupancy is issued. The final location of these two specimen trees shall be approved by the Tahoe Donner Forestry Department.
2. The conditions of approval for the Major Application should be revised to require that the permit holder specify a precise routing of the water and sewer lines which shall be approved by the ASC and the Forestry Department before any trenching for such utilities is commenced. The routing of these utilities shall, to the maximum extent possible and feasible, be routed away from the remaining seven specimen trees located near the northeast corner of the property near the street (See marked-up Site Plan included with the Reference No. 1 letter, as attached hereto). If necessary, the portions of the trenches that are routed relatively near any of these seven trees shall be performed by hand so as not to sever any major root systems of such trees.
3. The Tahoe Donner Board of Directors is respectfully requested to issue binding guidance to the ASC to perform more thorough evaluations of proposed building sites and to alter building and driveway footprints and designs to the maximum extent reasonably possible to minimize the removal of any mature existing trees in the future, and to make tree removal a major element of the review of any proposed projects.

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Thank you for your consideration of this relatively important appeal which is obviously geared toward preservation of as many trees as possible on Lot 544, as many trees are already being lost that provide a screen to Lot 543 as a result of the house construction. The proposed changes to the conditions for approval indicated above are extremely minor and should be implemented into a final, revised approval for the subject Major Application.

I respectfully requested a hearing be scheduled to consider this appeal and I would welcome any questions or comments from the ASC or the property owner of Lot 544 concerning the issues that I have expressed above with respect to replacement and preservation of trees, one of Tahoe Donner's most valuable resources.

Very truly yours,



Mark G. Jones

Enclosure: Copy of Reference No. 1 letter, dated November 16, 2020, 4 pages total.

Mark G. Jones
Redacted Privacy Info

Tahoe Donner Address: 14527 Christie Lane (Unit 4, Lot 543)

Mr. Rex Haber, Associate Inspector
Tahoe Donor Association
Architectural Standards Office
Truckee, California

Via E-Mail
aso@tahoedonner.com
rhaber@tahoedonner.com

Subject: Major Application for Proposed Project at 14543 Christie Lane (Unit 4, Lot 544); Permit No.: 20-6030-P; Adjacent Neighbor Comments

Dear Mr. Haber:

I acknowledge receipt of your “Neighbor Notification” letter dated October 29, 2020, transmitted by you via e-mail to me on November 3, 2020 concerning the subject Major Application for the proposed project at 14543 Christie Lane. Thank you very much for transmitting that letter to me which included a site plan and proposed elevations for the proposed project. I am the adjacent property owner to the east, at Unit 4, Lot 543.

I hereby submit a few comments concerning the subject Major Application for consideration by the Architectural Standards Committee (ASC) at the upcoming hearing that is scheduled for November 18, 2020 at 9:50 AM PST, as follows:

1. The Tahoe Donner lot (Unit 4, Lot 544) for the proposed project already has a very natural wide opening, free of trees, for any proposed driveway. For unknown reasons, the house is located on the lot in such a way to have the driveway located closer to the easterly property line than necessary, toward Lot 543. This results in the proposal to remove two trees near the edge of the proposed driveway that provide screening to Lot 543 and their removal is completely unnecessary. This is particularly true for the large lodgepole pine near

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- the street that is slated for removal that is the largest tree presently on that lot and its removal can and must be avoided. I would request that the driveway be routed nominally toward the west to preclude the removal of the two trees as shown on the attached mark-up of the site plan that was provided to me. The driveway can either include a slight curve (and slightly reduced width) to connect to the house, or the house can be moved approximately 2 feet (plus/minus) in the westerly direction to provide additional clearance between the new driveway and the trees. Preservation of trees to the extent possible has always been a major element of siting houses on lots in Tahoe Donner, especially in areas where trees are prevalent, such as on Christie Lane. Maintaining the two trees in question will have no significant negative impact on the project but will enhance the surrounding area, particularly Lot 543.
2. The location of the proposed water line and sewer lateral to the street are shown schematically on the site plan. As can be seen from the site plan, the schematic for the sewer line runs next to several very large mature lodgepole pines that will likely result in their death or removal if a large trench is dug in that specific location. The schematic for the routing of the water and sewer lateral should be altered so that it runs away from these trees to the extent possible, as there is plenty of room to do so near the property line with Lot 543. Please see the markup and comment for this item on the attached site plan.

Thank you for your consideration of these comments which are obviously geared toward preservation of as many trees as possible on Lot 544, as many trees are already being lost that provide a screen to Lot 543 as a result of the house construction. Removing fewer trees will not only reduce the construction cost, but the proposed changes indicated above are extremely minor and should be incorporated into the final approval for the subject Major Application.

I plan to attend the hearing for this matter scheduled for November 18, 2020 and I would welcome any questions or comments from the ASC or the property owner for Lot 544 concerning the issues that I have expressed above with respect to preservation of trees.

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Very truly yours,

A handwritten signature in blue ink that reads "Mark G. Jones". The signature is written in a cursive style with a large, looped initial "M".

Mark G. Jones

Enclosure: Proposed Site Plan for Lot 544 with Mark-up Comments dated November 16, 2020, one page total.

** = do not remove these 2 trees.*

route sewer and water away from trees.

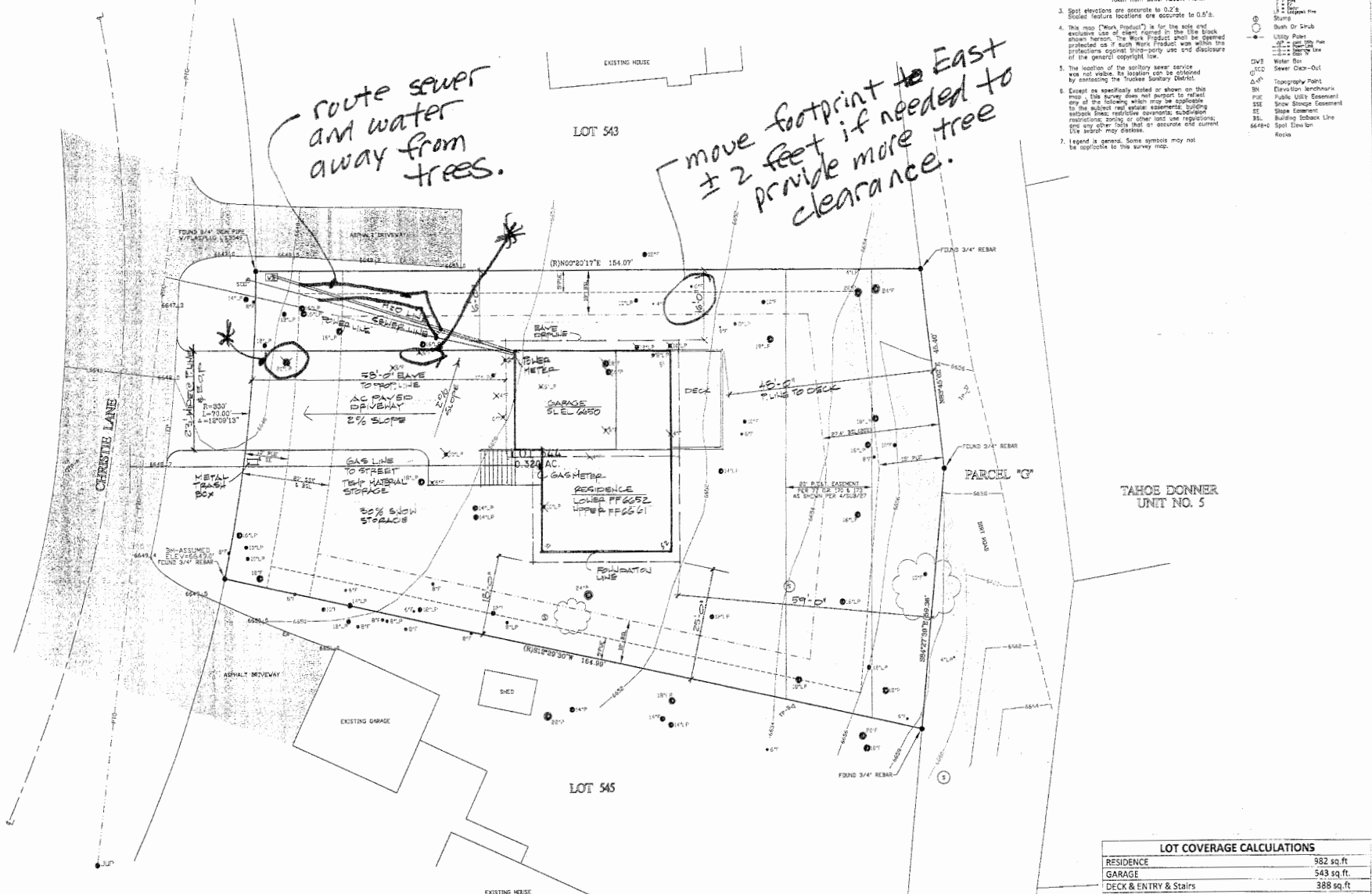
move footprint to East ± 2 feet if needed to provide more tree clearance.

SURVEYORS NOTES

1. Contour interval equals 2'.
2. The elevation datum for this survey was assumed. Elevation = 8648.0' Benchmark = Top of Northwest Property Corner. Taken from Sewer Adjust Plate.
3. Spot elevations are accurate to 0.2'. Spotted feature locations are accurate to 0.5'.
4. This map ("Work Product") is for the site and exclusive use of client named in the title block shown hereon. The Work Product shall be deemed protected as if each Work Product were within the protections against third-party use and disclosure of the general copyright law.
5. The location of the sanitary sewer service was not visible. Its location can be obtained by contacting the Truckee Sanitary District.
6. Except as specifically stated or shown on this map, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, existing easements, restrictive covenants, subdivision restrictions, parties or other land use regulations, and any other facts that an accurate and current title search may disclose.
7. Legend is general. Some symbols may not be applicable to the survey map.

LEGEND

- Found Monument As Noted
- Elevation Contour Line
- Edge Of Footprint
- 1" = 1" Type
- 2" = 1" Type
- 3" = 1" Type
- Shrub
- Bush Or Scrub
- Utility Pole
- --- Gas Line
- --- Sewer Line
- --- Water Line
- --- Street Curb-Out
- --- Topography Point
- BN Elevation Benchmark
- Public Utility Easement
- Snow Storage Easement
- Shape Easement
- Building Footing Line
- Spot Elevation
- Rocks



SITE PLAN

SCALE: 1" = 10'

LOT COVERAGE CALCULATIONS	
RESIDENCE	382 sq. ft.
GARAGE	543 sq. ft.
DECK & ENTRY & Stairs	388 sq. ft.
DRIVEWAY & PARK PAD	1460 sq. ft.
TOTAL LOT COVERAGE	3373 sq. ft.
TOTAL LOT AREA	13939 sq. ft.
PERCENTAGE OF LOT COVERAGE	24.2 %

New Residence For:
Dustin Walsh
14543 Christie Lane Truckee Nevada Co. Calif.

SHEET No
1
OF
15, 20

MARK G. JONES COMMENTS - 11/16/2020