

Dear Board of Adjustment Members,

I am writing to you regarding WSUP23-006.

If you could, please ask staff and/or the applicant the following questions regarding WSUP23-006 during the 4/6/23 Board of Adjustment meeting:

1. How do we know, without a doubt, that there aren't any toxic chemicals, oils, solvents, etc. at the bottom of APN 038-730-39? The soil tests within the Geotechnical Site Assessment for this APN did not reach a determined depth for containment.

Geotechnical Site Assessment Section 5.1.1: The depth of the uncontrolled fill was not fully realized within Test Pits TP-1, TP-2, and TP-5 to the depth of exploration (10 feet).

2. Where and how will the air quality for this proposed grading be tested? There are no air monitoring stations for Washoe County located in district 5, or anywhere near the proposed site.

3. Is it possible for Washoe County to assign someone or an organization to perform air quality testing at this site specifically?

4. Over what duration of time will the export of rubbish and uncontrolled fill (~815 CY) take place?

5. Who will be tracking their maximum export amount of 896.5 CY? Washoe County Enforcement did not perform their duties to stop illegal grading/dumping at APN 038-730-39, so how can we expect the maximum export volume to be tracked and enforced?

6. With the uncertainty of what is actually at the bottom of APN 038-730-39 how can nearby properties be assured that no physically harmful or detrimental materials will be dug up and subsequently driven past our homes?

7. Where do contractors plan on unloading and/or storing their vehicles and equipment daily? Will that plan affect any neighbors on Mule Deer Drive? For the record, can the applicant guarantee that there will be no unloading or storage of vehicles anywhere on Mule Deer Drive?

8. For security and analysis purposes, could the applicant please provide a complete list of the necessary equipment and vehicles required to complete this project, including makes and models, license plates, and DOT numbers for any or all vehicles and equipment that will be traveling over our private property?

9. Can the applicant at APN 038-730-39 please confirm that the only plan for this property is in fact a single family home and that no other project type will be proposed at a later date?

10. Has anyone addressed that Mule Deer Drive and Mule Deer Court are not wide enough for the potential heavy equipment and emergency vehicles to pass in opposite directions at the same time?

11. Were all the owners of adjacent property APN 038-730-00 notified of WSUP23-006?

12. Could the new owner of APN 038-730-39 possibly offer to propose an additional access path leading to APN 038-730-00 for the private property owners and connect our common areas?

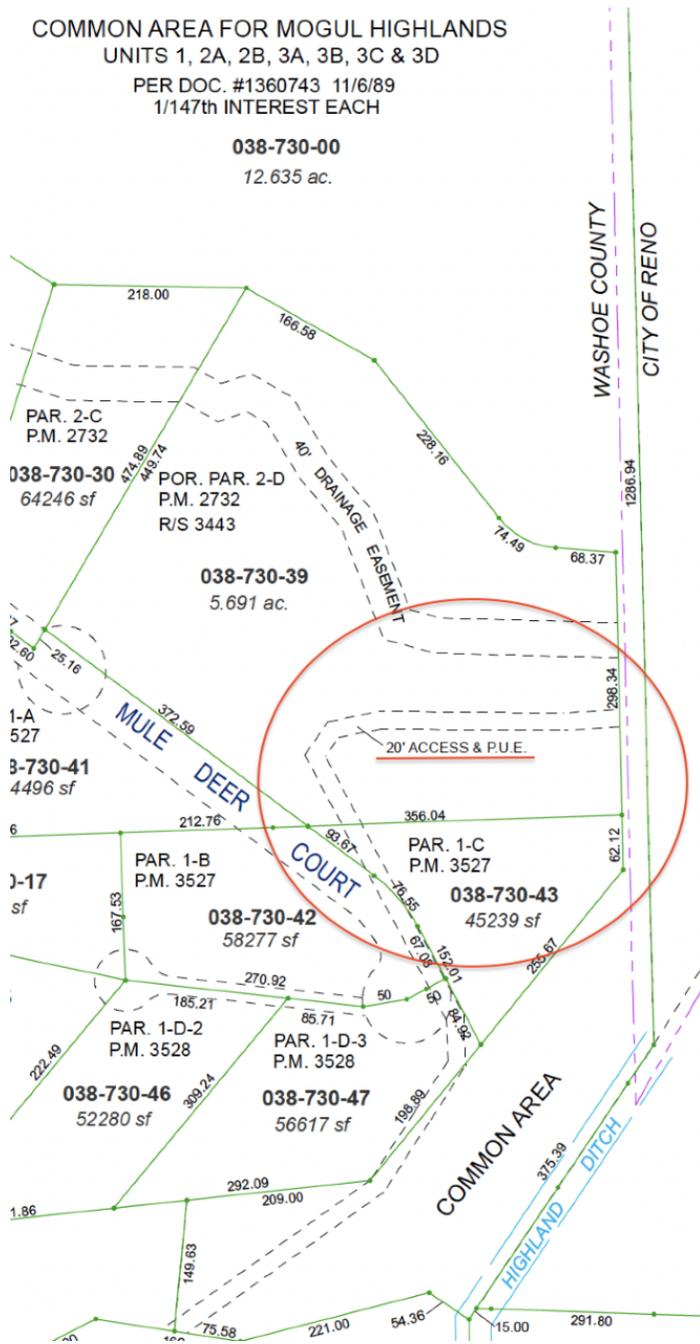
This would be a significant improvement and a considerate offering to alleviate the burden of this project on the existing neighbors.

There is currently no reasonable access to APN 038-730-00 from Mule Deer Ct for real property owners, although in the original Washoe County maps, it appears the original intention was to connect the common areas with a path for members with a 20' access easement.

COMMON AREA FOR MOGUL HIGHLANDS
UNITS 1, 2A, 2B, 3A, 3B, 3C & 3D

PER DOC. #1360743 11/6/89
1/147th INTEREST EACH

038-730-00
12.635 ac.



Thank you,

Chris Lyngstad

Washoe County, NV

A new service request has been filed.

Service Request Details

ID 134033
Date/Time 4/4/2023 3:01 PM
Type Planning Commission/Board of Adjustment
Address MULE DEER DR, Reno
Origin Control Panel
Comments 53 Mule Deer Court Special Use Grading Permit

Hello

I am writing to express my concern over the recent mailer I received in regard to proposed grading work to be done at 53 Mule Deer Ct in Mogul. I have watched for years as various materials were brought into the neighborhood and dumped at this location illegally and this previous activity has greatly degraded the private

road in our community. We have a fairly narrow road with no sidewalks or shoulders and a particular "s" curve that has already suffered and will suffer and degrade more with additional heavy vehicle traffic that this future project would entail. The drainage runs through this "s" curve and is already not stable. The road association admitted in January of 2020 that this spot was almost washed away and only "fixed" by filling it in with rocks, done by the road association president and NOT by a real contractor. I try not to drive my own vehicle over this spot, I worry about heavier vehicles falling into the ravine below.

Because of the poor condition of our road, we have substantial dirt on our roadway and trucks kick up this dirt which creates a dusty and unhealthy atmosphere for my two young children in our backyard. We live above the road and are very much affected by this.

I am concerned about the overburdening this will put on my easement and whether or not this project will compensate our private road? Will there be any type of bond or overuse fees to be paid to our road association over this? The long term damage a four year permit will allow is certainly going to impact the owners of this private road.

Thank for your time and consideration on this matter.

Sincerely,

Mary, a concerned Mule Deer Drive resident

Sent from my iPhone

Submitter Lyngstad, Mary
Mule Deer Drive
Washoe County, NV
mary.dwyer55@gmail.com

Another public comment for 53 mule deer ct.

I am an owner of one house in mogul at 135 Mule Deer Dr. I am highly against any work going on at Mogul. As you probably know work took place over previous years which caused many truckloads of dirt. We had non-stop trucks illegally going by our homes and creating extra wear and tear and noise problems. I am absolutely against this project

- David C Pantell

Dear Board of Adjustment Members,

I'd like to provide some insight into the comments emailed to me and residents in my common interest community by the previous owner of APN 038-730-39, when the topic of illegal dumping was brought up publicly in an email to our community back in 2020.

Based on the comments the former owner provided to the neighborhood (**below**), I received unwarranted, negative feedback from my neighbors. There was never a grading permit issued by Washoe County at this APN, so the comment about paying the county almost \$2000 for a grading permit is completely false.

This illegal dumping transpired from 2014 (according to the Geotechnical Site Assessment report for this APN) and continued through 2021, until Washoe County Code Enforcement stopped these actions.

The following email was sent on 10/21/20 @ 8:51pm to the former owner of APN 038-730-39 in response to his public response, regarding a grading permit at this location. No copy of a permit was ever provided and the dumping continued well into 2021:

Hi Joe,

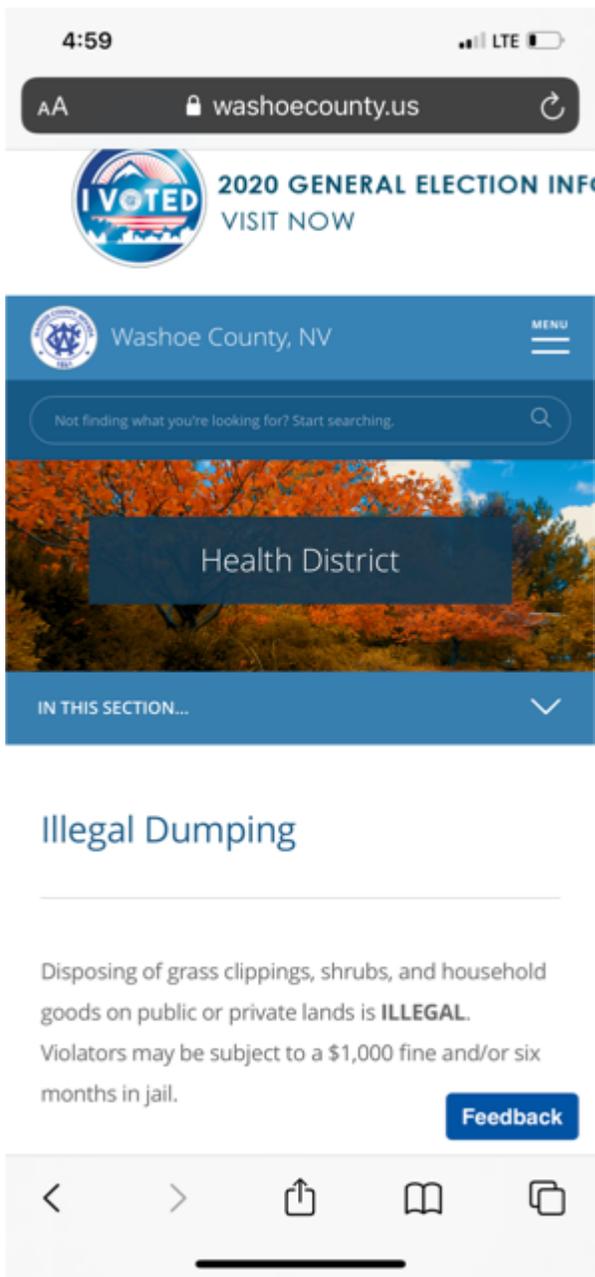
I've lived here over seven years and know what I've seen with my own eyes. I've recorded those images for the record, to make it fact, rather than hearsay.

Do you have a copy of the Washoe County permit you're referencing? It would be great for all of us to see it.

Are the dump trucks dumping dirt, or concrete and yard trimmings?







A spontaneous visual inspection by someone at Garnett Construction telling you that a multi thousand pound vehicle hauling concrete is not degrading our road more quickly is not convincing at all. Your dump trucks have been in an out of this neighborhood more than my own cars and are adding considerable wear to our road. I do not feel obligated to pay for the road maintenance, as your dump trucks have increased the need for a higher rate of maintenance and associated costs.

When it comes to road degradation, the Gross Vehicle Weight is extremely relevant, in addition to the physical size of the vehicle. NDOT has very interesting articles published that anyone can read about road wear. In ALL studies of this nature, there is an overwhelming scientific and analyzed result that heavy vehicles decrease road life.

Did HRA pay Garnett Construction for this independent road evaluation? It seems strange that we suddenly required an independent road evaluation as of Saturday, 10/17/20. Coincidentally, the picture above of Morgan Construction dumping yard trimmings was taken on Saturday, 10/17/20.

The lot in question, 53 Mule Deer Ct., shows in public record that it was purchased in September of 2013. That is the same year I moved to what was supposed to be a quiet neighborhood, only to find out that we had dump trucks constantly coming and going past our house. I'm not sure that anyone thinks that having dump trucks drive through their private neighborhood for 3 years or 7 years is somehow acceptable.

I didn't see you following any trucks in the pictures I have. They are constantly speeding through our neighborhood, especially the pick up trucks with trailers.

In all of your explanations, I did not see the most important topic. When does this activity stop?

Thank you,

Chris

On Oct 21, 2020, at 12:28 PM, thomas lynch <lynchmob2@att.net> wrote:

Hello members. Can I have some response to Joe Bernardo's response to Chris Lyngstad please? Is a meeting in order?

Cathy Lynch, HRA Secretary

----- Forwarded Message -----

From: Joe Bernardo <joebernardo65@yahoo.com>

To: thomas lynch <lynchmob2@att.net>

Sent: Tuesday, October 20, 2020, 09:32:55 PM PDT

Subject: Chris Lyngstad complaint

1. None of us agree that we should be paying for commercial dumping which this is not. I paid the county almost two thousand dollars to get their approval to fill the lot # 53 Mule Deer court so it could be sold to build a home on it which is my intention for this coming year. They said it could be brought up to road level if that was what we wanted to do. I chose to only allow small trucks no bigger than ten yards of dirt at a time as not to have the 22 to 25 yard big end dump so there would not be any damage to our road. That bring said I was one of the first houses built in this tract and watched all of them bring in lots of dirt, gravel, sand, and all sorts of fill for all of your houses where Chris lives now some mornings I had to wait to get by for several minutes.

2. I had the Head road engineer for Garnett Construction, ride around the road this past Saturday and he told me he did not see any damage that looked like a truck caused it. He stated most of all Reno roads only have a life expectancy of about 20 years.

3. Chris math is a bit off since I only bought it three years ago only because I wanted to clean up all the debris left from previous owner.

4. I was concerned about the trucks driving fast or on wrong side of road so I took the time to wait at park with my dog, on two occasions and followed the trucks to clock them one averaged 23 miles per hour, the other less. How many of our home owners go that slow?

5. I have to omit I sometimes go a bit over lines on s curb as it is hard to stay in lanes on these narrow roads.

6.If you all want to have a meeting g ok with me as a matter of fact lets have Chris take over as president and he can take care of the fire dept. spraying of weeds ,snow markers, curb repair. keeping the drains open and clearing the mud in spring and winter because I am ready to resign
Thanks Joe Bernardo