

RE: Concrete testing

Mike Ross <mross@townoftruckee.com>

Thu 10/26/2023 11:01 AM

To:Ciro Mancuso <ciro.m@me.com>

Cc:Denyelle Nishimori <DNishimori@townoftruckee.com>;Jen Callaway <jcallaway@townoftruckee.com>

Thank you. I appreciate it.

Mike Ross

Town of Truckee

Chief Building Official

Office Ph (530) 582-7785

mross@townoftruckee.com

-----Original Message-----

From: Ciro Mancuso <ciro.m@me.com>

Sent: Thursday, October 26, 2023 10:46 AM

To: Mike Ross <mross@townoftruckee.com>

Cc: Denyelle Nishimori <DNishimori@townoftruckee.com>; Jen Callaway
<jcallaway@townoftruckee.com>

Subject: Re: Concrete testing

Yes, I will. I will look through my files and provide.

> On Oct 26, 2023, at 10:42 AM, Mike Ross <mross@townoftruckee.com> wrote:

>

> Ciro,

> This has been a building code requirement for several years. Considering that a 3000 PSI concrete was specified, A deputy inspector is required through the duration of the pour. During this process, the inspector will collect samples to verify a 7-, 14- and 28-day strength test (crush test). This is the same for line item 5 approving the footings. The code requires not only a geotechnical report as well as the company that prepared the report to inspect the footings for adequate depth and soil bearing pressure (compaction). Can you provide me the most recent 5 commercial project address's this was not requested on.

>

> Mike Ross

> Town of Truckee

> Chief Building Official

> Office Ph (530) 582-7785

> mross@townoftruckee.com

>

>

>

> -----Original Message-----

> From: Ciro Mancuso <ciro.m@me.com>

> Sent: Wednesday, October 25, 2023 3:48 PM

> To: Mike Ross <mross@townoftruckee.com>

> Subject: Concrete testing

>

> Truckee North Tahoe Materials normally provides testing for the concrete they deliver. They tell me that because my two pours occurred on Saturdays they did not test any cylinders. They are confident that it meets the specifications and I have never in the past had any failed tests. We poured on Saturday because it was the only day we could get enough concrete to make a monolithic pour, 30 trucks for the footings and 18 trucks for the slab. If you feel it is necessary, I can arrange to have some core samples taken and tested. For the slab pour, we used 4000 PSI with super plasticizer and Fiber re-inforcement and for the footings we used 3000 PSI concrete. Ciro

RE: Pioneer Commerce Center K-4

Mike Ross <mross@townoftruckee.com>

Fri 10/20/2023 3:24 PM

To:Ciro Mancuso <ciro.m@me.com>

Cc:Denyelle Nishimori <DNishimori@townoftruckee.com>;Jen Callaway <jcallaway@townoftruckee.com>

Good afternoon, Ciro,

Thank you for sending the information requested after our conversation Thursday evening regarding the staff report and the resolution. As discussed in our conversation I'm looking to obtain more information while going through and investigating this project in its entirety. **It is important to stress that the information that i'm requesting is for the investigation purposes only and it's not to be considered or constituted as a plan review process.** Below is the list of additional information I'd like to review.

1. A company name and contact information for your concrete contractor.
2. Concrete suppliers batch plant invoices (please redact any financial cost).
3. Name of fabrication company and contact information.
4. Company name and contact information for installation of steel.
5. Geotechnical field approval for footings name of company and contact information.
6. Structural observation memos to include company name or name of structural engineer along with contact information.
7. Deputy inspectors report company name or name of deputy inspector along with contact information. This should include crushed test after 7,14 and 28 days as well as verifying concrete pour if over 3000 PSI.
8. A copy of any plans and structural calculations.

Mike Ross

Town of Truckee

Chief Building Official

Office Ph (530) 582-7785

mross@townoftruckee.com

From: Ciro Mancuso <ciro.m@me.com>**Sent:** Friday, October 20, 2023 8:49 AM**To:** Mike Ross <mross@townoftruckee.com>**Subject:** Pioneer Commerce Center K-4

Mike:

I have compiled a few pertinent items and correspondences with Planning that you may find interesting. We started erecting the steel after September 21, when I lost all hope that it would not go to the Planning Commission until October or beyond.

At the Planning Commission Hearing on October 17, Denyelle stated to the commission that the Development Code specifically prohibited any hearings while there existed an outstanding violation. I have reviewed the

Development Code and I and I am unable to locate any verbiage that supports her statement. I would appreciate it if you would review the Code and let me know if this is correct.

Attached is the Staff Report for the 2017 Planning Commission hearing. Please see Page 3 of 13, Discussion and Analysis/Background wherein it states:

A 10-year timeframe was requested by the applicant to allow a phased buildout of buildings K1, K3, K4, H, L and M.

The following are copied from the Final Resolution:

1. The effective date of approval shall be October 2, 2017, unless the approval is appealed to the Town Council by 5:00 p.m. on September 29, 2017. In accordance with Section 18.84.050 of the Development Code, the approval of the Project Amendment shall be valid for 24 months after its effective date. At the end of that time, the approval shall expire and become null and void unless the time limits of the Project Amendment are extended per section 18.84.055 of the Development Code. **(Planning Division)**
2. The Community Development Director may authorize minor alterations to the approved project and conditions of approval in accordance with Sections 18.84.070.B.1 of the Development Code only if the Community Development Director finds such changes and alterations to be in substantial compliance with the approved project. For minor project modifications and design elements not addressed by the Planning Commission in their design approval of the project, the Community Development Director may impose additional requirements on the project to ensure consistency with the Town Development Code. Major changes and alterations to the approved project and conditions of approval shall be reviewed and approved by the Planning Commission in accordance with Sections 18.84.070.B.2 of the Development Code. **(Planning Division)**

The following is the email I received from Denyelle stating they could get it on the next available Planning Commission hearing.

From: "Denyelle Nishimori" <DNishimori@townoftruckee.com>
Subject: Re: Pioneer Commerce Center II K-4 Building
Date: August 1, 2023 at 3:48:46 PM PDT
To: <bquesnelengineer@gmail.com>
Cc: "Ciro Mancuso" <ciro.m@me.com>, "Jenna Gatto" <JGatto@townoftruckee.com>, "Laura Dabe" <LDabe@townoftruckee.com>

Hi Bill and Ciro-

I reviewed the land use approvals along with Laura and Jenna and unfortunately they are expired. The path forward would be to submit a new land use application. Because this would be for a previously approved project, it would be a quick process on our end. I also think the Planning Commission would be supportive. I think if you could submit soon, we can get it on the next available Planning Commission agenda. I am also happy to meet if you want to discuss this further,

Denyelle N. Nishimori
 Community Development Director

Town of Truckee
530-582-2934

We submitted the new application on August 3.

My email to Denyelle on September 21.

Hi Denyelle.

I noticed there's a planning commission hearing on the 27th. Is there any way that our application for building K4 can get on this hearing schedule? I believe this will be a non controversial hearing as it has been looked at by the commission four times. It is very critical as we are waiting to erect the building and time is running out.

When I was told that our permit had expired, I was also told we would be put on the next planning commission agenda.

The fees were promptly paid upon your request, the sign has been posted for the required time and our turn around time for responses was one day.

Please let me know if you can make this happen.

Thank you,

Ciro

Please let me know if you would like me to provide any additional information.

Thank you,

Ciro

RE: Heads Up on Pioneer Commerce Center Red Tag (Ciro Mancuso)

Jenna Gatto <JGatto@townoftruckee.com>

Tue 10/17/2023 2:57 PM

To: Jen Callaway <jcallaway@townoftruckee.com>

Cc: Denyelle Nishimori <DNishimori@townoftruckee.com>; Mike Ross <mross@townoftruckee.com>; Laura Dabe <LDabe@townoftruckee.com>; Kerry Taber <KTaber@townoftruckee.com>; Caitlin Safford <CSafford@townoftruckee.com>; Andy Morris <AMorris@townoftruckee.com>

2:56 update: We have officially continued the PC's review of Ciro's project tonight and will be conducting a site inspection tomorrow with Denyelle, Mike and Laura. There is no known reschedule date at this time.

From: Jenna Gatto

Sent: Tuesday, October 17, 2023 1:34 PM

To: Jen Callaway <jcallaway@townoftruckee.com>

Cc: Denyelle Nishimori <dnishimori@townoftruckee.com>; Mike Ross <mross@townoftruckee.com>; Laura Dabe <ldabe@townoftruckee.com>; Kerry Taber <ktaber@townoftruckee.com>; Caitlin Safford <CSafford@townoftruckee.com>; Andy Morris <amorris@townoftruckee.com>

Subject: Heads Up on Pioneer Commerce Center Red Tag (Ciro Mancuso)

Importance: High

Hi Jen,

Just wanted to give you a head up on a red tag we just issued on a Ciro Mancuso building. This is the same building that is up for consideration at tonight's Planning Commission meeting. As you can see, he is well into construction on this project without any permits (from us or Building). When contacted by Laura, he openly admitted that he had started the work and felt entitled to begin construction because this building was "previously approved" and it's "an erector set that doesn't need permits".

Due to the open code case, we will likely pull this item from tonight's agenda (and thereby essentially canceling the meeting because the other item was continued). Though I'll have to confirm that with Denyelle. As you may know, we do not confer approvals to projects with open code cases, until the case is resolved. And unfortunately, our Commission agendas are likely booked into January at this point due to the amount of projects we have and continuances. In his call with Laura, Ciro said he expected to be put on the next agenda-which I don't see us being able to accommodate. Unless we want to bump previously scheduled projects, which doesn't feel right.

Keeping you in the loop as you will likely hear from him since he tends to bypass both Denyelle and I. She and I will check in on the status of his project tonight when she's back from DH lunch.

Jenna Gatto

Town Planner, Town of Truckee
10183 Truckee Airport Road
Truckee, CA 96161
530-582-2922

RE: Building K4, Pioneer Commerce Center

Jen Callaway <jcallaway@townoftruckee.com>

Fri 2/16/2024 10:47 AM

To:Ciro Mancuso <ciro.m@me.com>

Cc:Mike Ross <mross@townoftruckee.com>;Denyelle Nishimori <DNishimori@townoftruckee.com>

Hi Ciro,

I wanted to acknowledge receipt of your letter dated February 12, 2024, regarding Ciro Mancuso, Hidden Lake Properties, Inc.; Pioneer Commerce Center Building K-4: APN 019-700-025.

Below you will find the Town's responses. I will also add that, from our virtual meeting last fall, I understood that time was of the essence for you, and you wanted to get moving on this project and have it completed as quickly as possible. While I know you disagree with our requests, there is still a way to move forward, and it is feasible that you could make significant progress this upcoming build cycle. Our requirements for moving forward blend the need to apply the Town's entitlement and building permit process, protection of liability for the Town and our Chief Building Official, and providing you with a path that, again, could result in you making significant progress towards completion, or completion this upcoming build season. The primary purpose of the permit and inspection process, and why it is required by law in California, is to ensure safety and that all construction is in compliance with state and local codes, including safety standards. This is protection for the Town but also provides you, as the property owner, a layer of risk mitigation, from injury to a person or damage to another's property. It is with this in mind that I am responding with the following:

1. The Town continues to request that the steel structure be dismantled. You must obtain an appropriate demolition permit and we will condition this permit on a six-week period to dismantle the structure. While I am willing to discuss the length of time for dismantlement if six weeks is not amenable but will not accept an alternative to dismantlement.
2. Winterization of the site is at your discretion and not a requirement of the Town.
3. I understand there may still be access to the site from the boat storage facility. If so, please secure the site so that there is no access, vehicular or pedestrian.
4. Thank you for agreeing to condition 4.
5. Slab inspection and core testing will be necessary to the degree required by the Building Official. Our hope is that you can move forward with obtaining the demolition permit, dismantling the steel structure now and work with the Chief Building Official on slab inspections and core testing. We are trying to preserve the slab as we are honoring what we believe is your interest to complete the project as quickly as possible but also recognizing we cannot ask you to remove the slab during the winter season.
6. Thank you for agreeing to condition 6.

You indicate that if your conditions remain unacceptable to the Town you would like to waive your right to a hearing before the code enforcement Director and proceed directly to an appeal before the Town Council. Can you please explain this more? We are not clear how an appeal would work in this scenario.

I appreciate your perspective on the history of the project, and we agree that your project is in alignment with town goals and are supportive. But there is still a process we need to go through, and building permit requirements that must be adhered to, regardless of our support for a project. I spent a great

deal of time reviewing the project history, reading staff reports, etc. I agree you asked for a 10-year timeframe to complete, but I did not find anywhere where the planning commission extended the timeline for entitlement expiration of two-years. It was not in the minutes of the October 17, 2023, meeting nor in the adopted materials. It appears that, while you requested this, the planning commission did not discuss this or consider your request.

If you can please clarify the appeal process or ask your legal team to connect with the Town Attorney on this, that would be helpful, or if you are willing to work with us on items 1, 3 and 5, submitting for the demolition permit will help us to facilitate steps forward for you and the project.

Thanks,
Jen

-----Original Message-----

From: Ciro Mancuso <ciro.m@me.com>

Sent: Monday, February 12, 2024 11:16 AM

To: Jen Callaway <jcallaway@townoftruckee.com>

Cc: Mike Ross <mross@townoftruckee.com>; Denyelle Nishimori <DNishimori@townoftruckee.com>

Subject: Building K4, Pioneer Commerce Center

Dear Ms. Calloway,

Please see the attached letter outlining my position relative to the dispute on Building K4.

I look forward to your timely response.

Ciro

RE: Mancuso/Pioneer Commerce Center Building K-4 [SR-ACTIVE.FID5748032]

Jen Callaway <jcallaway@townoftruckee.com>

Wed 2/28/2024 12:05 PM

To: Castanos, Kristen T. <kristen.castanos@stoel.com>

Hi Kristen,

Andy forwarded your communication dated February 28, 2024, regarding Ciro Mancuso's Hidden Lake Properties Pioneer Commerce Center Building K-4. We understand that Mr. Mancuso is unwilling to agree to dismantle the existing steel structure at this point. While we are regretful that we have not been able to reach agreement on this, we appreciate the notification so we can proceed with next steps.

Next steps for the Town will be to contact the State Contractor's Board and work with them moving forward. We do not plan to issue an abatement notice at this point but may in the future depending on guidance from the State. Of course, Mr. Mancuso is welcome to attend any Council meeting and provide up to three minutes of public comment at the start of the meeting if he deems that would be appropriate.

Thank you,
Jen

From: Castanos, Kristen T. <kristen.castanos@stoel.com>
Sent: Wednesday, February 28, 2024 9:56 AM
To: Andy Morris <AMorris@townoftruckee.com>
Subject: Mancuso/Pioneer Commerce Center Building K-4 [SR-ACTIVE.FID5748032]

Andy,

Please see the attached letter regarding building K-4 in the Pioneer Commerce Center.

Thank you,
Kristen

Kristen Castanos | Attorney
STOEL RIVES LLP | 500 Capitol Mall, Suite 1600 | Sacramento, CA 95814
Direct: (916) 319-4655 | Mobile: (916) 803-3534
kristen.castanos@stoel.com | [Bio](#) | [vCard](#) | www.stoel.com



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FW: Update: Pioneer Commerce Center Building K-4

Jen Callaway <jcallaway@townoftruckee.com>

Fri 6/14/2024 11:45 AM

To: Denyelle Nishimori <dnishimori@townoftruckee.com>



Jen Callaway
Town Manager
Ph: 530-582-2901
Cell: 585-820-5922

From: Edward Vento <ExecDir@ca-tt.com>**Sent:** Wednesday, February 28, 2024 3:12 PM**To:** Jen Callaway <jcallaway@townoftruckee.com>**Cc:** Cody Heller <cody@hellerbuilt.com>; Mike Ross <mross@townoftruckee.com>; Denyelle Nishimori <DNishimori@townoftruckee.com>**Subject:** Re: Update: Pioneer Commerce Center Building K-4

Thank you for the notice, Jen.

Best Regards,

E.C. Vento



1231 Soaring Way, Suite 1A
Truckee, CA 96161

To promote a positive business environment for the building and housing industry and enhance opportunities for its members and the community.

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On Wed, Feb 28, 2024 at 2:58 PM Jen Callaway <jcallaway@townoftruckee.com> wrote:

Hi Ed and Cody,

Hope you are prepared for the incoming storm!

I wanted to let you both know (and Cody, I felt including you would be appropriate given your role as the Local Government Affairs Committee Chair), that we received notice that Mr. Mancuso is unwilling to agree to dismantle the existing, unpermitted steel structure, on his property in Pioneer Commerce Center.

We have informed Mr. Mancuso's representatives that, while we are regretful that we could not come to an agreement about dismantling, we appreciated the notice so that we can move forward with next steps. The next step for the Town is to contact the State Contractor's Board. We will work with them moving forward, until we reach resolution. I know Mike had talked to you before about this being the direction that we feel we needed to move to for unpermitted work, but since it is our first time contacting the State Board, I wanted to give you notice that we have reached the point of doing so on this project.

Mike is out of the Office in training this week. I will ask him to contact the State when he returns to the office next week.

Of course, happy to answer any questions you may have,
Jen