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## WINTER CREEK OWNERS' ASSOCIATION

**Date:** February 13, 2024

**To:** Chantal Birnberg, Planner, Town of Truckee Planning Division

**From:** Winter Creek Homeowners Association, Board of Directors

**Subject:** Notice to Town of Truckee Planning Division – Issues with Silver Creek Estates Application

The Board of Directors have reviewed the documentation on the proposed permit application for Silver Creek Estates. We respectfully submit the following concerns and ask they be addressed prior to a permit being issued:

1. **Request from Silver Creek to be a standalone project:** The pre-planning application by Silver Creek Estate, request to be a standalone project, which the Winter Creek Development agrees to. With that said, we ask the Planning Division to remove any and all association to Silver Creek Estates to the Winter Creek Development including the use, or expectation of use, of Winter Creek's private land.

The original permit application, by the Developer (GLA) who intended to build a 20-unit Condo on what is called Parcel B in the Winter Creek Development. Parcel B was sold in 2008 and the tenant has not paid monthly HOA dues. All plots of land within the Winter Creek Development (whether developed or undeveloped) paid a monthly HOA fee to cover the maintenance and reserves for the development. It was the understanding of the Winter Creek Board; the sale of the property severed any relationship with the Winter Creek Development. It is our concern; the planning division is making decisions about use of our private land which cost our owners to maintain. Please provide a copy of the purchase agreement and the terms the Developer sold as these are unknown to the owners of the Winter Creek Development.

2. **Density Bonus** - The Project Routing Request, dated January 31, 2024, includes eight waiver requests. It is abundantly clear that the proposed development is larger than the parcel can accommodate. Of the eight requested waivers, at least six are requested reductions in space utilization which clearly violate the Town of Truckee Planning Guidelines. Simply put, the applicant is attempting to place more units than the property can adequately accommodate. We request that in reviewing this application the Town directs the applicant to "right size" the project and not acquiesce to these requests. These are long standing planning and design guidelines and should be adhered to by any development in our community.

Additionally, the impacts related to fire, snow storage, noise and traffic will only become more significant if a density bonus was utilized to build more units than the site and surrounding infrastructure can support. Therefore, we as the Winter Creek HOA, do not support the application of any density bonus proposed by the developer.

3. **Ingress / Egress:** We respectfully request the planning Division design a different Ingress / Egress to Silver Creek Estates. The Winter Creek Development has private roads which are costly to maintain. The additional usage of our roads should not be the burden of the WC HOA. Silver Creek Estates, and the prior owner, have not paid for maintenance or upkeep of the roads since the sale in 2008. Due to the

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volume of units and the estimated number of vehicles (72) per the pre-planning application, the Winter Creek Development anticipates a significant impact on various routes within our Development. We anticipate ingress and egress using the entire Winter Creek Loop and Sara Bear Road. What type of traffic impact study will be performed to assess the impact to our neighborhood? Who will be responsible to the share of cost to maintain roads, snow removal, cleaning and liability?

4. **Parking:** There is no overflow parking outside of Silver Creek Estates, so the Winter Creek Development anticipates a significant logistical issue with the design as provided. Winter Creek has zero on street parking. Our roads are dark, narrow and unsafe to park, so the HOA has a "no parking on street policy." During the winter months the roads are even more narrow due to snow storage on the first 7' of each house. It will cost the Winter Creek HOA significantly to manage and police the unauthorized parking in our development from the Silver Creek Estates residence. Our concerns include the overflow parking slots we have established for our owners on the Lower Winter Creek Loop / Brockway entrance.

The parking allocation is grossly underestimated. With 42 units, the plan does not address the real use / need for parking for a project of this size. The method the town used to estimate number of vehicles per unit is poor. It is our experience, using the 147 lots we have plus the development next door to us (The Timbers) the town needs to estimate a minimum of 1 full vehicle per 1 bedroom unit, plus estimate 2 vehicles per 2-bedroom unit. In addition, the town needs to also anticipate visitors in their parking plans. Net/Net -it is the Winter Creek HOA's position there is not enough parking for a 42-unit development and there is a high risk of cost to our development to manage people parking on our private roads. How does the town plan on resolving?

5. **Snow Storage:** The application is seeking reduced snow storage allowance. In addition, the application is requesting to access off-site snow storage of + / - 2,000 square feet. The Winter Creek Development does not have any space to provide.

Based on the plans provided, the developer is anticipating pushing snow storage between the 10- buildings which is not feasible with the type of snow equipment in Truckee. It is our position, there is not adequate snow storage in the development for Silver Creek. Winter Creek does not have enough snow storage as it is and we pay to truck off snow during big downpours. Silver Creek Estates has no right of ways to our snow storage, and we will not provide space. The town must have a plan that mandates Silver Creek Estates have adequate snow storage and a program in place to relocate excess snow. We anticipate the loss of exterior parking space in the Silver Creek Development for snow storage which reduces parking available. How with the town address this?

6. **Traffic Study:** The Winter Creek Development anticipates significant impact by a 42-unit development with Traffic off Brockway & Winter Creek Loop, and Sara Bear & Palisades Drive. We believe the ingress / egress off Brockway will be dangerous with the added car volume. We recommend the Town or Developer provide a traffic study to address the concern.
7. **Noise Concerns:** Our owners are concerned about the noise coming from a 40-unit development. We anticipate a significant call volume to the Truckee Police as our owners purchased into Winter Creek expecting a quiet and relaxed mountain atmosphere. Owners purchased with the guidance that a 20-unit condo was going to be built, not a 40-unit rental development.

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8. **Costs associated with Silver Creek Estates:** The Winter Creek HOA maintains private roads, landscaping, a park with play structure, dog dirt stations and Fire Wise maintenance of the development. There is additional cost which includes liability insurance, HOA Management fees and supplies. The cost to maintain Winter Creek for our owners is large and we anticipate impact to these costs with the Silver Creek Estates Development. As there is no park, playground, or open space designed for Silver Creek, the Winter Creek Park becomes the default space as it is directly adjacent to the development. There is additional liability we do not believe our owners are willing to assume. How will the town mitigate?
9. **Health and Safety of our community:** The town must take in consideration, if there is enough public safety for fire equipment in the Silver Creek Development. If all parking stalls are occupied, does this give emergency vehicles the space needed to turn around and fight fires adequately? Is there enough space with and without snow on the ground? We live in an area where fires are real, and public safety should be of the upmost concern.
10. **How will this development impact the Wetlands near the project?** Noise and fumes could impact the wildlife. Is the drainage slated for Silver Creek a new system or are they tapping into the existing Winter Creek storm drainage? What studies have been done to determine if it is adequate?
11. **CEQA Requirements should remain:** Why does the Town of Truckee think this project is exempt from CEQA? Per Section 15331 (d) "Approval of the project would not result in any significant effects relating to traffic, noise, air quality or water quality." We, the HOA feel that the project will have "significant" impacts to traffic, and noise and therefore will not qualify for an exemption from CEQA.
12. **Landscaping exception comment:** Comments that landscaping will be limited or none, is being requested as an exception. Limited or no landscaping opens up the probability of noise, etc., for Winter Creek owners near the property. Also, Winter Creek enjoys a mountain feel and approving a property designed with little or no landscaping would give the 'look and feel' of the artists' lofts in downtown Truckee = industrial aesthetics which we take exception too.

In closing, we are asking for a forum by the Town of Truckee to explain all concerned above and to review the entitlement through permit process, including the associated milestones regarding this approval.



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