

Feb. 7, 2022

Michael Vanderhurst  
Chair, Economic Development & Planning Commission  
Town of Mammoth Lakes  
437 Old Mammoth Rd. Ste R  
Mammoth Lakes, CA 93546

Dear Mr. Vanderhurst and Planning Commissioners,

Thank you for the opportunity to comment on the Mammoth Springs Resort Villa III. First I want to say, the town has failed to comply with CEQA, in that has prepared an Addendum to a 31-year old EIR that no longer is accurate in its description of local land use or environmental impacts. Addendums are to be used when only "minor technical changes" are required to a project and a new 33-unit residential development does not qualify for the use of the Addendum.

I have been a resident of the adjacent San Joaquin Villas for 15 years. I will not be able to attend the public hearing in person as I am working – as are almost all my neighbors and most Mammoth locals who will be impacted by this development. This public hearing – which directly affects our quality of life – was scheduled in the middle of a workday, preventing the public from participating and limiting feedback on the project's impacts.

In addition, the notice of public hearing received in the mail just ten days prior to the hearing provides inadequate time for concerned neighbors and residents to respond. Please understand that our community is frustrated with Town staff and the Planning Commission for not giving the public enough time to respond and not listening to the community's valid concerns and needs.

As a result of the short notice, I was only able to spend a few hours of my limited free time collecting signatures in opposition to the development. Every person I described the project to said, "I can't believe that the Town Planning Commission has agreed to the demands of this developer over the concerns of the residents" and thought the project was flawed as follows:

1. "Why are they building right up to the property line and so close to existing buildings?"
2. "What is the town thinking – why are they allowing hot tubs on the upper decks with nightly rentals so close to the homes of folks who are working and trying to sleep?"
3. "Don't they understand how much noise there will be late at night from visitors using the hot tubs which will disturb folks who need to get up in the morning to work?"
4. "That's exactly why I moved out of Mammoth, my neighbor was renting a nightly Air B&B, I never slept, my quality of life was gone."
5. "A fence will not make a difference to the noise coming from these units. What is the real purpose of the fence?"
6. "This is another example of the Town focusing on increasing TOT taxes – no thought about the workforce and our quality of life, only about making money!"

Repeatedly, I heard the same comments, concerns and outrage from the neighborhood residents.

On 2/2/22 I spoke with Michael Peterka, Assistant Planner who has spent considerable time working on the Mammoth Springs Resort development. He told me that the developer wants to put up a six-foot-high wooden fence primarily to help with noise issues.

The proposed six-foot fence has NOTHING to do with stopping noise from the neighborhood.

The fence is to keep people and wildlife out of a “private, gated community”– to give the impression of exclusivity and upper scale luxury, like gated Obsidian development. It is an elitist amenity, designed to increase the sale price of the units and the developer’s revenue..

The absurdity of the fence is that all the noise will be coming FROM Villa III, especially from the new duplexes that are being built above the garages on the 2nd and 3rd stories --well ABOVE the six-foot fence and with their back decks facing Joaquin Street. To compound the issue, the decks will have hot tubs on them, where the overnight rental guests will be incredibly noisy, drinking, and partying loudly at night. All noise will be directed TOWARDS Joaquin Street homes and residents, keeping working Mammoth locals awake well into the night. I myself must be at work at 5:30 a.m. Renters do not know or care that SJV and Joaquin Street residents go to bed early and rise before sunrise to work. We are the people who serve visitors and locals and keep the Town running. We cannot function on a couple hours of sleep. The decks with hot tubs, as currently proposed, are just feet from our bedroom windows! This is an untenable situation which must be revisited and removed from the plan proposal.

The Planning Commission’s role is to balance the needs of the developer with those of the local community. Please help minimize noise and disturbance coming FROM Villa III and prevent the developer from installing hot tubs on their duplex decks. Common-area hot tubs on the ground level are the appropriate solution, as other multi-residential developments have in place. Eliminating private hot tubs from the outer decks will provide the neighboring residents – and indeed even the visitors renting Villa III units – some chance at maintaining the current quietude and peace of the neighborhood.

I respectfully request that the project be modified as follows:

1. NO to a senseless fence along the bike path, a fence that will ultimately get broken and become unsightly under snow load and the elements. Any fence, even with two small openings, is unfriendly and dangerous to wildlife. No one wants to look at an ugly, unwelcoming fence along the bike path that has no purpose but to pretend to be a noise barrier.
2. NO to individual unit hot tub on the decks. The ambience of our neighborhood is being compromised by the development itself – the hot tubs outside our bedroom windows will eliminate all privacy and quietness and will negatively impact our quality of life.

3. NO to allowing nightly rentals in Villa III units 22-25 that are directly adjacent to SJV due to the close proximity of the buildings and the impacts of noise and disturbance.
4. that the developer be held responsible for maintaining a significant “green” and natural barrier between the development and neighboring buildings with a landscaping plan that includes trees and hedges. Snowshed from the building rooves must be managed and cleared away so our backyards do not become an icy mountain of snow.
5. that the Commission and staff do the RIGHT thing and consider the needs, concerns, and quality of life of the local community members over developer profits.

Again, Additionally, the town has failed to comply with CEQA, in that has prepared an Addendum to a 31-year old EIR that no longer is accurate in its description of local land use or environmental impacts. Addendums are to be used when only “minor technical changes” are required to a project and a new 33-unit residential development does not qualify for the use of the Addendum.

Thank you for your consideration.

Donna Mercer  
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Mammoth resident since 1999