

# Board Majority Denies Extension Of Subdivision Map

By DENISE SIEBENTHAL

Sentinel Staff Writer

In the waning days of Supervisors Marilyn Liddicoat's and Pat Liberty's tenure on the Board of Supervisors, a 50-home development was approved for Day Valley Road.

But developers of the project learned Tuesday that what a past Board of Supervisors has done isn't necessarily supported by the current board.

The current liberal voting block of Supervisors' Chairman Robley Levy and Supervisors Joe Cucchiara and Gary Patton denied an extension of the

subdivision map granted the project in 1980 by conservatives Liddicoat, Liberty, Dan Forbus and E. Wayne Moore Jr.

The present board majority based its denial on the fact that the density of the project doesn't conform to what is called for in the county general plan.

The denial of the extension of the subdivision map means the project is dead unless the court rules in favor of the developer who has been sued by the Day Valley Area Homeowners Association.

The approval of this development, known as The Forest and The

Meadows, came on Dec. 23, 1980 — just days before Liddicoat and Liberty gave up their seats on the board to Levy and Cucchiara who had won election to the board in November 1980.

The 1980 board approved the development despite maps showing it was in a primary groundwater recharge area. Under the county general plan, one home per 10 acres is allowed in a primary recharge area and The Forest and The Meadows development on 142 acres far exceeded this density.

But the former board took into consideration evidence presented by

geologist Jeremy Wire and other experts that the area actually doesn't function as a primary groundwater recharge site.

Day Valley area residents, upset about the 1980 board's decision, subsequently sued. The new board refused to defend the previous board's action in court, leaving the defense up to the developers.

The court battle caused time delays, forcing the developers to ask for an extension of their subdivision map.

The Superior Court upheld the 1980

board's decision, but Day Valley residents appealed. Supervisors learned Tuesday that if the Court of Appeals rules in favor of the developers, its denial of the extension of the subdivision map could be overturned by the court.

But despite information presented by developer David Harra, Wire, environmental health consultant William Rummel and soil scientist Roland Hutchings Tuesday, the liberal majority remained unconvinced that the acreage isn't a primary groundwater recharge area.

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