

The Carmel Pine Cone

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Scenic Road home appealed to coastal commission

■ Renter a block away wants stricter limits on noise

By MARY SCHLEY

STEVEN BEUTLER — the San Antonio Avenue resident trying to stop a house on Scenic Road from being built because he says its construction would make too much noise — has filed an appeal with the California Coastal Commission.

He wants the commission to stop owners John and Jacque Jarve from tearing down an old home and building a new one designed by architect Eric Miller because the noise from construction would interfere with his “right to have a quiet environment in my home.”

While the municipal code already prohibits construction work on Sundays and between 6:30 p.m. and 8 a.m., Beutler says the Carmel City Council should have required the Jarve home to be built with additional noise restrictions.

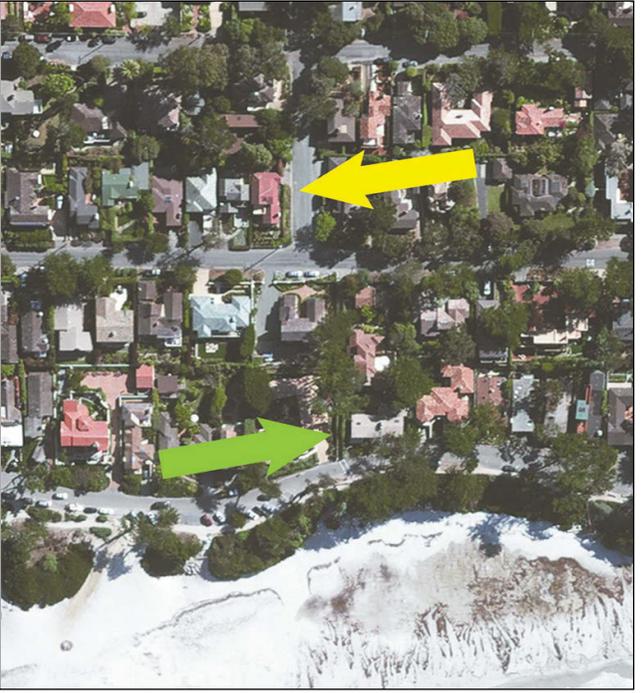
He is making the claim even though he lives in a rented house a block away from the new one, and nobody who lives closer has raised any objections to what the Jarves want to do. He works at home, he says.

“During my oral presentation in front of the city council, I requested noise studies and a noise mitigation plan; this was rejected without discussion,” Beutler wrote in his appeal. “The planning commission had previously rejected it as well, commenting only that it wasn’t required by the municipal code.”

Because neither the city council nor the planning commission agreed with him, “it is clear that the City of Carmel-by-the-Sea is ignoring” its general plan and land use plan, Beutler claims.

He also says that because the construction project is within 300 feet of Environmentally Sensitive Habitat Area, “noise and vibrations will impact the ESHA.”

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The man who lives at the corner of San Antonio and Ninth (yellow arrow) claims that construction of a new home on Scenic Road (green arrow) would be so noisy it would ruin his “quiet environment.” He has appealed the city council’s approval of the house to the coastal commission. Carmel Beach is at the bottom of the photo.

Council puts new limits on beach fires

By MARY SCHLEY

AFTER THREE hours of discussion that included a report on the dangers of inhaling wood smoke and impassioned pleas from those on both sides of the aisle, the Carmel City Council voted 3-0 Tuesday to accept the planning commission’s recommendations for controlling fires on Carmel Beach, including permanent fire rings and a ban on portable barbecues.



Thousands of photos posted online — such as this one from a local church — show that many people consider a bonfire on Carmel Beach to be one of the most inspirational and romantic experiences they can have. But the phenomenon has gotten so popular, it needs new restrictions, the city council decided this week.

But council members, minus Mayor Jason Burnett, who was absent, and councilwoman Carrie Theis, who recused herself because her hotel offers beach fire and s’mores kits to customers, said they wanted more information on the costs, possible reservation systems for use of the 26 fire pits, more community education and outreach, and parameters for determining the effectiveness of the pilot program, along with ongoing discussion by the forest and beach commission, and regular reports to the council on the issues and results.

As he did with the forest and beach commission, and then the planning commission, Richard Stedman of the Monterey Bay Unified Air Pollution Control District told the city council that if something isn’t done to limit fires on the beach, the EPA could step in and require they be banned altogether to protect air quality.

“Limiting the fires is a good first step, so you’re off to a good start with this proposal,” he said of the plan developed by the forest and beach commission.

The pilot program — which aims to reduce the number of fires allowed on the beach and to get them up off the sand that’s turning grey due to all the charcoal — calls for the installation of

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Gruesome images shown during final phase of DUI trial

By MARY SCHLEY

AS PROSECUTOR Meredith Sillman tried to hammer home the point Thursday that Stuart Elder willfully disregarded human life when he drove drunk and slammed head-on into a small Ford SUV while going more than 70 mph, killing both occupants, defense attorney Michael Lukehart attempted to poke holes in the case, accusing expert witnesses of saying whatever they needed to support the case against the 32-year-old man accused of gross vehicular manslaughter and other crimes.

The attorneys laid out their closing arguments in the case before a jury of eight men and four women in Monterey County Superior Court Judge Pamela Butler’s courtroom Feb. 5. But before they began, she spent more than an hour outlining how the jurors should weigh the facts, evidence and testimony in the case surrounding the April 7, 2013, crash that killed two Pebble Beach women — Sharon Daly, 72, and Linda LaRone, 65 — and injured Elder’s passenger, Selvia Gattas, who was 20 at the time.

In the incident, Elder was in wrong lane on Sloat Road in Del Monte Forest when he hit their car, prosecutors said.

“You must decide what the facts are,” she said. “Do not let bias or public opinion affect your decisions.”

The first to offer a closing argument, Sillman reiterated the charges against Elder and took on a tone of incredulity as she described the events of that evening in April 2013.

“The collision was the result of one person, and one person only. And that person is Stuart Elder,” she said, because he chose to spend the afternoon drinking alcohol, and then got into his car and drove with a BAC of .17 percent, more than twice the legal limit. Further, she said, California Highway Patrol specialists in accident reconstruction concluded he had been driving at speeds more than three times the limit of 25 mph.

“The defendant is driving 80 mph through the curve of

Sloat Road,” she said. “Eighty mph is faster than most people drive on Highway 101. He’s not going 27, he’s not going 30, he’s not even going 50. He’s going 80 mph. At a half-second before the impact, he’s traveling 77.1 mph.” She said his SUV hit the women’s car at 70.9 mph.

“If those factors and that driving and that impairment

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ESALEN: HOT TUB DIPLOMACY SOOTHES PARTISAN GRIDLOCK

By CHRIS COUNTS

TWENTY-FIVE years ago, Big Sur’s Esalen Institute helped bring Russian President Boris Yeltsin to the United States and hastened the end of the Cold War. Now Esalen wants to play a role in overcoming another massive political quagmire: the often bitter partisan political divide in Washington.

In October, the hot springs retreat and workshop center hosted its first Conclave on Political Polarization. The event was organized by Esalen’s Center of Theory and Research, which since 1998 has presented more than 200 conferences on a wide range of subjects from near-death experiences to religious fundamentalism.

The goal of October’s conference was to bring together a panel of 24 “public figures, academics, pundits, theorists,

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