

CEDARCREST HOMEOWNERS ASSOCIATION
C/O Incline Property Management, 848 Tanager St., Suite M
Incline Village, NV 89451

March 19, 2025

Subject: Appeal by Castagnola WSTR21-0283 Parking/Occupancy

Dear Washoe County Commissioners.

Regarding the above referenced appeal, this letter is from the Cedarcrest Homeowners Association Board of Directors in which we object to granting the appeal for relief from the required STR ordinance parking requirement for one parking space per 4 occupants. The appellant owns unit #36 in the Cedarcrest Homeowners Association development. Cedarcrest consists of 24 non-garage units and 26 garage units (two car garages), for a total of 50 units. Cedarcrest, like many multi-family developments in Incline Village, does not have adequate parking to afford two assigned parking spaces for every non-garage unit. There are a total of 40 parking spaces in the development of which 24 are designated as "assigned" spaces and 16 that are designated as "permit only" or "overflow parking". Owners of non-garage units are provided two parking permits. One permit allows them to park in their assigned number space and the other permit allows them to park in a "permit only" or "overflow" space. The appellant may be suggesting that since they have two permits, they then have two parking spaces. This is not true. For each non-garage unit to have two assigned spaces, there would need to be 48 parking spaces. This results in a deficit of 8 spaces and therefore, Cedarcrest Homeowners Association can only assign one parking space for each non-garage unit. The 16 spaces that are designated as "permit only" or "overflow parking" are available to use by the non-garage unit owner on a "first come, first serve" basis. Under any circumstance, our Rules and Regulations only allow a maximum of two vehicles on the premises for both non-garage and garage units.

Most of the parking problems at Cedarcrest are created by short term rental users or other visitors who do not follow the parking Rules and Regulations. There are certain times of the year, primarily holiday seasons, that the available parking is utilized to the maximum capacity.

It would be unfair to grant the appellant relief from the STR ordinance parking requirement for one space for 4 occupants. This would give a favorable advantage to a STR owner regarding parking at the expense of a non-STR user. We believe there are 12 approved STR units in Cedarcrest and this would conceivably mean that there would be 24 spaces of the 40 spaces used by STR owners which would only leave a remaining 4 "permit only" spaces to be fought over for the other 12 non-garage unit owners. Granting the appeal will only serve to increase the existing parking challenges at Cedarcrest Homeowners Association.

In summary, we respectfully request your denial of this appeal.

Thank you very much,

Cedarcrest Board of Directors

From: Jeremy Brown, Cedarcrest HOA Homeowner, Unit #19
To: Washoe County Board of County Commissioners
Subject: Appeal of Decision – Case Number WSTR21-0283
(STR Appeal - 916 Harold Drive #36)
Appellant: Matthew Castagnola

Dear Members of the Board of County Commissioners,

Thank you for taking the time to hear my statement. I strongly oppose increasing the number of occupants and vehicles allowed for Short-Term Rentals (STRs) in our HOA. Parking is already a major issue in our community, frequently debated at HOA meetings, and adding more vehicles will only worsen the problem.

Our HOA currently has eight active STRs, five of which are adjacent to my unit (19). The constant turnover of guests and cleaners in our small cul-de-sac leads to repeated parking violations and conflicts.

Below, I provide specific examples illustrating the parking shortage and internal disputes it causes, as well as discrepancies between Mr. Castagnola's statements to the board and his documented position on the issue

Supporting Documents Included:

- Official Cedarcrest HOA Board Response Letter
- Email statement and apology between Matthew Castagnola and homeowners regarding limited parking
- Parking map
- Snow storage map

Example 1:

Official HOA Board Response on Parking Limitations

In November 2020, the HOA Board, including Matthew Castagnola as Board Secretary, discussed removing four-hour temporary parking passes from garage units.

At the time, I raised concerns, as we have a special-needs toddler whose therapist needed parking. I formally requested a reasonable accommodation—a three-hour weekly parking pass—but was denied due to insufficient parking.

In their official response (**attached**), the Board stated: "**Cedarcrest does not have sufficient parking to accommodate a ratio of two spaces per non-garage unit.**" They instead suggested I park on the street so the therapist could use my garage space.

This decision underscores our community's severe parking limitations and the inequity of allowing additional STR vehicles.

Example 2:

Parking Limitations Causing Division Among Homeowners

Due to insufficient parking, some homeowners have taken divisive actions to protect their own spaces.

For example, Matthew Castagnola (Unit #36) emailed 18 homeowners, falsely accusing the Board of manipulating parking assignments. His claims, later retracted in an apology, caused significant tension before being resolved.

Mr. Castagnola's emails highlight Cedarcrest HOA's longstanding parking issues and contradict the position he now advocates before this board.

Conclusion

From December 1 to April 15, parking challenges in our HOA are worsened by (5) "Permit Only" spaces being inaccessible due to snow storage.

With each homeowner limited to one designated space, STR guests should also be restricted to one vehicle per unit, as outlined in Washoe County's STR Rules. Increasing the limit to two vehicles per STR would undermine fair parking management for all homeowners.

I urge the Board to uphold existing restrictions to maintain fairness and livability in our community. Thank you for your time and consideration.

Sincerely,

Jeremy Brown

Cedarcrest HOA Homeowner, Unit #19

Cedarcrest, A Townhouse Association

c/o Incline Property Management
848 Tanager Street, Suite M | Incline Village, Nevada 89451
www.ipm-tahoe.com

November 18, 2020

Jeremy & Deanna Brown
PO Box 6824
Incline Village, NV 89450

916 Harold Drive Unit #19
Incline Village, NV 89451

RE: Response to Letter from 11/16/2020, Concerns Over Eliminating Guest Permit Parking

Dear Mr. & Mrs. Brown,

Thank you for your recent letter regarding your concern to remove "permit only" parking. First of all, and as a point of clarification, the board has taken no action to remove any "permit only" parking spaces. The discussion at the October HOA board meeting dealt with a number of ideas related to helping resolve the perennial parking problems at Cedarcrest. One idea floated was the possibility of reassigning a couple of "permit only" spaces to become "visitor/guest" spaces. Nothing was decided in these regards.

The Board understands your concerns in regard to vehicle parking. The simple fact is that Cedarcrest does not have sufficient parking to accommodate a ratio of two spaces per non-garage unit to be equitable with garage units that have two parking spaces. Under this assumption, there is a deficit of 8 parking spaces for the entire complex. The Board is also aware that there are several garage unit owners who are not complying with the current parking rules and they are also aware that short term rentals can sometimes contribute to parking problems as well. It is also felt by some board members that the "guest parking permit" (4 hours) afforded to garage units is further exacerbating the inadequate parking and provides an inequitable advantage. Cedarcrest HOA current parking rules allow only 2 vehicles per unit, regardless of the number of occupants, on the property. As noted previously, this is not possible given the limited number of parking spaces. The rules explicitly state that garage units are not allowed to use permit spaces for their vehicles.

The Board is surprised to learn that you purchased your unit at Cedarcrest without full knowledge of the Parking Rules. It is clearly stated that garage units must park their vehicles inside their garage and are not allowed to use the permitted parking spaces. Your realtor and escrow process should have provided you this information. For your edification, the current parking rule is as follows:

9. PARKING:

All non-garage unit vehicles must be parked in designated parking areas, and only two vehicles are permitted per unit regardless of the number of occupants. Non-Garage units are issued parking permits and are required to have these permits on their dash boards when parked on property.

*Homeowners and tenants of units with garages **must** park their vehicles inside their garage and are not allowed to use the permitted parking spaces for their parking vehicles. Owners of units with garages are being provided with one visitor parking permit. This permit will provide temporary parking for guests in permit parking only. Owners with more than two vehicles must make arrangements to park their third vehicle off property as the Rules and*

Regulations allow only two vehicles per unit. Owners violating this rule will be subject to a fine as stated in the Rules and Regulations and may have their vehicle towed.

Unattended vehicles are prohibited from parking in front of any garage at any time and are subject to immediate towing due to fire lane restrictions. Vehicles parked in designated parking areas without permits will be subject to an initial 48-hour notice of the violation and fine as specified in the fine section of these R&Rs. After 48 hours if the vehicle is still illegally parked it will be towed.

As to your special-needs family member who needs care provider visits and your disabled parents, we understand that challenge. There are other owners that have similar challenges. As a simple suggestion, the Board recommends that you simply move one of your own vehicles parked in your garage to a street location and to let your care provider and/or your disabled parents park their vehicles in your garage. As the rules currently exist, you may also allow them to use the "guest permit" for a maximum of 4 hours. If parking is unavailable, then you will need to have them park on the street outside the entry to the complex.

Regarding the matter of short-term rentals, the Board is monitoring the actions of Washoe County on the proposed Ordinance related to short term rentals. We anticipate formalizing the rules for short term rentals upon adoption of the Ordinance by Washoe County. The Board is also gathering information on owner use and occupancy. In addition, we are in the process of establishing literature regarding parking, trash, and noise for use by Rental Agents to provide to short term renters. We also anticipate this literature being used by owners to provide to their family members and guests that utilize their unit.

Thank you very much for your concerns. If you have any specific suggestions that would help improve the parking and short-term rental issues, the Board would be most interested to hear your ideas. If you are able to provide us a copy of the McCloud Condominium parking rules and regulations that would help us to consider other parking rule options.

Sincerely,
Board of Directors
Cedarcrest, A Townhouse Association

Apology email to homeowners for false accusations of HOA board.

From: "Matthew J. Castagnola"

Date: August 20, 2024 at 10:37:38 AM PDT

To: D Fu <@gmail.com>, @yahoo.com, @acosta.com

Cc: Marietta Scott <@comcast.net>, Di Tur <@aol.com>, ChrFitzsi <@gmail.com>, @comcast.net, @live.com, Pt raud <@comcast.net>, @comcast.net, @gmail.com, 2002@yahoo.com, @sbcglobal.net, @sbcglobal.net, Jiy <@gmail.com>, ore ntz <@icloud.com>, @att.net, @comcast.net

Subject: Apology.....Cedarcrest Board just changed the Parking rules AGAIN!!!

Hello, I must apologize as I misspoke on one issue here. The permit was not added in this latest revision. When I read the R and R's, I was reading my latest version I had from when I was on the Board and we were updating the CCR's and R&Rs, right before it was sent to the attorney to put it out for a vote of the owners. Apparently my version was very different from the one we voted on and I missed that. For that I apologize and own up to my mistake. I still feel we are at an inequity and if I feel so I will pursue it on my own. this will be my last communication to this group. Hope to see you in Tahoe some time

Matt Castagnola

Original Email to 18 Homeowners – (Accusations in this email are false and an apology was issued by the author)

On Aug 18, 2024, at 10:50 AM, Matthew Castagnola <@att.net> wrote:

Good evening Cedarcrest Non Garage Unit owners. Once again, this is Matt Castagnola from Unit #36. I am not sure if you are aware but during this past Board meeting on 8/3, the board (made up of 5 garage unit owners) voted to make a change to the Rules and Regulations regarding Permit Parking spaces. Attached are:

1. The original agenda sent out on 7/16
2. The edited/updated agenda sent out on 8/1 (less than 48 hours before the meeting and listed way down on the list of documents on the equus portal)
3. The 2022 rules and regulations that were discussed at length in a public forum before being sent out to a vote
4. The new Rules and Regulations voted on during the meeting on 8/3/2024 with no prior discussion in any forum other than what was said at the meeting and added to the agenda less than 48 hours prior to the meeting.
5. Meeting agenda for 8/22 meeting with zoom link

I saw the original agenda sent out on 7/16 and there was nothing of any substance on it and we were going to be away so we decided to not attend the meeting. We missed the updated agenda

that was sent out on 8/1, along with another Equus message telling us that our HOA dues invoices so if you were not looking for it you missed it. When I found the updated agenda this week it was buried way down the list of documents, well below the original agenda.

Anyway, The Board, again that is made up of all garage unit owners, voted themselves and all the other garage unit owners (26 total) a new 4 hour permit to park in the 16 shared non garage unit permit spots which means that all 50 units are now sharing the 16 spots instead of just 24 non garage units sharing those 16 spots. This board voted themselves a perk, that was not discussed with Non Garage unit owners on how it would affect our parking. The role of the board (and I have been on the board several times) is to create and maintain equity for the entire association, not give one group more over another.

Being up here this weekend, I am already seeing Garage unit vehicles parked full time in a permit spot. There is no way to enforce this as we do not have (nor want) a security patrol, other than several full-time board members who say they patrol the complex on a daily basis. So the 4 hour permit will and already has turned into a full time permit for the garage units.

Another thing that you may or may not have noticed is that some of the Permit parking spaces have had a name change and this time there was not even an attempt to discuss this at a meeting. On the Fairway side, there are 4 permit spots that have been changed to "NGU Overflow". We do not have "Overflow" parking because we don't have enough space for all non garage units to have 2 spots, hence the sharing of the 16 permit spots which we make work. On July 2nd, while Jim Grabot was "on patrol" and stopping me at the dumpster to question who I was and why was I dumping garbage there, I questioned him about the name change on the permit spots. After catching him off guard and him stuttering to find an answer he said the board was experimenting with different names to try and clear up confusion over what the spots were for. We have no confusion, the word **Permit** is very clear and self explanatory.

Since this vote 2 weeks ago, Bernadette and I have reached out to our realtor who we bought from 20 years ago and she says that this change does effect our value upon resale (not that we are gong anywhere anytime soon). We are also discussing this with an HOA attorney as I believe the board has violated several NRS sections.

There is a Board meeting this Thursday at 6am (according to the attached announcement for the 8/22 meeting). This meeting is to discuss another change in Management companies. There will be time allowed for owners to speak at the end of the meeting so I hope you all will attend and speak out against this change as we are going to do. I am also trying to verify the time for the meeting as I think all meetings are supposed to be at least during business hours or a reasonable time for owners to attend.

If you cant attend, please at least send an email to the board through equus management telling them how you feel about this change.

Thank you,

Matt and Bernadette Castagnola

Unit #36

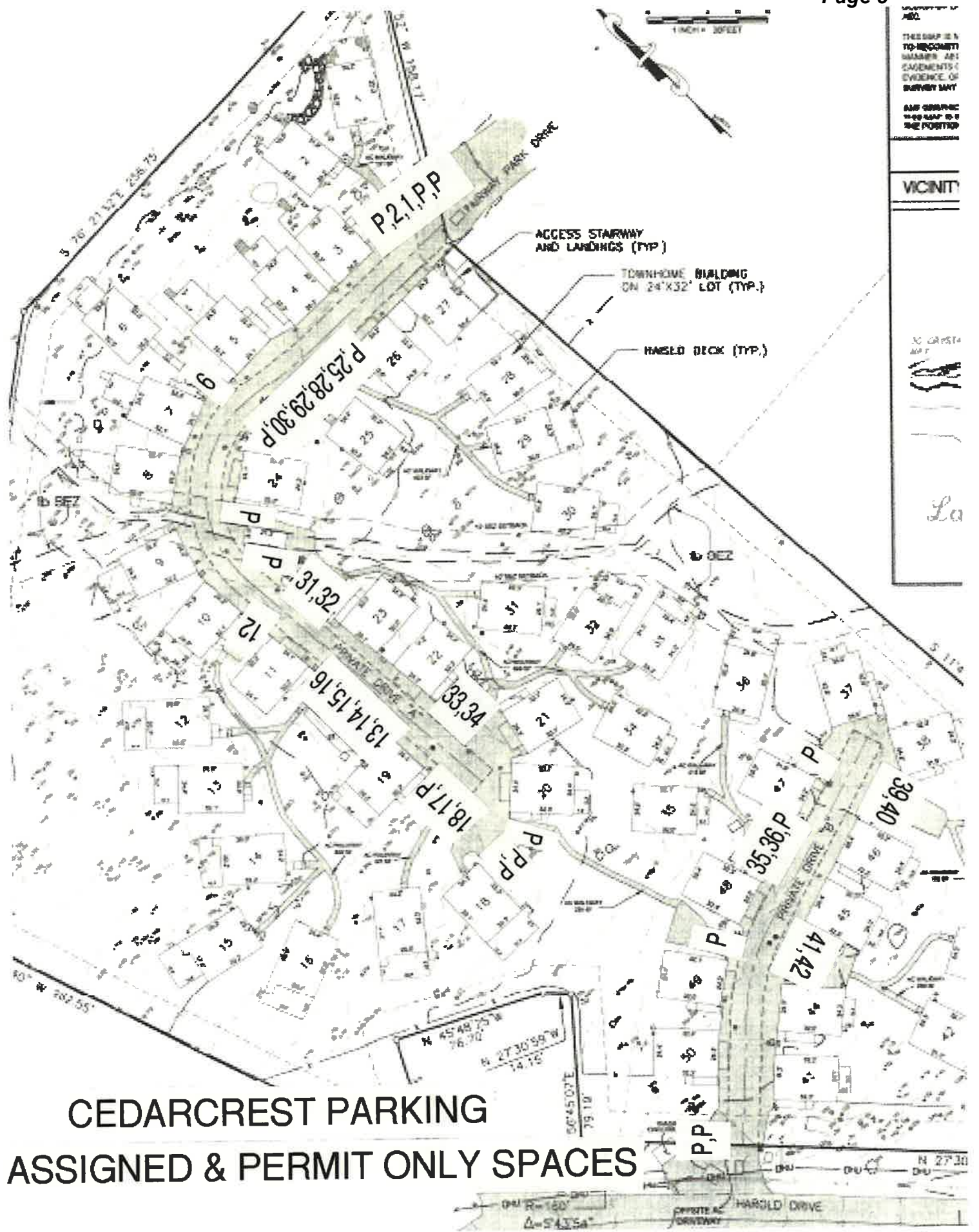
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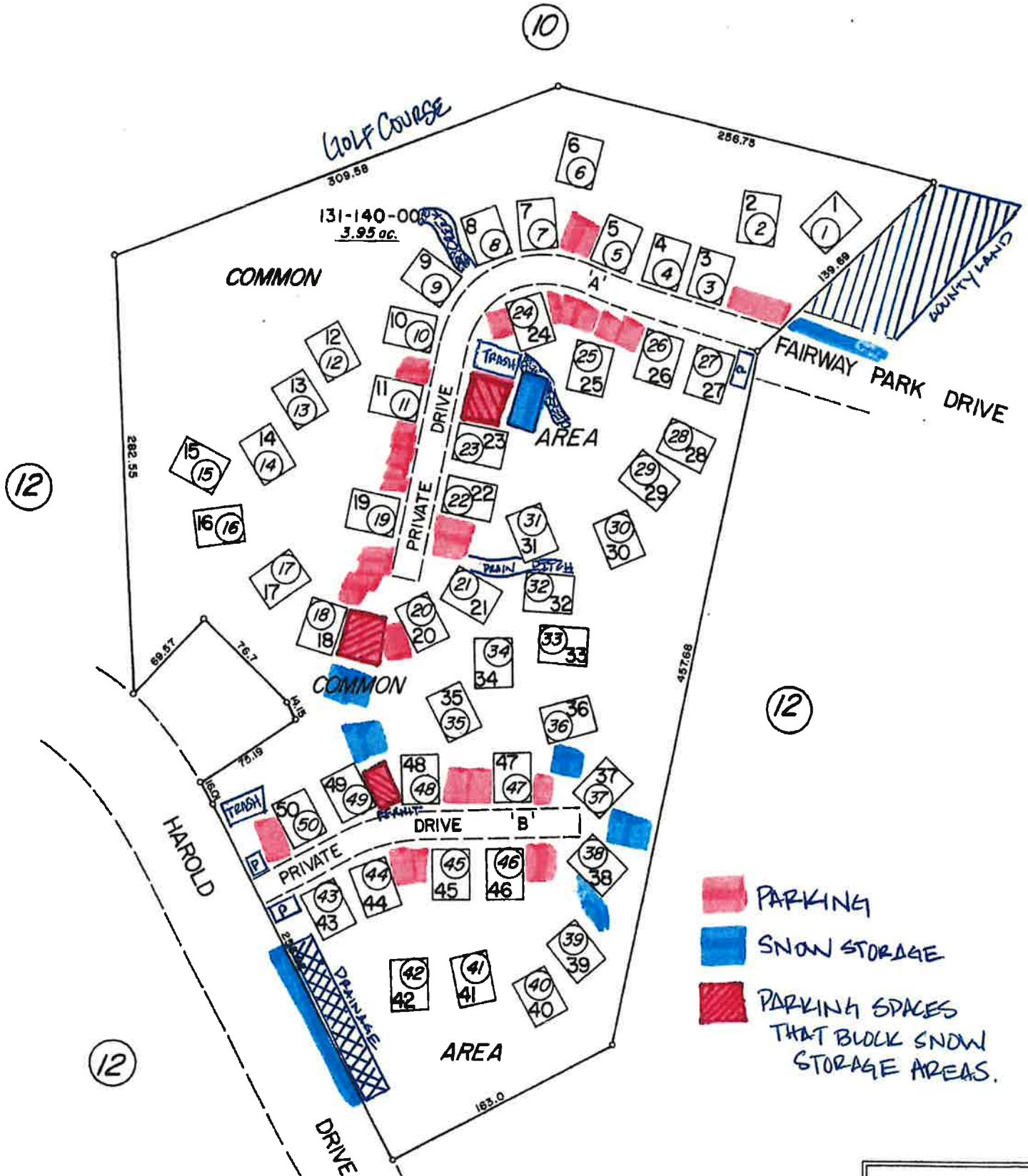
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CEDARCREST PARKING ASSIGNED & PERMIT ONLY SPACES

HAROLD DRIVE
PRIVATE DRIVE
N 27°30' E
D=147.54'

131-14



Assessor's Map County of Washoe, Nevada

NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES

drawn by M.M. 9/7
checked _____
revised 8/84 TWT 2/8/