

**From:** Tom Moore <[joannooo@sbcglobal.net](mailto:joannooo@sbcglobal.net)>

**Sent:** Thursday, June 2, 2022 5:09 PM

**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>; [pjmcc1234@gmail.com](mailto:pjmcc1234@gmail.com)

**Subject:** Re: New dwelling project at 036-132-210 , project number PLN2019-00362new dwelling project a , project number PLN2019-00362

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Camille,

To clarify on telephone poles (in addition to note I just sent you): All existing telephone poles on Cedar St. are on east side of street. New house is on west side of street. Due to 12' rear setback, & indeed distance the whole new house is from a pole across street, PGE has to install 2 poles to cover something like 100 '. The distance is too far to support the wire, so the previous plans show the 2nd pole approx halfway down my drive way, far from street, right by my prop line. Instead of owner of new house installing far away as possible, like the north side of his prop. Or underground in this day & age of permanent drought & year round fires.

On 6/2/2022 1:22 PM, Camille Leung wrote:

Thanks Paul and Tom. Regarding 1170 Howells, no exceptions were given to the setbacks. While the lot is non-conforming in size (37 feet width), required setbacks were met.

Regarding the 12-foot setback from the south property line, only the garage sits at the 12-foot setback, the rest of the house was moved to the north, along with the 2<sup>nd</sup> story, to address this comment. Mr. Moore's property is not visible from the 2<sup>nd</sup> story as there is only a small window located high on the wall proposed on the south side of the 2<sup>nd</sup> floor.

Regarding the telephone pole which blocks the sight line, is this an existing pole or a new one?

Regarding how the owner obtained the Caltrans easement, this was handled by the owner several years ago. You may want to ask him re: process.

Re: story poles, I am confirming with the applicant whether the poles represent the current or previous proposal. That said, story poles only need to be constructed once and do not need to be changed every time the project is revised.

Thanks

**From:** Tom Moore <[joannooo@sbcglobal.net](mailto:joannooo@sbcglobal.net)>

**Sent:** Thursday, June 2, 2022 4:43 PM

**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>; [pjmcc1234@gmail.com](mailto:pjmcc1234@gmail.com)

**Subject:** Re: New dwelling project at 036-132-210 , project number PLN2019-00362new dwelling project a , project number PLN2019-00362

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Thank you for reply. Would still like you to convey my concerns I sent this morning for hearing next week.

I still object to 12' rear setback, be it house or garage. It is still directly adjacent to, & above my backyard, I loose privacy, prop value, & is extraordinary variance per SMC rules.

The plans from previous application showed 2 telephone poles; 1 across Cedar St, east side, & the other right next to my north prop line, approx 25' from ditch by side of street. All existing telephone poles on Cedar St are on east side of street. To get pwr lines from across street to new house, is something like over a 150'. So 2nd pole, per previous plans, is far away from street, & is right by the middle of my driveway, right up against prop line. I ask the CDRC to move the 2nd pole to north side of new house property, away from my driveway. Or better yet, underground. (fire danger)

Since Devil's Slide Tunnel opened, Caltrans, MWSD, Coastal commision, SMC, etc, have stated, in writing, in public, on MWSD newsletter, Caltrans statements, HMB Review newspaper articles, that no sales, development, easements, turn into a park, nothing until what to do with original devils slide bypass lands. How can CDRC approve new house if the lot, isolated from Cedar St, possibly has easement from Caltrans that is against the written, publicly stated rules from at least 4 government agencies?

Story poles mentioned as, irregardless current or previous proposal, show 12' rear setback, with new house directly above my backyard, with loss of privacy & or prop value for me. I object, per note from CDRC from previous hearing that stated 12' rear setback variance won't work.

Spoke with Mrs.Navarro, owner of prop immediately behind new house, (the rear 12' setback) whom stated never received any notice whatsoever from SMC on new house.

Thank you.

**From:** [pjmcc1234@gmail.com](mailto:pjmcc1234@gmail.com) <[pjmcc1234@gmail.com](mailto:pjmcc1234@gmail.com)>

**Sent:** Wednesday, June 1, 2022 11:13 AM

**To:** Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>

**Cc:** Tom Moore <[joannooo@sbcglobal.net](mailto:joannooo@sbcglobal.net)>

**Subject:** New dwelling project at 036-132-210 , project number PLN2019-00362new dwelling project a , project number PLN2019-00362

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Hi Camille,

Thank you for letting us know that the item is back up for review.

I stopped by the building site and had a look at the re-erection of the story poles and had a brief look at the CDRC clients "updated drawings" [ put in quotations in jest 😊]. It appears as though neighbor and community impact comments and the significant changes requested by the CDRC have not been incorporated into the new plans submission.

**Attached** for Planning and CDRC review ; previous community and neighbors comments to which for the most part have been ignored and gone unaddressed in the planning process.

**Please advise** further as to how best to encourage the developer to respect neighbor and community input and to encourage work within Planning & Building regulations.

From my previous [ as well as other professional builders] building and development experience working with the Planning building department that variations requested for set back [front back & sides], related to new construction are not granted - important information when considering development lots for purchase.

Though recently I have noticed Planning reduction in variations [ set back front back & sides allowances] specifically related to new construction.

Specifically - 1170 Howells St, Montara CA ,94037 ; where [front back & sides] required setback regulations have been significantly reduced , and now with the Cedar street project request and CDRC consideration for reduction in set backs.

**Please advise** if the rules surrounding new construction setbacks have recently become more negotiable with Panning and the CDRC.

Also, since as you are aware that I am investigating the purchase of 700 Cedar street next door/in close proximity to new dwelling project at 036-132-210 , project number PLN2019-00362, to which **Caltrans is refusing** an easement over Caltrans right-of-way for access.

**Please advise** with procedural details including direct agency /personnel contact information in relation to how the new dwelling project at 036-132-210 , project number PLN2019-00362 obtained an easement over Caltrans right-of-way for access.

**Below ;** New/previous comments from Tom

Moore.[[joannooo@sbcglobal.net](mailto:joannooo@sbcglobal.net)] immediate neighbour to the south.

1 . The storypoles & orange plastic mesh are back up **in exactly the same place as before** [ the owner has not changed anything].

It seems that poles and mesh were only taken down for tree removal , not for remediation.

2 . From the onset I raised the issue with the 12' rear setback ; I received an email statement from Camille at SMC bld dept reiterating that a 12' setback wouldn't work, **yet it remains on the plans as a proposal** .

3. Also from the onset I raised issue with side set back, being that it places the new structure directly above my backyard, causing total loss of sunlight and privacy

4. Telephone pole at end of my driveway partially obstructing access and creating safety /danger issue as blocking sight line from driveway to road way.

5 . Re - driveway access easement from Caltrans,

**Note** ; since 2014, MWSD, CALtrans, SMC, coastal commission, etc, all stated, in recorded public meeting that no land sales or purchase agreements and no easements,[no development permits would be issued] until Caltrans, the County and land owners involved went through a public process, (vote?) on what to do with Bypass lands.

**When exactly was the easement granted ?**

**What is the exact process and who exactly [ agency and persons ] involved in obtaining the easement ?**

-----Original Message-----

From: Tom Moore <[joannooo@sbcglobal.net](mailto:joannooo@sbcglobal.net)>

Sent: Thursday, June 2, 2022 6:14 AM

To: Camille Leung <[cleung@smcgov.org](mailto:cleung@smcgov.org)>

Cc: Glen Jia <[bjia@smcgov.org](mailto:bjia@smcgov.org)>

Subject: PLN2019-00362 Meeting ID: 991 9508 0942

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Hi Camille,

Received notice of CDRC hearing June 7 for lot next door. Unable (don't have camera) to do Zoom, so request you convey my comments to hearing. Here is copy from note from SMC Bld Dp after previous hearing:

"10/14 21 CML - CDRC continued project review for the applicant to adequately address the last continuance letter. Based on neighbors and CDRC feedback, the design includes multiple non-compliance areas, most notably the rear setback impacts the south neighbor, which do not appear to be warranted (other areas of the parcel to the north and east could be developed before encroaching into setbacks) and do not appear to comply with the regulations to the greatest extent feasible. The triangular small lot with the Caltrans easement is probably eligible for a Variance, but each variance from regulation needs to be properly justified. The applicant was instructed to meet with Camille to discuss a new configuration that could be supported by the County and to develop a new design to bring back to the CDRC, from last Oct."

The latest proposal I got in mail does not mention rear setback of new house at all. The story poles & orange plastic mesh showing new house size/location, were recently put up again (was removed for tree cutting?), in exact same location as before, 12' rear setback, no changes at all, result house directly above my backyard, I loose all privacy & value of my prop. I object.

(Even with assurances from SMC Bld), Am concerned if new house sewer will be within 50' of my well.

Am concerned if noise regulations will be followed/enforced.

Previous plans showed multiple telephone/utility poles, including 1 immediately adjacent to my north fence/prop line. I object, urge that poles at minimum be placed on north side of prop next door, away from mine, or better yet, underground. (fire danger?)

Would like to know if the Navarros, who own prop at rear of new house, who are also affected by 12' rear setback of new house, have been notified of previous, & this latest, hearing?

Thank you,

Tom Moore, 844 Cedar, Montara

### **Neighbor comments from CDRC Meeting July 8 2021;**

The variances as requested and as noted on the plans, require more thought. Variances are put in place for many reasons and should be adhered to, particularly when new construction is considered on large infill lots. The structure should be modified to fit the lot per the existing setbacks regulations as well as to the design review/Planning and building codes and standards. - No variances are necessary.

It must be pointed out that, but it not for the enormity of the proposed structure, variances would not be required on such a large building lot. Neighbors should have the reasonable expectation that any proposed structure on such a large size building lot should adhere to the standard planning and building codes. Furthermore, any variances granted may be to the detriment of the neighbors.

The variances and more specifically the effects of the overwhelming mass of the structure, coupled with the lot placement (close proximity to neighbors') negatively impacts neighboring properties in many ways, blocking out the sun, privacy concerns, possible re-sale repercussions, just to name a few.

Also, specific to the concern of the neighbor located West at 844 Cedar Street, the placement of two PG&E utility poles in the easement on the property line is not conducive to upgraded building standards or neighbor fire safety - underground cable must be considered as the better and safer option, particularly when you take into consideration how much time and effort is required to maintain branches and trees near overhead wires (this project is literally being built in a forest).

Note; The existing neighbors fencing is the sole property of existing homes /neighbors. The project developer and or land owner is to be advised that existing fences should not be considered shared and thus the fencing should not be used or disturbed in any manner and or without the owner's permission.

### **CDRC suggested considerations - follow-up comments;**

If the project proposal where to continue with the existing structure, more attention is required to the following;

**1-3.** - the reduction of scale and mass, specifically the roof over garage to be toned down, bringing the roof line down to gutters and breaking up the of sheer walls with improved facade articulation.

**4,5.** Overly repetitive single use building material / façade siding is being used, it is too monotone. To break up the monotonous **there should be more texture/style achieved through adding different exterior finish materials and or colors.**

**7. Height-** Though the height is with in regulations, in this instance the height is adding to the sheer mass of the structure and thus **the height should be lowered** – structure heights are typically evaluated and scrutinized for other local areas and or in this instance when there are projects of mass size.

Attention Camille.

Re -PLN 2019 – 00362

The following input has been generated by neighbors who volunteer with Caltrans to maintain the heavily treed Caltrans property located East [per plan marking] of the proposed development.

Below are some questions/comments that require your attention /feedback.

- It appears as though there are trees marked for removal both inside and outside the property lines - **how is the removal process being addressed and will there be replacement trees planted?**
- The habitat surrounding the property in question has many trees and foliage, and a large and varying wildlife population living and utilizing the area for food and travel. **The surrounding habitat is not to be disturbed or altered in any way. The development must be contained within the building envelope and easement area. The plans should specially lay out details as to how the developer intends to protect the area.**
- On the submitted plans it is noted Plan Page SE 1 note; built w/ urban wild life construction requirements - **Clarification and noted plan details are required.**
- The Caltrans driveway entrance on Cedar Street East of the development is marked no trespassing – by ROW from Caltrans the drive entrance and gravel road was built and is maintained by private property. **[ State - no trespassing sign at entrance], use of the area is strictly prohibited, use is by only by Caltrans preapproval .**
- Located on Cedar Street there is an existing culvert and dirt driveway to enter the property - not accurately depicted on plan page SE1. **The existing entrance does not reflect what is indicated on the plans SE1 [the existing differs from that shown on the plans]. Please clarify.**

Re Safety - Attention is required as follows;

- The proposed build area is considered to be a high-risk forest fire zone as the area is filled with forest fuels which have not yet been cleared. Therefore all appropriate fire safety measures should be considered during as well as after development. **NOTE** - Updated Fire code states that any new home development must be built within a specific number of feet to a specifically pressurized fire hydrant, otherwise the developer is responsible for installing a new pressurized hydrant for the area. **Specific attention must be invested to ensure fire safety, not only for the new development but also for the surrounding critical Habitat area. An undertaking must be made to engage both MWSD as well as Fire on the fire safety issue - neighbors and the general area must be protected from fires of any sort. What fire safety measures will be taken? Is a new/closer fire hydrant required?**

- PG&E services are indicated on the plans SE1 to require 3 new utility poles with overhead service wires spanning approximately 200 feet from across Cedar Street through a heavily treed/wooded area to connect to the home. Though the utilities meters placement or home attachment are not indicated on the plans. It should be pointed out that through PG&E's Forest fire prevention mandate to prevent fallen wires from causing fires, they are currently spending millions of dollars clearing away trees/branches and wood fuel from overhead wires. **The build location of this home requires special attention being paid to the prevention fires, specifically forest fires. Everything which is allowed and can be done to reduce the risk of forest fires must be done in this instance. Instead of the use of overhead wires, underground services should be used to limit the further risk of forest fires. Also, it is crucial for all utility connections to be a safe distance away from neighboring properties and the connections are protected from falling debris such as branches/trees.**
- MWSD service connections to the actual home are not indicated on the plans, though there is mention on the plans of fire sprinkler feed and sewer feed available from the Cedar Street. **- All service utilities should be clearly marked on the plans - the plans require updating to reflect how and where MWSD services are to be connected from the street to the home.**
- Reducing carbon emissions through development is a goal in California and Globally – **what measures has the developer taken to reduce the carbon footprint? Solar roofing should be considered.**