

# Exhibit D

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# MONTEREY COUNTY

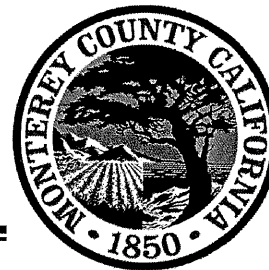
## HOUSING AND COMMUNITY DEVELOPMENT

Erik V. Lundquist, AICP, Director

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HOUSING, PLANNING, BUILDING, ENGINEERING, ENVIRONMENTAL SERVICES

1441 Schilling Place, South 2nd Floor  
Salinas, California 93901-4527



(831)755-5025  
[www.co.monterey.ca.us](http://www.co.monterey.ca.us)

### MEMORANDUM

**Date:** October 21, 2022

**To:** Michael Weaver, Toro LUAC Chair

**From:** Kayla Nelson, Project Planner

**Subject:** PLN220037 (Saro) – Public Comments

**cc:** PLN220037

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Dear Mr. Weaver,

I have received numerous public comments regarding my project located at 334 San Benancio Road, Salinas. The project proposes construction of a 4,310 square foot single family dwelling with a 1,075 square foot attached four-car garage, 276 square foot covered porch, 1,161 square foot covered patio, 797 square foot detached accessory dwelling unit with an attached 380 square foot storage room, 441 square foot two-car garage, 1,800 square foot workshop and site improvements. Please see the below comments received in anticipation of the upcoming meeting on October 24, 2022.

Should you have any other questions, please feel free to contact me at (831) 796-6408 or [Nelsonk@co.monterey.us.ca](mailto:Nelsonk@co.monterey.us.ca).

Sincerely,

*Kayla Nelson*

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Kayla Nelson, Associate Planner  
HCD – Planning Services

**From:** [Robert Wiley](#)  
**To:** [Nelson, Kayla](#)  
**Subject:** Re: Question on File PLN220037  
**Date:** Tuesday, October 18, 2022 8:05:36 AM

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I apologize, i put the wrong number in the original email's subject line...

Hi there -

Regarding the 1800 sq foot workshop: Will this be a professional workshop? Workshops can bring continuous music playing and loud power-tools. Even moderate noise carries very far in the San Benancio Canyon, so neighbors could be impacted both on weekdays and weekends.

Is there a plan for noise control?

Thank You.

File Number: PLN220037

Parcel Number: 416-444-023-000

**From:** [Eric O](#)  
**To:** [Nelson, Kayla](#)  
**Subject:** File #PLN220037 Public Comment  
**Date:** Thursday, October 20, 2022 6:46:48 AM

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Hi!

We have some friendly concerns about the new construction at 334 San Benancio Rd.

1. Will construction take place on the weekends? If so, can it maybe NOT?
2. Will weekday construction take place into the evenings? If so, how early can it stop?
3. There seem to be multiple buildings listed....is one of them a woodshop? What does that mean? (we are really worried about noise!)
4. Will the woodshop have large rollup, or garage style, or barn-type doors that might stay open during business hours (again, worried about noise...a little noise goes a long way)

Thank You!

Regards,

E & D

**From:** [Steve McNulty](#)  
**To:** [Nelson, Kayla](#)  
**Subject:** File PLN220037  
**Date:** Wednesday, October 19, 2022 10:55:08 AM

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Concern about a workshop on that property? I believe the new owner is a contractor. Does that mean this is a business? 1800 sq feet is pretty big. If it's not a business, does that mean heavy noise on the weekends?

Is the 797 sq ft "detached accessory dwelling unit" and storage room also a shop? This could be really noisy and annoying.

**From:** Barbara Cole  
**To:** Nelson, Kayla  
**Subject:** PLN220037 334 San Benancio, Salinas  
**Date:** Friday, October 21, 2022 10:16:37 AM

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[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe. ]

**To: Kayla Nelson, Planner Planner**  
**Project File Number: PLN220037**  
**Assessor Parcel Number: 416-444-023-000**  
**Project Location: 336 San Benancio, Salinas, CA 93908**

October 18, 2022

As a more than three decades owner of property (336 San Benancio) directly north above 334, I write to express concern about the proposed plans.

While through the years, many houses nearby have been built, none appear to be the scale of what is proposed here. While the orange lines suggest that some of my view will be altered, I have even greater concern about the property usage in this specific setting.

The square footage requested is for a 4310 square footage main house, an attached four car garage, a detached nearly 800 square foot accessory building, plus another 380 square foot storage room, a two car garage plus yet another 1800 square foot workshop. Another more than one thousand sixteen hundred square feet will be taken up with a covered patio. Nothing indicates the workshop building height or accessibility doors to it.

it appears that this property is being built to house several large vehicles, likely related to the owner's construction business. Looking down on a lot filled with numerous trucks and equipment as part of a construction business would not only be unpleasant to see in this pastoral environment, but will create noise pollution, vastly and negatively affecting my property values. Space for this many vehicles means increased wear and tear on the lane which affects my property and that of the residents at 340 San Benancio.

Noise pollution to the area is another significant concern given the number of potential vehicles and persons on the property.

Furthermore, as you know, light pollution is a significant issue around the world. In only one other location throughout the world have I found stargazing to be as spectacular as at my property here. I do not want to lose that. Any addition as large as this one will only add greatly to the light pollution in the area.

This has been a rural setting and while I am aware that change happens, I urge you to assure that significant modifications are made to the proposal plans, keeping the property more in line with those properties nearby.

In advance, thank you.

Barbara Cole, Ph.D., 336 San Benancio Road, Salinas, CA 93908

Mailing address: 484 Washington Street, B139 Monterey, CA 93940



**From:** [Avon Wallace](#)  
**To:** [Nelson, Kayla](#)  
**Subject:** PLN220037 COncern  
**Date:** Thursday, October 20, 2022 12:13:57 PM

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We received a notice about new construction of homes and structures at the empty lot at 334 San Benancio Rd. We can see the flags and poles presumably showing where the structures will be. I'm not sure which flags represent which structures to be built, but the descriptions of some of the structures are worrisome, if I understand them correctly. What is the accessory dwelling unit, and what is the workshop and site improvements? Are they barns, or mechanic shops or for carpentry? I understand the house but not this part. They seem big...will there be a lot of activity in the long term? Neighbors out here aren't always aware how far even small noises travel so active work will be even worse. Even low volume music can be heard for easily half mile.

**From:** 49ersf8hful  
**To:** Nelson, Kayla  
**Cc:** Shelly Etter  
**Subject:** PLN220037  
**Date:** Thursday, October 20, 2022 5:32:34 PM

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Hello,

My name is John Etter, my wife Shelly and I live at 338-A San Benancio Road. I'm contacting you regarding a letter we received from the Toro Land Use Advisory Committee's meeting on Monday, October 24, 2022. We'll be out of town on the day of the meeting and will not be able to attend by phone or ZOOM Meeting, so I wanted to comment on the proposed development of the neighboring property at 334 San Benancio Road.

Our concern with the proposed development is the number of proposed structures that will be directly across from my home and backyard.

- 1) Where will the well for this property be located and how much water will all these structures require? Our well, the third well we've had to drill, is located in the Northwest corner of our property and I'm not sure if or how the drilling of a new well for this property and all of the proposed structures will affect our well's water output.
- 2) How much outdoor lighting will be required or installed on this many structures? Homes that I've worked on in the past, in rural areas such as where we live, with multiple structures on the property generally have a lot of outdoor lighting on and between structures. If there is too much light in an area that has always been dark, this could adversely affect our home as well as our neighbor's home, who is directly behind our property and who looks onto the proposed development.
- 3) What is the purpose of the accessory house with storage room, additional two car garage and workshop? It is our understanding that the owner of the property is a General Contractor, is he planning on operating his business from his property, such as material delivery, storage of materials and equipment, employees driving in and out on the single lane access road and/or any other aspects of operating a construction company. If there is an increase in non-residential traffic, especially large delivery trucks, this could also adversely affect our property, our neighbor's property and the single lane access road from San Benancio Road that's used by all the other homes above and below his property.

In closing, Shelly and I moved to San Benancio Canyon from Monterey and built our home 34 years ago. We love this area for many reasons, the weather, the views, quiet days and nights, having animals and birds walk and fly across our front yard and seeing the stars on a dark, clear night. We're not against anyone else wanting to build their home and live in this beautiful area, we just want to ensure that the approval to any new development to this area come as purposeful decision, where it's footprint will make a positive impact for our San Benancio Canyon community.

Thank you,

John Etter

**From:** Walt Hamilton  
**To:** Nelson, Kayla  
**Subject:** Re: File PLN220037  
**Date:** Friday, October 21, 2022 6:09:53 AM  
**Attachments:** image001.jpg

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Thanks for the response. No way that huge workshop isn't a business though? Its bigger than most houses. this sounds fishy...I'd bet he'll his construction crew twill be here working every day, and probably storing a bunch of materials. (there's already a 40ft metal container thats been plopped there for about 4 months).

Does your team ask about this during the hearing?

Appreciate the feedback

Walt

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**From:** Nelson, Kayla <NelsonK@co.monterey.ca.us>  
**Sent:** Thursday, October 20, 2022 5:28 PM  
**To:** Walt Hamilton <Sportsbuff49@outlook.com>  
**Subject:** RE: File PLN220037

Hello Mr. Hamilton,

The proposed workshop is for the homeowner's personal use only. A professional workshop would not be allowed as a use within the low density residential zoning district. This type of use requires a use permit within a heavy commercial zoning district. I also confirmed the "workshop" will function more like a storage facility for the homeowner's tools and supplies than an actual workshop.

Additionally, noise is controlled through our noise ordinance within the Mouny County Code. I've attached the various sections of the code that address your concerns. Regarding the hours of operation during construction, the submitted construction management plan indicates Monday through Saturday from 8am-5pm. Please let me know if you have additional questions.

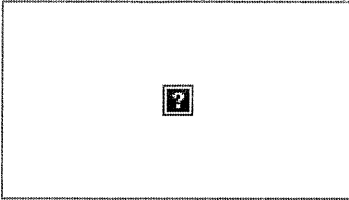
Respectfully,

**Kayla Nelson** | Associate Planner  
Housing and Community Development  
County of Monterey – Planning Division

1441 Schilling Place, South 2<sup>nd</sup> Floor, Salinas, CA 93901

Direct Line: (831) 796-6408

Email: [NelsonK@co.monterey.ca.us](mailto:NelsonK@co.monterey.ca.us)



*The Monterey County Housing and Community Development Department is currently operating with limited in-office staff to reduce risk of COVID-19 transfer to and between its workforce and our customers. During this time, responses may be delayed, but staff is checking email and will respond to you. If you have an urgent issue that requires immediate attention, please contact our main line at: [831-755-5025](tel:831-755-5025).*

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**From:** Walt Hamilton <Sportsbuff49@outlook.com>

**Sent:** Thursday, October 20, 2022 1:39 PM

**To:** Nelson, Kayla <NelsonK@co.monterey.ca.us>

**Subject:** File PLN220037

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To whoever is in charge of reading this:

I'm old and grumpy and tired, but I can still hear. Not looking forward to hearing daily construction for the 5 years it takes to build all this.

And after that, if I have to listen to what sounds like a huge working construction shop day-in and day-out, I might fully become Walter Matthau. Should this neighborhood have that activity going on? I don't want a 7-11, or a dentists office, or any sort of official or "unofficial" business buzzing around all day! I dont have the details, but it doesn't seem fair to the others in the area.

Walt

**From:** [Estrada, Armida](#)  
**To:** [Nelson, Kayla](#)  
**Cc:** [McDougal, Melissa](#)  
**Subject:** FW: Project File PLN220037 - comment for public hearing  
**Date:** Thursday, March 21, 2024 11:39:49 AM  
**Attachments:** [image001.png](#)

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**From:** Robert Wiley <[dbsolo17@hotmail.com](mailto:dbsolo17@hotmail.com)>  
**Sent:** Wednesday, March 20, 2024 9:48 AM  
**To:** 293-zahearingcomments <[zahearingcomments@co.monterey.ca.us](mailto:zahearingcomments@co.monterey.ca.us)>; Michael Weaver <[michaelrweaver@mac.com](mailto:michaelrweaver@mac.com)>  
**Subject:** Project File PLN220037 - comment for public hearing

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FYI: comments submitted below for proposed property at 334 San Benancio Rd. A "workshop", whether for business or personal, is going to be a loud nuisance. It's a shop for working...why would we think it won't be loud tools, loud music all day on weekends, and stuff everywhere? Ridiculous and inconsiderate.

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**From:** Robert Wiley <[dbsolo17@hotmail.com](mailto:dbsolo17@hotmail.com)>  
**Sent:** Saturday, February 10, 2024 8:40 PM

**To:** Michael Weaver <[michaelrweaver@mac.com](mailto:michaelrweaver@mac.com)>; [EricDonna1994@outlook.com](mailto:EricDonna1994@outlook.com) <[EricDonna1994@outlook.com](mailto:EricDonna1994@outlook.com)>; [The1Steve@hotmail.com](mailto:The1Steve@hotmail.com) <[The1Steve@hotmail.com](mailto:The1Steve@hotmail.com)>; [barbaracole2000@yahoo.com](mailto:barbaracole2000@yahoo.com) <[barbaracole2000@yahoo.com](mailto:barbaracole2000@yahoo.com)>; [avon.is.a.wall@gmail.com](mailto:avon.is.a.wall@gmail.com) <[avon.is.a.wall@gmail.com](mailto:avon.is.a.wall@gmail.com)>; [johnetter137@gmail.com](mailto:johnetter137@gmail.com) <[johnetter137@gmail.com](mailto:johnetter137@gmail.com)>;  
**Subject:** Re: Reminder Toro LUAC this Monday Feb 12, 4 pm at the firehouse, 334 San Benancio Rd., SARO application, PLN220037  
[Sportsbuff49@outlook.com](mailto:Sportsbuff49@outlook.com) <[Sportsbuff49@outlook.com](mailto:Sportsbuff49@outlook.com)>  
To whom it may concern,

I had logged my opinions on this matter in October 2022. There are multiple buildings that seem incongruous with this neighborhood. The water, outside lights, and sheer scope of the projects seem very disruptive and would appear to alter the landscape permanently and dramatically.

Regards,

Robert

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**From:** Michael Weaver <[michaelrweaver@mac.com](mailto:michaelrweaver@mac.com)>  
**Sent:** Thursday, February 8, 2024 6:37 PM

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**To:** [dbsolo17@hotmail.com](mailto:dbsolo17@hotmail.com) <[dbsolo17@hotmail.com](mailto:dbsolo17@hotmail.com)>; [EricDonna1994@outlook.com](mailto:EricDonna1994@outlook.com) <[EricDonna1994@outlook.com](mailto:EricDonna1994@outlook.com)>; [The1Steve@hotmail.com](mailto:The1Steve@hotmail.com) <[The1Steve@hotmail.com](mailto:The1Steve@hotmail.com)>;

It's been a very wet Winter! H&CD wants the Toro LUAC input on a project in San Benancio that the TORO LUAC has looked at before.

This SARO application was before us on October 22, 2022, along with another project next door to it. It was continued because the Monterey County EHB had not deemed the SARO application complete at the time. I have attached the Toro LUAC Meeting Minutes below from that October 22, 2022 meeting as a reminder of the project for those of you there and information for those who were not.

I do not know if it is staked and flagged, or if any flagging survived the high winds of the Atmospheric River that hit us this week.

I plan on making a personal trip to the site before Monday to reacquaint myself with the site and surroundings. You may wish to individually do the same.

Thank you,

Mike Weaver  
Landline: 831-484-2243

## Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

<b>Advisory Committee:</b>	Toro
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<b>3.</b>	<b>Project Name:</b>	SARO RAYMUNDO & ANTONIA
<b>File Number:</b>	PLN220037	

**Project Location:**

334 SAN BENANCIO RD SALINAS

**Project Planner:**

416-444-023-000

**Area Plan:**

KAYLA NELSON

**Project Description:**

TORO AREA PLAN

Design Approval to allow construction of a 4,310 square foot single family dwelling with a 1,075 square foot attached four-car garage, 276 square foot covered porch, 1,161 square foot covered patio, 797 square foot detached accessory dwelling unit with an attached 380 square foot storage room, 441 square foot two-car garage, 1,800 square foot workshop and site improvements. Grading of approximately 997 cubic yards of cut and 997 cubic yards of fill.

**Was the Owner/Applicant/Representative present at meeting?** Yes XNo

(Please include the names of the those present)

Ray Saro (owner) , Walt Hamilton (neighbor), Barbara Cole (neighbor), Russel Hays (neighbor), Jim and Donna Benson (neighbors)

**Was a County Staff/Representative present at meeting?** Yes, Planner Kayla Nelson,(Name)

**PUBLIC COMMENT:**Please see attached letters received by Planning Department from neighbors.

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Russel Hays	X		The shared well which this project will share is on his property and is shared with 2 other neighbors and #334. He says there is a deed restriction against ADUs. The project at #332 was potentially to join the shared water system but there was not enough water so they had to drill a well. Planner Nelson explained that the plans are incomplete but she wanted feedback from LUAC and neighbors. She said that there is not enough water in the existing system for an ADU and to have an ADU Mr. Saro may need to drill a well. Bean pointed out that this might negatively impact the existing neighboring wells and that the area is in overdraft. This decision is up to Environmental Health. A bathroom in the workshop was allowed by Environmental health.
Walt Hamilton	X		He asked about the height of the main house. It is 25 feet, 9 inches and is one story. The ADU is 15 feet, 10 inches and the workshop is 15 feet. He expressed concerns about noise and operation of a construction business in a residential neighborhood in several e-mails.
Barbara Cole			Restated her concerns (in her letter) about noise, excessive number of buildings, possible operation of a contracting business at the site, trucks on the narrow road causing excessive wear and tear, noise and light pollution. Mr. Saro stated that he will be storing a Bobcat for home use and his personal truck and other supplies. There will be no job deliveries and no employees coming in and out.

#### LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
LUAC voiced similar concerns as neighbors regarding the extensive coverage of the site by buildings, the compatibility with the residential		

neighborhood, the visual impact, the potential for noise and light pollution.		
Monterey County EHB has not yet deemed the project "Complete" on Accela.		Allow applicant, Planner, and EHB time to sort out the septic, leach lines locations, water source, and connections

#### ADDITIONAL LUAC COMMENTS

Bean stated that the application is incomplete in a number of critical areas and moved to postpone the LUAC discussion until the application is complete. According to the stated process in the Permit Guide, incomplete applications must return to the LUAC when complete and then can go on to the next steps.

#### RECOMMENDATION:

Motion by: Bean (LUAC Member's Name)

Second by: Weaver (LUAC Member's Name)

☐ Support Project as proposed

☐ Support Project with changes

☒ Continue the Item

Reason for Continuance: incomplete application in a number of critical areas

Continued to what date: when application is complete

AYES: (7) Gobets, Keenan, Mueller, McMurtrie, Rieger, Weaver, Bean

NOES: 0

ABSENT: Pyburn

ABSTAIN:

## Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

Advisory Committee:	Toro
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4.	Project Name:	BRADSHAW JR STEPHEN SCOTT & BRADSHAW JESSICA
	File Number:	PLN220140
	Project Location:	332 SAN BENANCIO RD SALINAS
	Project Planner:	416-444-013-000



	<b>Area Plan:</b>	CHRISTINA VU
	<b>Project Description:</b>	TORO AREA PLAN
		Design Approval to allow the construction of a 1,703 square foot single family dwelling, 968 square foot attached garage, two (2) water tanks and associated site improvements.

Was the Owner/Applicant/Representative present at meeting? Yes X No

(Please include the names of the those present)

Scott Bradshaw (owner), Angie Phares (designer)

Was a County Staff/Representative present at meeting? Yes, Planner Christina Vu\_(Name)

**PUBLIC COMMENT:**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Russel Hays	X		He noted that the Bradshaws had to drill their own well because the shared system did not have enough water.

**LUAC AREAS OF CONCERN**

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Earthtone colors are required by the Toro Area Plan but this house is partially white.	Toro Area Plan	Owner said that they want a white house but were willing to choose an off white color instead.
The house is nicely placed on the site and surrounded by oak trees. One branch impinges on the bedroom wall and will need to be trimmed.		

**ADDITIONAL LUAC COMMENTS**

LUAC members complimented the modest size of the house, the architectural styling compatible with the Toro Area, and how well it was

sited onto the lot.

**RECOMMENDATION:**

Motion by: Bean (LUAC Member's Name)

Second by: McMurtrie (LUAC Member's Name)

  X   Support Project as proposed

       Support Project with changes

       Continue the Item

Reason for Continuance:

Continued to what date:

AYES: (6) McMurtrie, Rieger, Keenan, Mueller, Gobets, Bean

NOES: (1) Weaver (For the record, likes the plans very much but cannot approve a house painted white as inconsistent with Toro Area)

ABSENT: Pyburn