

# Attachment J1

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**From:** [McDougal, Melissa](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** FW: P1N230L27 Appeal Hearing  
**Date:** Friday, April 11, 2025 2:04:29 PM

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

From: Joe Bedell <joebedell@icloud.com>  
Sent: Friday, April 11, 2025 2:01 PM  
To: Jensen, Fionna <JensenF1@countyofmonterey.gov>  
Subject: P1N230L27 Appeal Hearing

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Dear Board of Supervisors:

I am a neighbor and retired home builder.

My comments have already been expressed by Mr. Art Taylor's correspondence of April 6th; however I am writing with totally separate and important input regarding this matter which I hope you will take seriously.

I believe you and your staff should not only be concerned about Mr. Peinado attempting to abuse rules but also should consider and protect the emotional health of your staff in dealing with this particular applicant.

Sincerely,

Joe Bedell  
10148 Oakwood Circle  
Carmel CA 93923

Sent from iPhone

Date: April 6, 2025

To: The Monterey County Board of Supervisors  
Ms. Fionna Jensen, HCD Associate Planner

Subject: PLN230127 Appeal Hearing – Letter to Board of Supervisors

Dear Board of Supervisors,

My wife and I are one of the 21 homeowners in the Oakshire common-interest-development where the subject project is being proposed, and we have lived there for over ten years.

As you are aware, forty-five (45) opposition letters to PLN230127 were submitted to HCD & the Planning Commission by owners in Oakshire and the adjacent development, Ranch House Place, in advance of the December 2024 Planning Commission meeting. There were also opposition letters submitted from the Carmel Valley Association (CVA) and from LUAC. Given the large number of letters submitted, it is clear there is widespread disapproval from the community to PLN230127.

Applicant tries to make a lengthy argument in his January 2, 2025, appeal letter as to why PLN230127 should be deemed eligible for Builder's Remedy. However, Applicant's project does NOT meet the purpose, intent and spirit of the Builder's Remedy legislation and is a misuse and abuse by Applicant in an attempt to circumvent existing County ordinance and general plan review processes to obtain expedited approval to build a massive, non-compliant, 12,374 square foot private single-family house.

As you know, the purpose and design of the BR legislation (SB 8, SB 330, AB 1893) is to enable construction of **larger-scale** housing projects, particularly those with affordable housing components, and especially in urban areas. The JADU and the internal ADU proposed by Applicant are small-scale housing units intended for single family properties. They are not comparable to the multi-unit developments envisioned under the BR legislation. Also, from a legislative context, the BR is aimed at overcoming local zoning barriers for larger developments, whereas ADU and JADU laws are a separate framework designed to streamline small-scale accessory unit construction within residential properties.

In fact, "ADU's" are not addressed or even referenced in SB 8, SB 330, or AB 1893. There are no provisions in any of these passed Bills pertaining to ADU's. ADU's are governed by separate legislation, such as SB 897 and AB 1332 which specifically focus on streamlining ADU development and permitting processes. PLN230127 does not align with the broader objectives of BR legislation which focuses on significantly increasing affordable and high-density housing construction. Applicant views the BR legislation as a loophole to enable the construction of a gargantuan single-family home located in a common interest development. This is an attempt to exploit the BR legislation, and it is wrong.

In addition, PLN230127 does not comply with BR as it exceeds the maximum unit density threshold established under AB 1893. For non-metropolitan Monterey County, 15-23 units per acre are permitted before factoring in a parcel's slope which would reduce the maximum density allowable. Applicant is proposing a total of three units (a JADU, and internal ADU and a huge primary residence) on a 3,528 square foot lot (8% of an acre) which equates to over 37 units per one acre. This is well over the 15-23 units/acre threshold established by AB 1893 before factoring in the slope density adjustment.

The Board of Supervisors and the County should have the discretion and the purview, to deny eligibility for BR for PLN230127 as it does not meet the purpose, intent, spirit, and criteria of the BR legislation. Concern is also noted for the considerable negative consequences to communities, HCD, and taxpayers by a precedent that might be established for an inappropriate BR eligible project approval.

As noted from the HCD Staff Report dated December 5, 2024, regarding PLN230127, the County identified multiple discrepancies, errors, and misrepresentations in Applicant's submission. It does not appear Applicant engaged a licensed architect in the preparation and submission of his plan.

While there are many flaws in Applicant's appeal, exception is taken to Applicant's comment on page 8, Section 3, where he claims his lot location "... has no restriction on design style." He also erroneously claims the Carmel Valley Ranch Specific Master Plan "...does not impose design restrictions, but merely contains design recommendations." Both of these statements are absolutely not true. The Carmel Valley Master Plan (CVMP) was adopted by the Board of Supervisors, is a governing document for HCD and developers, and provides guidelines for development that all owners within its boundaries must adhere to. The Carmel Valley Ranch Specific Master Plan (CVRSM) is incorporated into the CVMP and thus together must be considered a unified document.

One of the principal goals of the CVMP is to "...preserve the rural character of Carmel Valley." (page 10, #1 of the CVMP as well as in section 26.1.21.) Sections 26.1.26 states *"Development... shall be visually compatible with the character of the valley and the immediate surrounding areas..."* The "...immediate surrounding areas" means the Oakshire development of 21 homes, not the cherry-picking Applicant wants to do across any and all communities covered by the CVMP.

Section 26.1.29 speaks to the design and site control for all new development in the Valley. *"The design review process shall encourage and further the intent and spirit of the Master Plan."* Furthermore per 26.1.31, *"Materials and colors used in construction shall be selected for compatibility with the structural system of the building and the appearance of the buildings natural and man-made surroundings."* As outlined below, Applicant's plan is so far off the mark in complying to the intent, spirit, goals, and guidelines found in the CVMP and CVRSM, that it is appalling.

Applicant seems to think these governing documents don't apply to him and that he can do whatever he wants despite signing lot purchasing documents that say the contrary. His plan submission and related



actions thereafter have shown contempt for not only Oakshire and Ranch House Place homeowners, but also for HCD, the Planning Commission and the Board of Supervisors.

Applicant's egregious plan submission calls for, amongst many other issues and concerns:

1. Building a 12,374 square foot home, which is more than three (3) times the size of the largest home in Oakshire, that also reflects a home size to lot size ratio of **3.51** times when other homes in Oakshire are from 0.62 to 1.00, thus violating the Carmel Valley Master Plan (CVMP) and the Carmel Valley Ranch Specific Master Plan (CVRSM),
2. building a **six (6)** story home in a small community where all other homes are two (2) stories thus dwarfing other Oakshire residences by its sheer mass, thus violating the CVMP and CVRSMP,
3. that consumes virtually 100% of the required setbacks on all four sides with both residential structure encroachment and accessory structure (e.g., decks) encroachment, thus blatantly violating Monterey County ordinances,
4. that incorporates an urban contemporary box-on-box-on-box-on-box-on-box-on box design that is alien to the surrounding environment and to the rural California Ranch style homes already existing in Oakshire, and thus violates the CVMP and CVRSMP,
5. that utilizes materials that are inconsistent with the neighborhood, (e.g., cement, chrome, metal, glass, vs stucco, wood and indigenous rocks) again, violating the CVMP, and CVRSMP,
6. that will require excavation of more than two thousand (2,000) cubic yards of dirt on a slope that is in excess of 25%, thus threatening the homes in both Oakshire and Ranch House Place below through increased risk of erosion and structural slippage,
7. that calls for digging a well contained within the basement which, for structural and sanitation reasons, presents significant concerns to both the Oakshire and Ranch House Place communities.

To summarize, PLN230127 violates County ordinances, the CVMP, the CVRSMP, and is unsuitable for the Oakshire community. I respectfully request that the Board of Supervisors confirm HCD's recommendation and uphold the Planning Commission's passed resolution of December 11, 2024, and deny approval of PLN230127.

Sincerely,



Art Taylor

Email: Arttaylor4@gmail.com

**From:** [McDougal, Melissa](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** FW: 10196 Oakwood Circle  
**Date:** Wednesday, April 9, 2025 4:31:03 PM

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

From: Bee Epstein-Shepherd <drbeemm@me.com>  
Sent: Wednesday, April 9, 2025 1:54 PM  
To: Jensen, Fionna <JensenF1@countyofmonterey.gov>  
Subject: 10196 Oakwood Circle

[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 the Board of Supervisors

Once more Rene Peinado and Amy McDougall are appealing a decision of the Planning Commission and creating even more anger from the neighborhood. Yes, the building they want to construct is in the Oakshire HOA. However, they want to ignore property line setbacks which puts the six story structure less than 30 feet from the back decks of Ranch House Place neighbors. It will tower over the 2,400 square foot wooden condos on Barn Way,. This proposed building is even more abhorrent to those of us who potentially would live in the shadow of the glass and concrete 10,000+++ behemoth.

During the previous hearing Mr Peinado presented much contradictory and even false information to the Planning Commission to try to fall within the guidelines that would justify his building. There is so much wrong here. I hope my neighbors and I present enough evidence for you to deny this appeal. Allowing a building of this size, design, which uses materials inconsistent with CC&Rs and Carmel Valley Plan anywhere on the entire Carmel Valley Ranch property would negatively change the character of the Vally.

Thank You for your consideration

Bee Epstein-Shepherd  
28095 Barn Court.  
831 594 0611

File number PLN230127  
Project name MCDOUGALL AMY E  
Parcel number 416-542-011-000

Dear Board of Supervisors,

Thank you for hearing the public's opinion regarding this project. Although we are grateful to welcome new homeowners and neighbors into the Oakshire community and to work with them as they develop exciting new plans for their homes, this project is simply far beyond any building that can be imagined in our community. And it does not fit with any Builder's Remedy or ADU based state guidelines to increase affordable homes. I live in a home that is about 100 feet west in direct line of this proposed project.

Some quick background on the neighborhood. Our HOA represents approximately 20 custom homes on a sunny north facing slope within the Carmel Valley Ranch property. The original developers did a great job creating a beautiful light feel to the development whereby the home heights feel unassuming and there is space between the street and most homes, and where each neighbor although relatively close to one another enjoys a relative sense of equality with respect to size and scope of their homes. Each home is built within about 6 feet of the setbacks, leaving a perimeter around the house for landscape, and in some cases, there are wood decks within some of these spaces. We do not own any land past this setback perimeter of each house. In keeping with similar dimensions and similar design principles, the neighborhood and adjacent townhome communities have enjoyed 40 years of peace and a close connection with the natural outdoors that Carmel Valley affords.

A few points to consider here. First, the home that is proposed is simply too large. It is about **3-5 TIMES** the average square footage of our homes – depending how you calculate it - 12,000++++ square feet at least plus 1,200 foot two storied garage. I do not think there are any homes this large within even the larger area of Carmel Valley - you'd probably have to go to Tehama to find such large homes, where they stand on about 10 acres of land. It would tower over the townhomes below as well. Second, the proposal calls for use of the entire property including ALL setbacks for their foundation. I do not believe any home has built a material amount of their foundation into the setbacks. Maybe some light decks, but certainly not the entire foundation. They are even proposing to build their attached garage directly onto the street with two other entrances into the home on the street - no space between the street and their home, as you see in almost all homes here. Their neighboring lots are currently empty, but if the owners did build one day, they would have to maintain 10 feet between homes, therefore the proposed home would cost their neighboring lots 5 feet of building space at least. Setbacks are required for other reasons too - to help create a general feeling of space within the community and allow access to the properties for workers etc so that they do not have to intrude on neighboring properties. Third, the proposed home is six stories - three stories up from street level and three stories below street. This is unprecedented in our HOA. I would imagine this is unprecedented even in the broader Carmel Valley and Monterey County. Fourth, the proposal calls for 3 units within one building with two separate entrances in addition to the garage entrance. Our HOA guidelines are for one family per home. The largest unit alone is over twice the total average square feet of homes in our HOA. I cannot even comprehend the ability to squeeze so many units and such a large structure into that small a piece of land. The sheer bulk would be huge. And, we do not even have parking to support three separate families. It is not an appropriate property for those that could take advantage of affordable housing if that were even available. And fourth, the home requires the building of a well beneath the structure of the home. I cannot imagine the complexity required to develop a well system that fits with the city requirements and below such a monstrous structure with multiple levels, car lifts, and multiple units. This is after all just a small 3,500 +/- square foot lot.


Lastly, i would just like to comment on the behavior of Mr. Peinado and Ms. McDougall as they seek to represent themselves as landlords in some sort of attempt to gain Builder's Remedy or some ADU approach to loosen the development regulations. These are NOT people that would ever consider the needs of the community around them, let alone the potential needs of people in need of affordable



housing within their property. They have lied several times claiming county approval and in pursuing bizarre lawsuits. They have stood outside of peoples' homes intimidating them as they do some sort of made-to-order survey. Mr. Peinado even blocked with his car and threatened the postal delivery woman because he wanted a mailbox (they are given once permits are given for the home). They have been untruthful about their intentions - asking for setback approval with no mention of the plans for the home or size of the home. They have intimidated and insulted the voluntary HOA board members. They have threatened to sue each individual homeowner within the HOA. In my opinion, they are likely to have downed three oak trees within their lot in secret at night - two last year in 2023 and one in 2024. The one in 2024 had a rope hanging from it as it was split down the middle and the iron rope fences on both sides had been snapped. No other trees in the community have come down during the storms of the last few years. And it is worth noting that with a quick google search, you can find that Mr. Peinado has been in over 40 official court/legal proceedings over the last 20 years, including harming a parking officer in San Francisco.

I appreciate your attention on this matter. And I thank you and your colleagues that make a difference to our communities.

Regards

A handwritten signature in black ink, appearing to read 'N-A-K', with a stylized flourish at the end.

Noam Alexander Krantz  
10226 Oakshire Drive  
Carmel, CA 93923

**From:** [McDougal, Melissa](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** FW: April 15, 2025 Board of Supervisors Hearing for PLN230127 - McDougall/Peinado  
**Date:** Tuesday, April 8, 2025 1:38:08 PM

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**From:** Elaine Taylor <[elaineztaylor4@gmail.com](mailto:elaineztaylor4@gmail.com)>  
**Sent:** Tuesday, April 8, 2025 1:03 PM  
**To:** Jensen, Fionna <[JensenF1@countyofmonterey.gov](mailto:JensenF1@countyofmonterey.gov)>  
**Subject:** April 15, 2025 Board of Supervisors Hearing for PLN230127 - McDougall/Peinado

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One more letter from an Oakshire homeowner for the Board of Supervisors.

Elaine

----- Forwarded message -----

**From:** **Sally Hitchcock** <[salhit@aol.com](mailto:salhit@aol.com)>  
**Date:** Tue, Apr 8, 2025 at 12:03 PM  
**Subject:** Re: Reminder: April 15, 2025 Board of Supervisors Hearing for PLN230127 - McDougall/Peinado  
**To:** Elaine Taylor <[elaineztaylor4@gmail.com](mailto:elaineztaylor4@gmail.com)>

Ms Jensen, regarding the hearing of McDougal/Peinado appeal. We as residence of Oakshire home owners association, and are against this project. The project is too large for the lot No well should be drilled. The planning commission has already rejected this project. It is not within the rules of the county or our association. Please deny the project. It would be a great disservice to the neighborhood sincerely, sally and Dave Hitchcock 10244 Oakshire Dr.

Sent from my iPad

Monterey County Board of Supervisors  
Fiona Jensen, Monterey County HCD

April 9, 2025

Re: PLN230127 Appeal

VIA ELECTRONIC MAIL

Dear Supervisors,

We are writing to express our ongoing concern with the McDougall/Peinado residence (PLN 230127). This concept has been an affront to the neighborhood for nearly two years now. Through the numerous stages in Planning, then review by the LUAC, and, most recently, at the Planning Commission, this proposal seems to morph to fit whatever process will best let it slide past the proper review process.

The residence, which includes a SIX STORY CONCRETE TOWER on a steep slope and apparently covers just about every square foot of the lot, is so wildly out of place at Carmel Valley Ranch that anyone would wonder what on earth it is doing there. The various planners and committees have pointed this out at every stage. Now, faced with universally negative reviews and pushback, the applicant is calling the junior ADU a low income unit in an attempt to bypass the established review process to build this monstrosity.

We don't know what the exact definition of a low income housing project is, but even a causal observer would recognize that this proposal was not what was intended by the Builder's Remedy exception. Moreover, we cannot fathom that the California Legislature would have envisioned that the Builder's Remedy would apply to a single family home, twelve-thousand square foot house on a thirty-five hundred square foot lot! In fact, the low income housing idea wasn't even mentioned by the applicant until several days before the Planning Commission hearing in December. This seems like more of a hail Mary attempt to outrun the legitimate planning process than a genuine attempt to develop low income units to alleviate the County's shortage of housing. As Planning Commission Chair Diehl remarked in December, the planning process is supposed to be a mutually beneficial opportunity for the applicant and the citizens of the County to work together, to harmonize efforts, so that everyone is better off in the process. In her many years of overseeing plans, she noted that this one was especially deserving of the commission's rejection.

We encourage the Board to remain steadfast in opposing the applicant's attempt to recategorize this as a low income project deserving of Builder's Remedy review immunity. It's not what was intended by the Legislature, and the people of the County deserve the Board's support in upholding that view. The applicant is threatening legal action against the County and we hope that the Board will not be swayed by this bluster. If it walks like a duck, and quacks like a duck, then the Board should call it a duck and deny the appeal.

Respectfully,

s/ Jane and Jeff Hand  
10088 Oak Branch Circle





YIMBY LAW

## YIMBY Law

2261 Market Street STE 10416  
San Francisco, CA 94114  
[hello@yimbylaw.org](mailto:hello@yimbylaw.org)

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4/10/2025

County of Monterey  
Board of Supervisors  
Government Center - Board Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Via email: [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us)

Re: 10196 Oakwood Circle, RES 25-050

Dear Monterey County Board of Supervisors,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Accountability Act (HAA). As you know, this Board has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the HAA. Should the County fail to follow the law, YIMBY Law will not hesitate to file suit to ensure that the law is enforced.

The Monterey Planning Department denied a development application for a single-family home, accessory dwelling unit, and junior accessory dwelling unit at 10196 Oakwood Circle. That denial is on appeal to this Board, and we write to urge compliance with state law in granting the appeal and approving this compliant project.



Monterey County does not have a substantially compliant Housing Element, nor did it when this project submitted its SB 330 compliant application in June of 2024. As the proposed JADU will be rented to low-income households, the proposal qualifies for approval under the Builders' Remedy as per Gov. Code § 65589.5(j)(1)(A). The

The Builder's Remedy prohibits localities from denying housing development projects, or imposing conditions of approval on a project which render the project infeasible, when the project is consistent with the above-listed affordability requirements, unless the County can make findings that the proposed housing development would cause a threat to public health and safety that cannot be mitigated. This project qualifies for the Builders Remedy once a full, complete application has been submitted; the SB-330 preliminary application has vested the rights of this project to be approved, and any additional roadblocks placed on the developer may be considered violations of Gov. Code § 65589.5(d).

The Planning Department ignored state law in reviewing this application; the Department did not make required findings under the law, and in fact refused to acknowledge it as a Builder's Remedy application. The Department stated that Builder's Remedy projects require the applicant to declare affordability criteria at the time it submits an application, but nothing in state law justifies this position. State law *does* require Monterey County to create a list of what applicants must include in applications. CA Gov. Code § 65940(a)(1). Monterey County's list and application form have no criteria that would identify affordable housing units. Once an application has been deemed complete, the Planning Department is unable to require the submission of new information. CA Gov. Code § 65944(a). Moreover, AB 1983 specifically allows applicants to revise applications to become Builder's Remedy projects without having to resubmit a preliminary application. The Department also cited Monterey County's inclusionary housing ordinance, but that ordinance applies only to projects with 5 or more units, and has no bearing on this 3 unit proposal. MCO § 18.40.030.

The Department noted aesthetic concerns which are irrelevant to the analysis, as they are unrelated to statutory criteria for public health or safety. Local agencies are only permitted to review projects according to objective, quantifiable, written development standards. CA Gov. Code § 65589.5(f)(1). Applying other standards violates this provision, and may not be used as a reason for denial. The health and safety issues cited by the Department were too speculative and imprecise to form a valid reason for denial. The Department stated that the project "may" have health and safety impacts, but did not identify what those impacts are. The geological report proves that the project is subject to no seismic hazards and the site is supported by adequate water.

Even beside the Builder's Remedy criteria, state law already considers the application consistent with local rules. As the County did not make a written compliance determination within 30 days of receiving the application, the project was "deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision." CA Gov. Code § 65589.5(j)(2)(B).

As the County has failed to comply with state law, it does not have discretion to deny this project. Determining that the application is incomplete is not a legitimate means of preventing it from moving forward, and are not within the city's authority. The Project proposal is consistent with the provisions of the Builders' Remedy, therefore, you must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above.

Should the County fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced. I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,

A handwritten signature in black ink that reads "Sonja Trauss". The signature is written in a cursive, flowing style with a large initial 'S'.

Sonja Trauss

**From:** [Jensen, Fiona](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** FW: PLN230127 Board of Supervisor meeting  
**Date:** Thursday, April 10, 2025 10:43:25 AM  
**Attachments:** [image001.png](#)

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**From:** rgdwrite@earthlink.net <rgdwrite@earthlink.net>  
**Sent:** Thursday, April 10, 2025 10:39 AM  
**To:** Jensen, Fiona <JensenF1@countyofmonterey.gov>  
**Subject:** PLN230127 Board of Supervisor meeting

You don't often get email from [rgdwrite@earthlink.net](mailto:rgdwrite@earthlink.net). [Learn why this is important](#)

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April 8, 2025

Dear Board of Supervisors:

I have been a homeowner in the Oakshire common-interest development where the subject project is being proposed for more than 30 years. We have lived in harmony for the many years I have resided in this development until this unsuitable project was proposed. Please know that there is substantial disapproval from our community to PLN230127.

As noted from the HCD Staff Report dated December 5, 2024, regarding PLN230127, the County identified multiple discrepancies, errors, and misrepresentations in the Applicant's submission. The Applicant's plan is an egregious submission that calls for, amongst many other issues and concerns:

1. Building a 12,374 square foot home, which is more than 3 times the size of the largest home in Oakshire, that also reflects a home size to lot size ratio of 3.51 times when other homes in Oakshire are from 0.62 to 1.00,
2. Building a six (6) story home in a small community where all other homes are two (2) stories thus overwhelming all other Oakshire residences,

3. that consumes virtually 100% of the required five-foot setbacks on all four sides with both residential structure encroachment and accessory structure (e.g., decks) encroachment, thus blatantly violating County ordinances,
4. that incorporates an urban box-on-box-on-box-on-box-on-box-on box design that is alien to the surrounding environment and to the rural California Ranch style homes already exiting in Oakshire, and thus violates the Carmel Valley Master Plan,
5. that utilizes materials that are inconsistent with the neighborhood, (e.g., cement, chrome, metal, glass, vs stucco, wood and indigenous rocks) again, violating the Carmel Valley Master Plan, Carmel Valley Ranch Specific Master Plan,
6. that will require excavation of more than two thousand (2,000) cubic yards of dirt on a slope that is in excess of 25 degrees thus threatening the homes in Ranch House Place below through increased risk of erosion and structural slippage,
7. that calls for digging a well contained within the basement which, for structural

I urge the Board of Supervisors to support HCD's recommendation and uphold the Planning Commission's passed resolution to deny approval to PLN230127.

Respectfully,  
Rosalind G Davis  
10136 Oakwood Circle  
Carmel, CA 93923

**From:** [McDougal, Melissa](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** RE: Appeal Hearing with Board of Supervisors for PLN230127 McDougall/Peinado  
**Date:** Wednesday, April 9, 2025 4:11:33 PM

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**From:** CHRIS CRAWFORD <[crauuford@aol.com](mailto:crauuford@aol.com)>  
**Sent:** Tuesday, April 8, 2025 9:30 PM  
**To:** Jensen, Fionna <[JensenF1@countyofmonterey.gov](mailto:JensenF1@countyofmonterey.gov)>  
**Subject:** Appeal Hearing with Board of Supervisors for PLN230127 McDougall/Peinado

You don't often get email from [crauuford@aol.com](mailto:crauuford@aol.com). [Learn why this is important](#)

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Dear Ms. Jensen,

I am resend my previous letter of opposition regarding the McDougall/Peinado request I sent last year to make sure it is on record. I also add some additional concerns.

Thank you in advance to the Board of Supervisors for fulfilling your obligation to protect our health and safety and additionally continuing the continuity and vision of previous Boards in maintaining the character of Monterey County. You are an important part of the process and I fully support and encourage you to uphold the previous rejection of this proposed project.

Thank you for being so civically minded and I see by your LinkedIn profile you have a passion for Environmental Design. The project and proposal before you is grossly out of place for Carmel. As a resident of Ranch House Place I vehemently protest this proposal for numerous reasons. Below are a few of my initial key objections:

1. One of the claims I have heard and read as justification for this structure and anesthetic is that the proposed structure will not burn. If you were to ask a professional in the Fire Sciences they would confirm that everything burns at some point. Fire storms are unpredictable in nature and even if a fire hardened exterior structure appears "untouched" it might be damaged and compromised in other ways. I feel this a weak reason for approval. There are foam systems that can be installed on a more traditional structure that would make it nearly fire proof. However, most residential structures even if fortified and hardened on the exterior are not very fire resistant on the inside.
2. The view shed of this area from Carmel Valley Road will be horrifically impacted by the removal of trees and the building of this oversized and out of character structure that will be 6 stories in height. Those living on the other side of the valley will be forced to look at a skyscraper.
3. The extensive use of glass will create significant light pollution which is counter to the "Dark Skies" desires of the local residents



4. Engineers with experience in these types of environments have put in place restrictions to protect and safeguard property and life. The deviations and exceptions requested create risk in both areas. One only needs to look to the challenges faced in Sausalito with landslide damage and ongoing concerns around seismic stability as structures have been allowed based on biased engineering that have been a disservice to field of Engineering and Engineers who violate their oath to the profession. The County engineer's and officials looked at the project and its proximity to well water, storm and sewage lines and determined that there is a health risk should the well water be contaminated.
5. The plans are also lacking in the total structure height, opting to note a lower height then the roof peak. Additionally, it is not well noted that this is a 6 story structure. The 6 stories is now being said that the total overall height to the roof peak is not being stated that I have seen. Again there is no house anywhere in Carmel that is this high and one would have to travel very far I think to find such a structure that was not an in a downtown city setting.

I have other objections and questions but in the interest of not overwhelming you I will limit myself.

Thank you for your efforts in maintaining the look, feel and character of Monterey County and Carmel.

Kindest regards,

Chris Crawford

28088 Barn Way

**From:** [McDougal, Melissa](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** RE: McDougall/Peinado Appeal Hearing  
**Date:** Wednesday, April 9, 2025 4:11:45 PM

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**From:** Ron Coulter <[rcoulter@sbcglobal.net](mailto:rcoulter@sbcglobal.net)>  
**Sent:** Wednesday, April 9, 2025 11:14 AM  
**To:** Jensen, Fionna <[JensenF1@countyofmonterey.gov](mailto:JensenF1@countyofmonterey.gov)>  
**Subject:** McDougall/Peinado Appeal Hearing

You don't often get email from [rcoulter@sbcglobal.net](mailto:rcoulter@sbcglobal.net). [Learn why this is important](#)

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Dear Ms. Jensen,

Please present the attached letter to the Supervisors for the McDougall/Peinado Appeal Hearing with Board of Supervisors scheduled for April 15, 2025.

Thank you,

Ron and Rosemary Coulter  
Barn Court  
Ranch House Place  
Carmel Valley Ranch

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**RONALD J. COULTER  
ROSEMARY T. COULTER  
28091 Barn Court  
Carmel, California 93923**

Board of Supervisors  
County of Monterey  
Salinas, CA

9 April 2025

**Re: PLN230127 (McDougall) Project Plans, 10196 Oakwood Circle**

Dear Supervisors,

We reside in the Ranch House Place association community at Carmel Valley Ranch within a very close distance to the subject project. We object in the most stringent terms to this project. This is at least a third time that we have felt compelled to write to Monterey County agencies stressing our objections to this project.

The project is totally out of place at Carmel Valley Ranch. There are five communities within Carmel Valley Ranch, all of which are planned units which are consistent in building materials, design, and clustered placement. When we purchased our house over 38 years ago, this was a prime consideration for living here. The five to six story house of this project with the modern sterile design pushed to the limits on the steep sloping plot of land and using substantially different building materials does not belong in a "Ranch House" environment.

The location for this project is on a very steep slope, and the enormous size overwhelms every other residential unit at Carmel Valley Ranch. Previous building in the hills above our community from the Oakshire community, the Carmel Valley Ranch hotel and the units in the Summit community have substantially impacted the hydrology of our housing area. We have had to install numerous devices to counter the changes in water flow and hydrology. This new construction will once again affect the hydrology under our home. The project will require excavation of more than 6,000 cubic feet of dirt on a slope that is more than 25 degrees. This presents a threat to the homes in Ranch House Place right below the project because of an increased risk of more erosion and structural slippage.

The project is not in conformance with the Carmel Valley Master Plan, the Carmel Valley Ranch Master Plan and the governing architectural requirements of the Oakshire community. The project seeks waivers for almost everything it does. Clearly, with so many exceptions requested, it does not fit in with the rest of the community.

It is grossly appropriate to claim that the Applicant's project is eligible for the Builder's Remedy. It is just an obfuscation on their part to use a new state law to try to convince you that the ADU's they propose will help resolve the housing dilemma in California. The project does NOT meet the intent and spirit of the Builder's Remedy legislation.

The extensive use of glass at the back of the house will create significant light pollution which is counter to the low lighting requirements at the Ranch and in Carmel Valley, and it does not conform

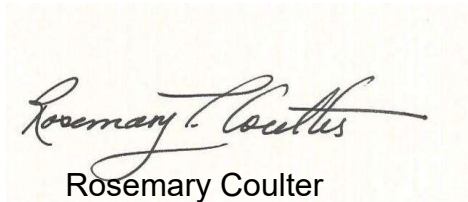
to the desires of the local residents. It will further pollute the dark skies which we are trying to preserve. At nighttime, our entire Ranch House Place community would be impacted by the lights coming from the house. This is unacceptable. Additionally, the house will be visible from Carmel Valley Road and the neighboring homes at Tierra Grande... day and night.

The project is too big, architecturally inconsistent, completely out of place in the Carmel Valley Ranch community and it should be declined. We urge the Board of Supervisors to support HCD's recommendation and uphold the Planning Commission's passed resolution to deny approval to PLN230127.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Coulter".

Ron Coulter

A handwritten signature in black ink, appearing to read "Rosemary Coulter".  
Rosemary Coulter

**From:** [McDougal, Melissa](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** FW: PLN 230127  
**Date:** Wednesday, April 9, 2025 4:11:17 PM

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**From:** [MichaelCarter9@gmail.com](mailto:MichaelCarter9@gmail.com) <[michaelcarter9@gmail.com](mailto:michaelcarter9@gmail.com)>  
**Sent:** Tuesday, April 8, 2025 8:25 PM  
**To:** Jensen, Fionna <[JensenF1@countyofmonterey.gov](mailto:JensenF1@countyofmonterey.gov)>  
**Subject:** PLN 230127

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Dear Monterey County Board of Supervisors ,

Regarding the proposed new home build at 10196 Oakwood Circle PLN 230127.

In addition to the comments you have undoubtedly received about the massive size and design of the house that doesn't fit with the neighborhood and would intrude on near-by neighbors, my other concern would be building out to the lot lines circumferentially.

While the adjacent lots are currently not buildable because of a lack of water rights, that could change in the future and it would be unfair to the new owners who might be able to build on those lots. What would their setbacks need to be? Could they sue our HOA or Monterey Co. for allowing the builders to totally intrude on the setbacks?

Is it safe to drill a well under the house, which is on a 30 degree slope without posing significant risk to the neighbors that are below the proposed house?

I'm sure you will thoughtfully consider these issues and reach a justifiable conclusion.

Sincerely,

Joan & Michael Carter

10082 Oak Branch Circle, Carmel, CA 93923

Michael Carter, MD

Sent from my iPad



**From:** [Jensen, Fiona](#)  
**To:** [McDougal, Melissa](#)  
**Subject:** FW: Re Public Hearing Notice for PLN230127 re 10196 Oakwood Circle, Carmel at Carmel Valley Ranch  
**Date:** Tuesday, April 8, 2025 11:11:47 AM

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FYI

Thank you,  
Fionna Jensen

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

From: Mary Kay <[mkacquazzino@gmail.com](mailto:mkacquazzino@gmail.com)>  
Sent: Tuesday, April 8, 2025 11:11 AM  
To: Jensen, Fiona <[JensenF1@countyofmonterey.gov](mailto:JensenF1@countyofmonterey.gov)>; 100-District 5 (831) 647-7755  
<[District5@countyofmonterey.gov](mailto:District5@countyofmonterey.gov)>; Craig, Kimbley <[CraigK@countyofmonterey.gov](mailto:CraigK@countyofmonterey.gov)>  
Subject: Re Public Hearing Notice for PLN230127 re 10196 Oakwood Circle, Carmel at Carmel Valley Ranch

[Some people who received this message don't often get email from [mkacquazzino@gmail.com](mailto:mkacquazzino@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

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To Fiona Jenson, Senior Planner  
Kate Daniels, Supervisor  
Kimbley Craig, Chief of Staff

I vehemently oppose the building of the proposed monstrosity in the Oakshire neighborhood of Carmel Valley Ranch. There are many reasons including, but not limited to, light pollution of our beautiful night sky here at Ranch House Place, which sits below the area of the proposed structure. One of the amazing things about being here is being able to go outside at night and see the stars very clearly. It's something we pay dearly for to own a home here.

Another unacceptable issue is that the house will be so high above the others that it will block a lot of sunlight for those of us below. Not only should we not have to walk around our area in semi-darkness during the day but this could decrease the ability of my solar panels to work to the fullest capacity and could affect the value of our homes.

The style and materials suggested are not even close to the look and feel of Oakshire and Ranch House Place.

Another concern is about the placement of this massive structure on such a slope. I'm not an engineer but how is this not seriously considered to be risky? If we have a good rainy season and the ground becomes too saturated/unstable and the structure slides into the homes below it could not only ruin the homes but could possibly injure or kill occupants/visitors/pets at those homes. If something catastrophic should happen it would be traumatic beyond imagination and would drastically decrease the value of our homes.

Please do not let this happen.

Thank you.

Sincerely,

Mary Acquazzino, owner  
28092 Barn Court at Ranch House Place