

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Appeal by Susan Merrill from the Planning)
 Commission's decision denying the application for)
 a Combined Development Permit)
 (Merrill/PLN070376) consisting of:)
 1) a Minor Subdivision Vesting Tentative Map to)
 allow the division of a 37.8 acre parcel into three)
 parcels of 10.5 acres (Parcel 1), 13.8 acres (Parcel)
 2), 7.5 acres (Parcel 3) and a remainder parcel of)
 6.0 acres; and;)
 2) Use Permit for development in a visually)
 sensitive area ("VS" District). (Appeal,)
 PLN070366/Wayland Minor Subdivision, 24975)
 Boots Road, Monterey).....)

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta, and carried by those members present, the Board of Supervisors hereby:

Remanded the Merrill project back to the Planning Commission for further project review and environmental analysis, with a focus on the stability of arsenic levels, water quality and quantity, identification of specific building envelopes and impacts to view issues and landscape as a whole.

PASSED AND ADOPTED on this 7th day of February, 2012, by the following vote, to-wit:

- AYES: Supervisors Armenta, Supervisor Calcagno, Salinas, Potter
- NOES: Supervisor Parker
- ABSENT: None

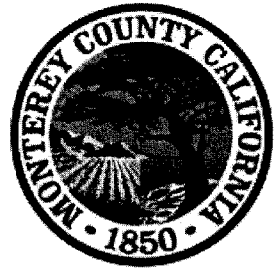
I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on February 7, 2012.

Dated: February 10, 2012

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

MONTEREY COUNTY
 RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT



MEMORANDUM FEB -6 PM 5:18

CLERK OF THE BOARD

Date: February 6, 2012

To: Board of Supervisors

From: David J. R. Mack, Associate Planner *DJR*

DH DEPUTY received during the
 4:00pm hour of
 2-6-12 DH-

Subject: Letter of Withdrawal – Wayland Appeal (PLN110079)
 Agenda Item S-4

On January 27, 2012, the Office of Brian Finegan, the applicant’s representative, submitted a letter of Withdrawal for the Wayland Combined Development Permit (PLN070366) and pending appeal (PLN110079) scheduled for February 7, 2012 to the RMA – Planning Department.

A copy of the letter has been attached for your reference.

In light of this information, portions of the Board Staff Report are no longer relevant, including the Draft Board Resolution for the Wayland project (PLN70366) (Exhibit B). However, the analysis and exhibits pertaining to the Merrill Combined Development Permit (PLN070376) and Merrill Appeal (PLN110078) remain pertinent.

Received by Clerk to the Board Additional Material for	
Board Agenda Date of:	Item No:
<i>2-7-12</i>	<i>S-4</i>
Dist 1 <input checked="" type="checkbox"/>	CAO <input checked="" type="checkbox"/>
Dist 2 <input checked="" type="checkbox"/>	County Counsel <input checked="" type="checkbox"/>
Dist 3 <input checked="" type="checkbox"/>	
Dist 4 <input checked="" type="checkbox"/>	
Dist 5 <input checked="" type="checkbox"/>	

BRIAN FINEGAN
A PROFESSIONAL CORPORATION
ATTORNEY AT LAW
SIXTY WEST ALISAL STREET, SUITE 1
POST OFFICE BOX 2058
SALINAS, CALIFORNIA 93902

AREA CODE 831
SALINAS TELEPHONE 757-3641
MONTEREY TELEPHONE 375-9652
FACSIMILE 757-9329
E-MAIL brian@bfinegan.com

January 27, 2012

David Mack
Associate Planner
Monterey County Planning Department
168 West Alisal Street, 2nd Floor
Salinas, California 93901

HAND DELIVERED

Re: Wayland (PLN070366)

Dear Mr. Mack:

Applicant Warren Wayland hereby withdraws his application for a Combined Development Permit (PLN070366), including the pending appeal presently scheduled for hearing before the Board of Supervisors on February 7, 2012.

Very truly yours,


Brian Finegan

cc: Warren Wayland
Clerk of the Board of Supervisors
Joel Panzer

Received by Clerk to the Board Additional Material for	
Board Agenda Date of:	Item No:
27-12	84
Dist 1 <input checked="" type="checkbox"/>	CAO <input checked="" type="checkbox"/>
Dist 2 <input checked="" type="checkbox"/>	County Counsel <input checked="" type="checkbox"/>
Dist 3 <input checked="" type="checkbox"/>	
Dist 4 <input checked="" type="checkbox"/>	
Dist 5 <input checked="" type="checkbox"/>	