

# Exhibit E

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**MINUTES**  
**Carmel Highlands Land Use Advisory Committee**  
**Tuesday, January 16, 2024**

1. Meeting called to order by Doug Paul at 4:00 pm

2. Roll Call

**Members Present:**

John Borelli, Dan Keig, Chip Moreland, Clyde Freedman, Donna Kostigan and Doug Paul (6)

**Members Absent:**

(0)

3. Approval of Minutes:

A. November 6, 2023 minutes

Motion: Will approve at the next meeting (LUAC Member's Name)

Second: \_\_\_\_\_ (LUAC Member's Name)

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

N/A

5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

N/A

B) Announcements

John Borelli raised the issue with Fionna Jensen of agendizing site visits when the project site is gated and locked. A request was made to Fionna Jensen that CH LUAC would like to agendize all such projects and if Planning could arrange for this. Fionna Jensen said she would advise Planners of this request.

7. Meeting Adjourned: \_\_\_\_\_ pm

Minutes taken by: Doug Paul

# 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: Carmel Highlands

1. **Project Name:** VAN ESS PROPERTIES LLC  
**File Number:** PLN230217  
**Project Location:** 182 VAN ESS WAY, CARMEL, CA 93923  
**Assessor's Parcel Number(s):** 241-311-036-000  
**Project Planner:** Fionna Jensen  
**Area Plan:** Carmel Area Land Use Plan  
**Project Description:** Combined Development Permit consisting of a: 1) Coastal Administrative Permit and Design Approval to allow demolition of the existing 5,100 square foot single family dwelling and construction of a replacement 16,120 square foot two-story single family dwelling, inclusive of 2,463 square foot basement and an attached 740 square foot garage; and associated site improvements; 2) Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Area; 3) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and 4) Coastal Development Permit to allow the removal of one (1) Monterey Cypress tree.

Was the Owner/Applicant/Representative present at meeting? YES X NO       

(Please include the names of those present)

Project Representatives: Laura Lawrence (Law office of Aengus Jeffers, David Stocker (Stocker & Allaire),  
Neighbors: Michael Adams, Jeanne Adams, Charlotta Mellon, Linda Miller, Michelle Alway, David George,  
Carol George, Lorraine O'Shea & Jennie Burciaga

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Was a County Staff/Representative present at meeting? Fionna Jensen (Name)

### PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Michelle Alway & David George	X		Raised concern for the closeness of the structure to the steep grade and asked how support for the integrity of the slope would be maintained.
Michelle Alway	X		Raised a concern that the two adjacent properties would be developed at the same time and would lead to added construction disruption to the neighborhood

Michelle Alway	<b>X</b>		Raised a concern that the rooftop “terrace” exposes her home and compromise her current privacy.
Michael Adams	<b>X</b>		The turn-around area in front of his residence should be kept free of parking. It is for residents, visitors, emergency vehicles to tun around.
Jeanne Adams	<b>X</b>		Suggested that trees and shrubs along Van Ess should be trimmed back to improve construction vehicle and access as well as to ensure they are not damaged.

**PUBLIC COMMENT (CONTINUED):**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Jim	<b>X</b>		Raised a concern that heavy construction equipment will degrade the road. This is a street constructed for light traffic.
Jim			Raised a concern that since this is a private road any degradation to the road caused by construction will not be repaired. The size and weight and size of construction trucks should be limited. In addition, some utilities are underground under the street, such as power and water, that could be comprised by oversized construction equipment.
Jim			Raised the issue that this is a street that many residents walk on and will require caution by trucks and construction vehicles.
Jim			Raised the issue that there is no space for parking of construction vehicles on the street, so staging and parking offsite should be instituted. This is a safety concern. Many residents are advanced in age so traffic and ambulance access should not be negatively impacted.
			Raised the issue that the construction should be limited to 8:00 AM to 5 PM and not interfere with mail delivery & garbage pickup.
Jennie Burciaga	<b>X</b>		Raised a concern about the “end-state” of the road and if there were degradation, who would be responsible for restoration. Also, that there should be on-going maintenance during the construction phase.

Jennie Burciaga	X		Raised the issue of the difficulty of access to Van Ess from Highway 1 north or south. This is a safety issue for on-coming traffic as well as school bus drop off and pickup.
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## 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)
N/A		

## ADDITIONAL LUAC COMMENTS

This project architecture has the support of the neighborhood. There are no variances. The owner has owned the property(s) and the structure(s) on the property (which will be demolished in favor of a new design) for many years and is committed to the Carmel Highlands. Although this is a second home for the owner and not the primary residence, it will not be utilized as any type of rental property. The proposed structure is a tasteful design and integrates well with the property, taking advantage of a low-profile design with natural structural elements. This is welcomed by the neighborhood as the structure is in the view of the coastline and yet from the neighborhood perspective is not visible.

There was a large representation present from the neighborhood with a considerable amount of public comment. For the most part the resident comments were focused on the construction aspects of the project and NOT on the architecture. The representative for the applicant (Laura Lawrence) and the builder (David Stocker) were patient, listened intently and were responded to all of the resident concerns and suggestions. Ultimately reassuring that the construction phase, which is estimated at 2.5 to 3 years, will be managed carefully and fully. The contractor has experience in developing projects in confined exclusive communities and based on that experience will work to satisfy all the safety and convenience aspects of the construction phase to the satisfaction of the residents. The neighbors present were generally satisfied with the applicant's representative and contractor's stated commitment to the neighborhood concerns.

In response to some of the neighbor's comments about road maintenance, Fiona Jensen remarked that the construction management plan would cover mitigating damage from construction trucks.

## RECOMMENDATION:

Motion by: Chip Moreland (LUAC Member's Name)

Second by: Dan Keig (LUAC Member's Name)

X Support Project as proposed – **See comments**

       Support Project with changes

       Continue the Item

Reason for Continuance: \_\_\_\_\_

Continue to what date: \_\_\_\_\_

Ayes: John Borelli, Dan Keig, Chip Moreland, Clyde Freedman, Donna Kostigan and Doug Paul (6)

Noes: (0)

Absent: (0)

Abstain: (0)

# 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: Carmel Highlands

2.                   **Project Name:** VAN ESS PROPERTIES LLC  
                      **File Number:** PLN230218  
                      **Project Location:** 179 VAN ESS WAY, CARMEL, CA 93923  
**Assessor's Parcel Number(s):** 241-311-037-000  
                      **Project Planner:** Fiona Jensen  
                      **Area Plan:** Carmel Area Land Use Plan  
                      **Project Description:** Combined Development Permit consisting of 1) Coastal Administrative Permit and Design Approval to allow construction of a 2,266 square foot single family dwelling and associated site improvements; 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and 3) Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Area.

Was the Owner/Applicant/Representative present at meeting?   YES   X   NO       

(Please include the names of those present)

Project Representatives: Laura Lawrence (Law office of Aengus Jeffers, David Stocker (Stocker & Allaire),  
Neighbors:   Michael Adams, Jeanne Adams, Charlotta Mellon, Linda Miller, Michelle Alway, David George,  
Carol George, Lorraine O'Shea & Jennie Burciaga

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Was a County Staff/Representative present at meeting?   Fiona Jensen   (Name)

### PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
			See the previous project comments

### 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.)
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### ADDITIONAL LUAC COMMENTS

Since this project property is adjacent to the previous project with the same applicant & construction company, the public comment on the construction phase for the previous project all apply but were not repeated.

The project in itself was a welcome addition to the neighborhood because it includes the demolition of an existing A-frame structure that is in poor condition and not representative of the neighborhood.

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### RECOMMENDATION:

Motion by: Donna Kostigan (LUAC Member's Name)

Second by: Norm Leve (LUAC Member's Name)

X Support Project as proposed **See comments**

       Support Project with changes

       Continue the Item

Reason for Continuance: \_\_\_\_\_

Continue to what date: \_\_\_\_\_

Ayes: John Borelli, Dan Keig, Chip Moreland, Clyde Freedman, Donna Kostigan and Doug Paul (6)

Noes: (0)

Absent: (0)

Abstain: (0)

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