



P.O. Box 716
Saratoga, California 95071

September 5, 2018

Mr. Joseph Sidor, Planning Associate
Monterey County Planning Department
1441 Schilling Place, 2nd Floor
Salinas, California 93901

RE: Monterey County Planning # PLN171046_040918 – 2707 Pradera Rd. – Chapman Residence

Dear Mr. Sidor:

Per our conversation of June 30, 2018, I am following-up in writing with you concerning the results of our survey record and exploratory work of our site at 2700 Ribera Road in Carmel Meadows. We have concluded the flowing with respect to our property that adjoins the subject along its rear boundary line.

1. The Monterey Cypress hedge that provides the visual screen between our property and that of the subject was planted entirely on our parcel.
2. The hedge in question is formed from two trunks that both exceed 24 inches in diameter and are about forty years in age. Our arborist has confirmed its protected status (see attached).
3. The trunk of the most prominent portion of the hedge currently has grown about 1-2 inches into the property boundary of the subject as it has matured. The foliage extends several feet into the subject and the supporting main trunk may also overhang the property boundary.
4. We have been advised by our county certified arborist Brian Jacobson of Smith Tree Service that pruning to the property boundary of the hedge in question of the 2707 Pradera Road side of the hedge would not only expose brown understructure that would not regenerate green foliage, but also threaten the health of the hedge itself, and perhaps its demise (see attached).

The rear lot line fence in the location as proposed will require extensive pruning of the existing mature dividing and screening hedge. As owners of the hedge, we would request that the county request a plan for pruning from the project owner prepared by a certified arborist that would provide reasonable guidelines ensuring survival of the hedge and its continued viability as a screening element. We would also recommend that the owner consider relocating the fence on the plan so as to help assure the survival and viability of the hedge. In the absence of such there could be legal consequences for all.

We look forward to a working relationship with our neighbors, but also believe the county should take some reasonable steps in protecting our property whose value would be significantly diminished if the health of the screening hedge was jeopardized, given the scale of the proposed structure behind it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carl Fisher".

Carl Fisher, Acting Trustee, Carl J. Fisher Exemption Trust
2700 Ribera Road, Carmel Meadows

Brian A. Jacobson

ISA Certified Arborist
No. WE 0422A

CA Contractor's License
No. 649998



stree@redshift.com
www.smith-tree-service.com

(831) 649-4343
(831) 809-6709 Cell

September 5, 2018

Carl Fisher
Box 1186
Pinecrest, CA 95364
(209)965-3600 office
(209)888-402-3956 fax
cfisher@facilicom.org

Re: Cypress hedge at 2700 Ribera Road, (Carmel Meadows development) Carmel, 93923

Dear Mr. Fisher,

In mid-June we met at your property to discuss the mature cypress hedge that stands on your property upslope southeast of your house. You expressed concern for its continued well-being, given that a new dwelling construction is planned for the vacant parcel adjacent to and southeast of you at 2707 Pradera (APN 243-032-020).

This hedge is comprised of two Monterey Cypress (*Cupressus macrocarpa*, updated to *Hesperocyparis macrocarpa*) that have dense and abundant branch structure. Because of the density of the branching, it is difficult to measure exactly the diameters of the main stems, though they have broad bases and main stem diameters of *at least* 12 inches and 16 inches at breast height (dbh). These are well above the threshold size (of 6 inch dbh) that qualifies these as protected trees as defined by Monterey County statute. Monterey Cypress is one of (at least) four native protected species in this Land Use Zone.

You mentioned that the hedge had been planted many years ago by your father, who owned the property before you. This had been maintained as a dense screen to provide privacy for the back yard space and rear windows. You also mentioned that a property line survey had been recently performed and it was discovered that some of the cypresses that comprise this screen also straddle the property line, and

you're concerned that if a new fence were placed directly on the property line, the result would be the destruction of one or more of the cypresses and a loss of privacy screen.

Legal precedents have been established to protect trees, as they are unable to understand human concepts like "property line," "view easement," and "succession of ownership," so cutting in a way designed to enforce property lines can result in legal peril. Cutting branches, roots, and shaving main stems back to the property line would result in damage that would soon cause the death and/or collapse of these trees. Additionally, it is possible to assign a dollar value to the hedge, given a well-established appraisal process. The International Society of Arboriculture has several publications that pertain to this, and a good place to start would be "Arboriculture & The Law," by Victor Merullo and Michael J. Valentine. ISA publications are available through their website.

Optimally, the hedge could be preserved and its privacy screen function be retained. In my estimation this row of trees would tolerate some trimming, whether lower branches were headed back or removed entirely, in order to make space for a fence that would be near, though not necessarily on the property line. A more comprehensive conversation would be appropriate regarding proposed fence placement, trimming tolerances, cultivation of proposed landscaping, and other factors, before doing any cutting or construction.

Please contact me if you have other questions.

Sincerely,

Brian

Brian A. Jacobson
President
ISA Certified Arborist No. WE-0422A
ISA Qualified Tree Risk Assessor

2730 Ribera Rd.
Carmel, CA 93923

September 7, 2018

Mr. Joseph Sidor
Associate Planner, Monterey County RMA-Planning
1441 Schilling Place
Salinas, CA 93901

Dear Mr. Sidor,

We are the downhill and backyard neighbors to the Woung Chapman's property at 2707 Pradera Rd., Carmel, CA. We would like to share our views of the proposed plans (pln 171046) for the residence at that address, and to ask for the help of the Zoning Commission in addressing design issues that make the proposed home oppressive when experienced from our home.

The design of the house violates the spirit of the FAR requirements by exempting an interior courtyard from the FAR calculation. This allows the structure to spread out much closer to the neighbors than the FAR was designed to allow. In our case, it is the second-story, very large, covered deck that looms over the back of our home, specifically, our dining room and master bedroom (see photos below). One of the purposes of the FAR limits is to allow for particular neighborhoods to maintain separation between homes appropriate for the particular neighborhood's settings. The Carmel Meadows neighborhood is not a dense urban neighborhood, and no new house built in the neighborhood should impinge on its neighbors as much as the proposed house would. Simply put, if the perimeter of the proposed house were filled in, the house would exceed the FAR limit, and therefore would not be approved. The interior courtyard may be a design feature that benefits the homeowners, but it will harm all of its neighbors and should not be allowed as proposed.

For us, the impingement is compounded by the structure and function of the part of the proposed home that is closest to us: it is a deck, a public social space. Indeed, it is a large, second-story deck with an outdoor kitchen and pizza oven. Its use for gatherings commensurate with its capacity would substantially violate our privacy. There is also a daylight issue for us where the roof over the 9' high outdoor deck presents a monolithic, light-blocking structure.

We probably would not be raising these issues with you if it were not for a stunningly improper decision by the Carmel Meadows Homeowners Association Architectural Review Committee to approve the proposed house despite multiple neighbors' unrefuted objections. In addition to being grossly out of character with its immediate surroundings, the proposed home squarely violates the Carmel Meadows CCRs' 20-foot setback from the rear lot line of the Fisher home next to us. If the CCRs had been enforced as written, the proponents of this house would have had to return to their drawing boards.

We would like you to consider how this proposed plan impacts our home and that of our neighbors and we ask you to recommend an adjustment in the design to either make use of the interior, FAR-exempted space of the home to reduce impingement on our and other neighbors' privacy, or recommend a reduction in the size or nature of the deck to compensate for this abuse of FAR.

Respectfully submitted,

Ss//Diane Guinta and Paul Goldstein
2730 Ribera Rd.
Carmel, CA 93923

Photo of 2707 Pradera Story Poles
from our Master Bedroom, taken at eye
level by a 5'4" person

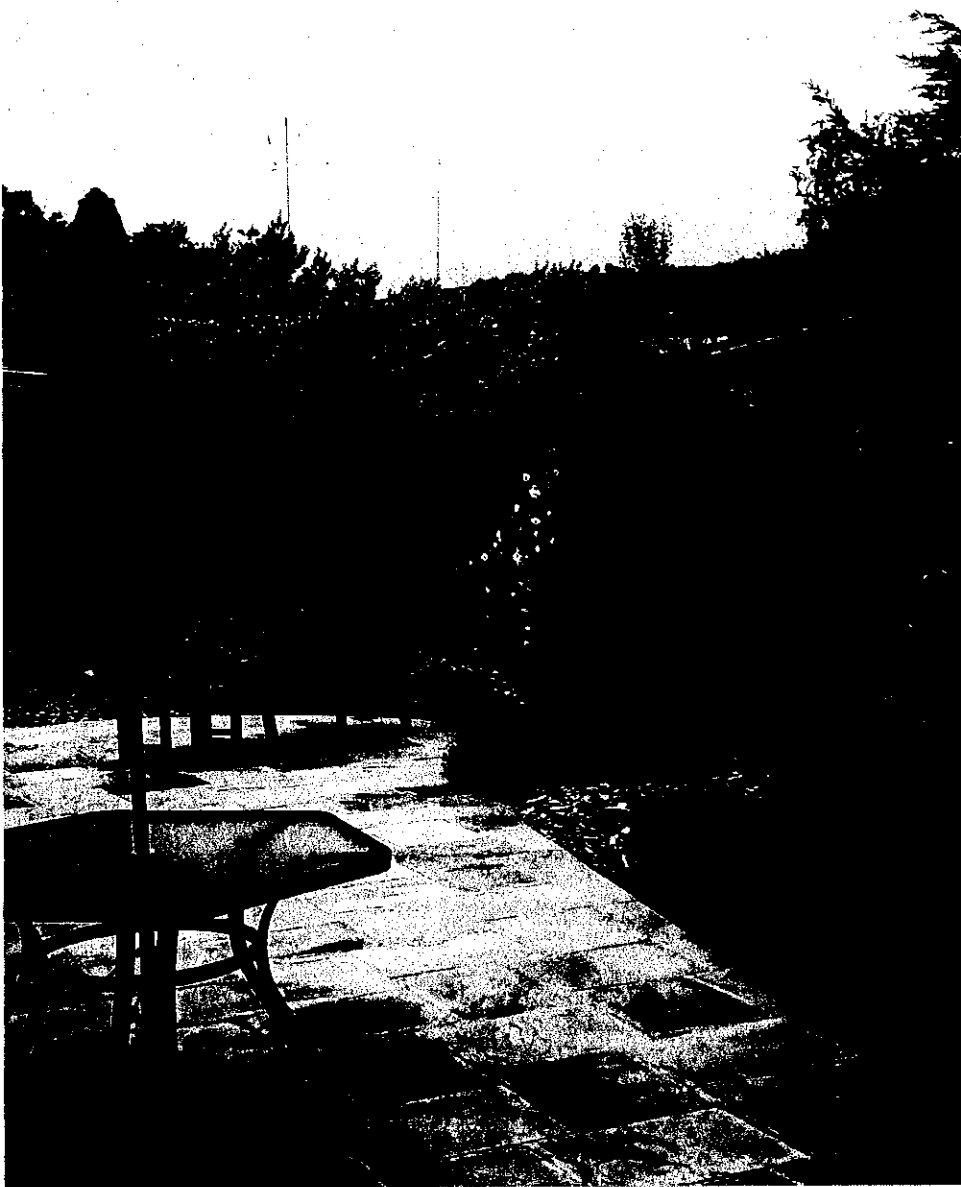


Photo of 2707 Pradera Story Poles
from our Master Bedroom, taken at eye
level by a 5'4" person



NOLAND
HAMERLY
ETIENNE
HOSS

Attorneys at Law

A PROFESSIONAL CORPORATION

Received by RMA-Planning
on September 6, 2018.
Agenda Item 3 - PLN171046

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E-MAIL CKEMP@NHEH.COM
831-424-1414 EXT. 271
OUR FILE NO. 22065

September 6, 2018

Stephen W. Pearson

Lloyd W. Lowrey, Jr.

Anne K. Secker

Randy Meyenberg

Michael Masuda

Christine G. Kemp

Terrence R. O'Connor

Timothy J. Baldwin

* Charles Des Roches

* Leslie E. Finnegan

Ana C. Toledo

* Robert D. Simpson

Lindsey Berg-James

Nicholas W. Smith

Retired

Peter T. Hoss

James D. Schwefel, Jr.

Jo Marie Ometter

Harry L. Noland
(1904-1991)

Paul M. Hamerly
(1920-2000)

Myron E. Etienne, Jr.
(1924-2016)

* CERTIFIED SPECIALIST IN
PROBATE, ESTATE PLANNING,
AND TRUST LAW BY
THE CALIFORNIA BOARD OF
LEGAL SPECIALIZATION
STATE BAR OF CALIFORNIA



VIA E-MAIL AND BY HAND-DELIVERY

Mike Novo, Monterey County Zoning Administrator
c/o Joseph Sidor, Project Planner
Monterey County Planning Department
1441 Shilling Place, South 2nd Floor
Salinas, CA 93901

Re: PLN171046 Woung-Chapman Residence
2707 Pradera Road, Carmel 93923

Dear Mr. Novo:

I am writing on behalf of John and Teresa Salvo, owners of the home at 2717 Pradera Road, immediately east of the proposed Woung-Chapman residence at 2707 Pradera Road ("the Project"), in the Carmel Meadows subdivision as shown on **Exhibit 1**.

The purpose of the Design Control District is to regulate the location, size, configuration, materials, and colors of a project to assure protection of neighborhood character and to assure the visual integrity of certain developments without imposing undue restrictions on private property. (MCC §20.44.010).

This Project is out of character with the neighborhood. The large mass, unbroken walls, and flat roof with no roof definition, create a stark bunker-like appearance, which is not in keeping with the surrounding homes. The Applicant claims the home is similar to others in the neighborhood, but it is not. In fact, the homes the Applicant uses as examples of similar homes in the neighborhood, confirm this. These homes all have varied rooflines, off set walls, windows, and decks, and provide visual relief on their façade, as shown on **Exhibit 2** (renderings of the Project, along with photos from the Applicant's neighborhood study). Clearly, this Project's stark bunker-like appearance is not in keeping with the homes in the surrounding area.

In addition to being out of character with the neighborhood, the Project, blocks the Salvos' view of Point Lobos to the southwest, as shown on **Exhibit 3**, as well as a portion of their ocean view to the west.

HONE 831-424-1414

FROM MONTEREY 831-372-7525

FAX 831-424-197

333 SALINAS STREET POST OFFICE BOX 2510 SALINAS, CA 93902-2510

22065\001\850069.1:9618

The Project also has a large bank of windows facing east which look directly into the Salvo's property, impacting privacy and creating glare and light issues.

To address the Salvo's concerns, we ask that the County require, at a minimum, the following revisions be made:

1. Lower the roof over the garage by 18" to provide relief to the front of the house and, reduce the bunker-like appearance of the structure, as well as, reduce the project's impact to the Salvos' adjacent property, as shown on Exhibit 4.

The Applicant argues they cannot lower the garage roof, because, if they do, they will lose their ocean view, which is not the case. There is no view from the garage. Moreover, the garage has an internal ceiling height of 10'-6" see Exhibit 4. With this high ceiling, 18" of height can be removed from the garage by simply lowering the finished ceiling height from elevation 108'-6" to 107'-0", which would still give the Applicant an internal garage height of 9' (garage finished floor 98'-0" - 107'-0" = 9' high ceiling). The garage is also built on fill, the grade of which could also be lowered to reduce the overall height of the garage.

Alternatively, shifting the garage to the north approximately 10 feet (or the width of the laundry room), and relocating the laundry area to another location within the structure, as shown on Exhibit 4, would provide visual relief to the building's front elevation.

2. Eliminate the east facing upper story windows that look into the Salvo property, to reduce both privacy and light/glare issues. Eliminating these windows does not impact the Applicant's primary view, as the view from the Woung-Chapman home is oriented to the northwest with large windows facing this direction, as shown on Exhibits 4 and 5.

The Salvo's also suggest lowering the ceiling height on the master bedroom to give the house and roof more variation, as shown on Exhibit 4, but that is not as essential to them as addressing the garage height and east facing windows.

While the County does not protect private views, in doing so, it should not allow one applicant to enhance their private views, at the expense of an existing resident, particularly when the new applicant is working with a vacant parcel and can design their home in a manner that provides them with the view they want, while not taking away a neighbor's existing view, or looking directly into their property.

The Salvos' request provides a compromise that gives the Applicant the square footage, floor plan, and views they want, yet brings the front of the house down to a scale that is more in line with the character of the neighborhood, by creating a more

Monterey County Planning
c/o Joseph Sidor
September 6, 2018
Page 3

varied facade and lower profile along the front of the building, thereby reducing the overall massing and bunker-like appearance of the building.

In this case, both parties can obtain what they want without unreasonable interference with the other. Compromise is required. The project is being designed by noted architects. It is clear they have the expertise to make design changes to the home.

The Salvos were precluded from expressing their concerns to the Carmel Meadows Association's Architectural Review Committee when the home was reviewed by the two-member ARC, as the Salvos were not given notice of the meeting on the Project. Thereafter, the LUAC simply rubber-stamped the Project, essentially stating, "If the ARC approved it, we are ok with it.", paying no attention to the Salvo's concerns. The HOA comments were not the standard by which the LUAC should have reviewed the Project.

We request that, as Zoning Administrator, charged with the authority to implement the County's Design Approval regulations, you use your independent judgment to assure the protection of neighborhood character and the visual integrity of the area, as required under the Monterey County Code Design Approval regulations.

These revisions will protect the neighborhood character and visual integrity of the Carmel Meadows development, as well as lessen the Project's impact on the Salvo's property, without imposing an undue restriction on the Woung-Chapman property.

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation


Christine G. Kemp

CGK:aac

Encls: Exhibit 1 -- Salvo property in relation to Project
Exhibit 2 - Applicant's Project rendering, and photos of surrounding homes
Exhibit 3 -- Salvos' view loss
Exhibit 4 -- Requested plan revisions
Exhibit 5 -- Applicant's view diagrams

cc: Clients

EXHIBIT 1



Salvo

Project Site

EXHIBIT 2



SAN DIEGO ARCHITECTURE

WATKINS QUADMAN RESIDENT

BRIDGING - PLATE 1 A 10' X 11' APPROXIMATELY 10' X 11' EAST

Proposed Project

Salvo Property



JAN PIECHOVA ARCHITECTURE

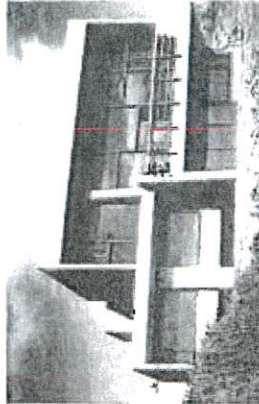
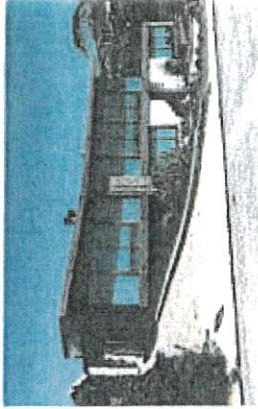
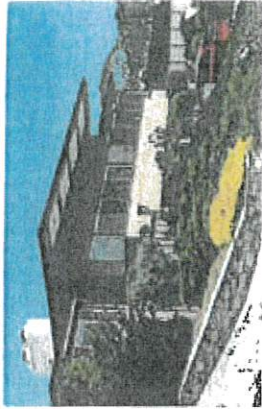
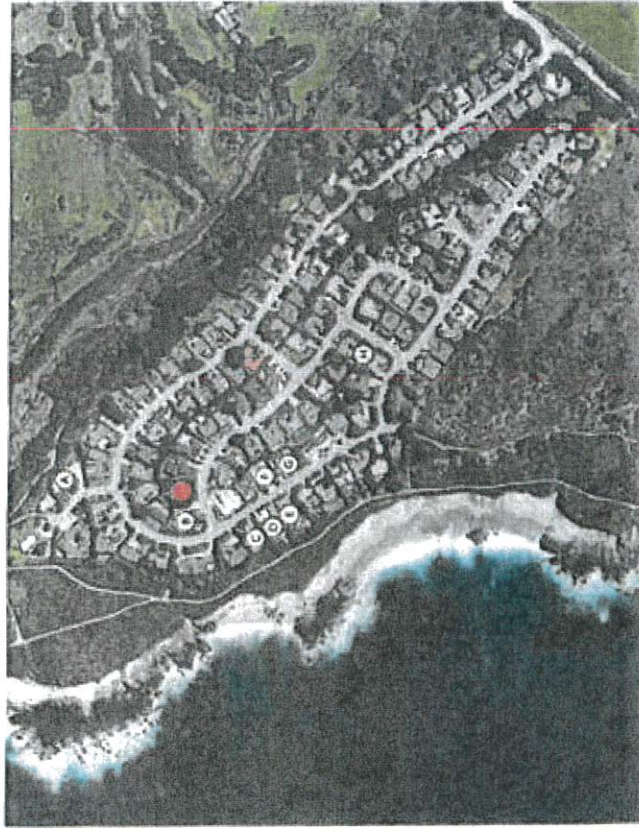
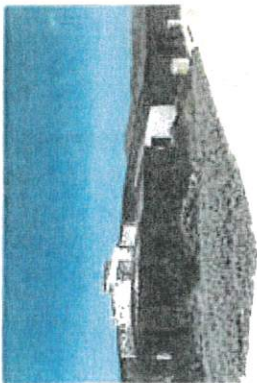
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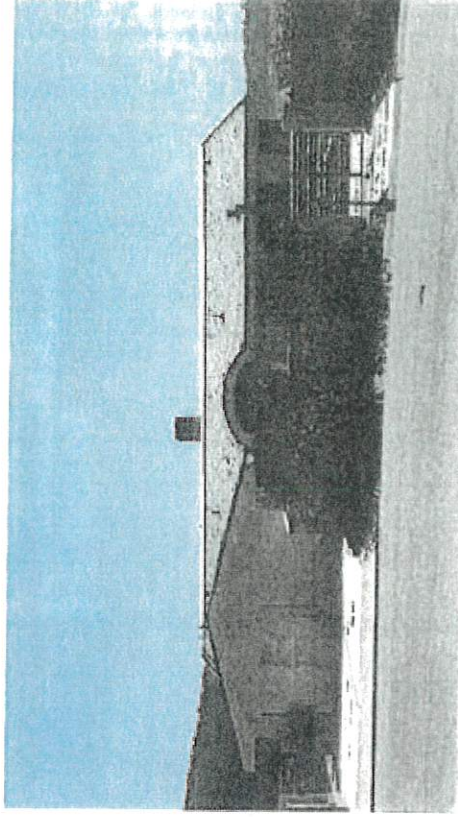
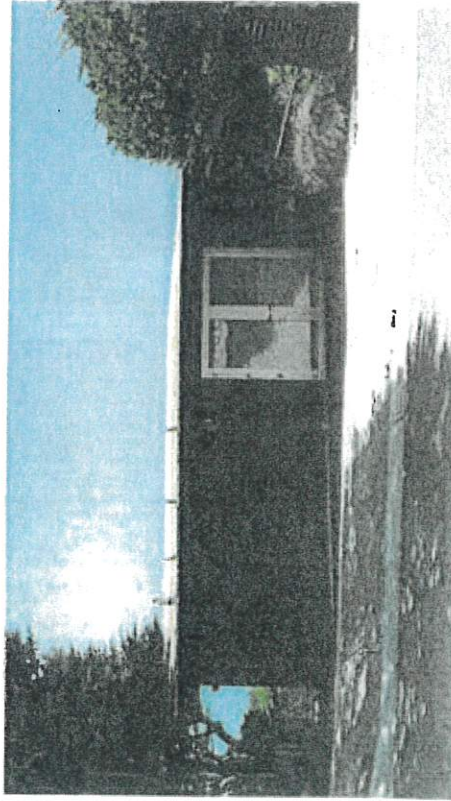
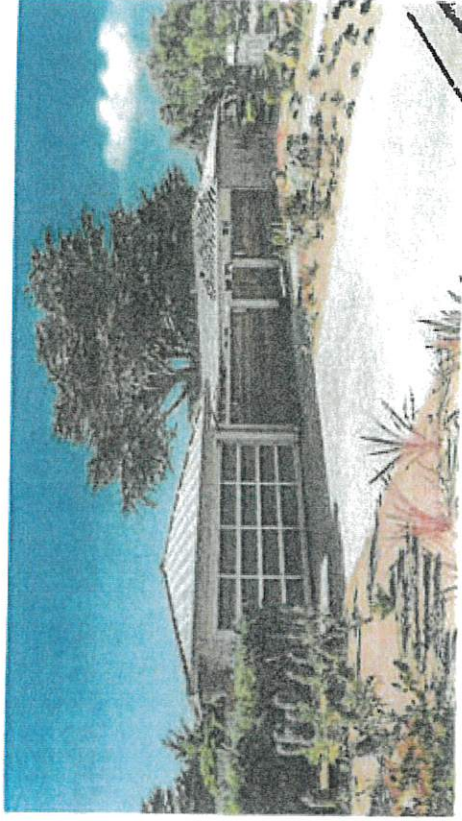
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05

Proposed Project

Salvo Property





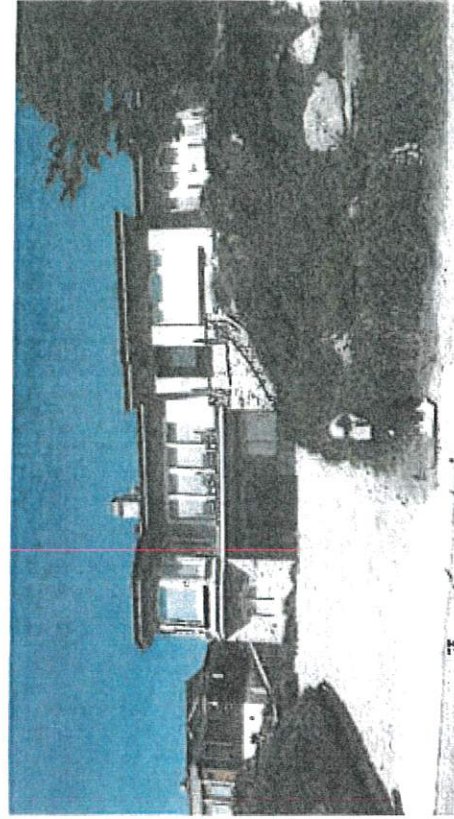
- APPROXIMATE 180° SINGLE-STORY HOUSE AT STREET LEVEL LOCATED WITHIN CANYON MEADOWS NEIGHBORHOOD
- FRONT APPROACH, STAIRS LEADING TO GARAGE DOORS
- FRONT PORCH ACCESS FROM STREET WITH STRAIGHT FORWARD APPROACH TO ENTRY DOOR

JAN PIECHOTA ARCHITECTURE | 1022

WOLING CLADMAN DECIDENISE

NEIGHBORHOOD CHARACTER STUDY - SINGLE-STORY STREET PORCHES

Applicant's surrounding home examples



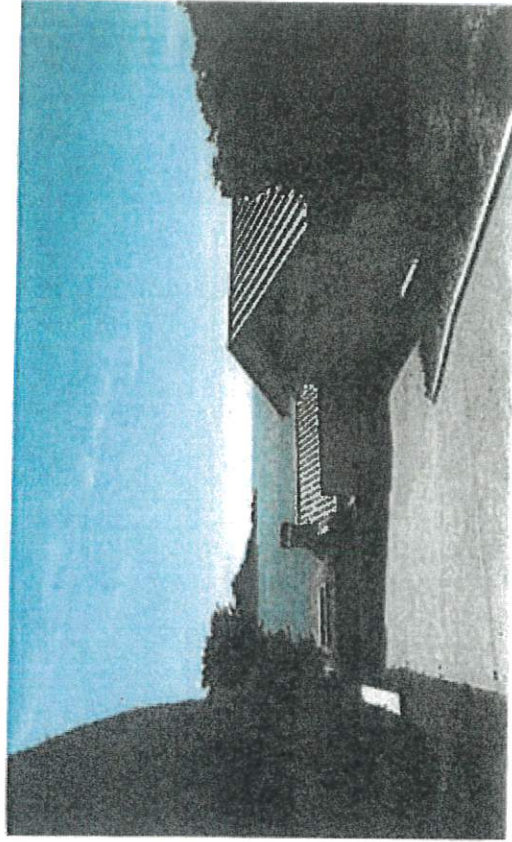
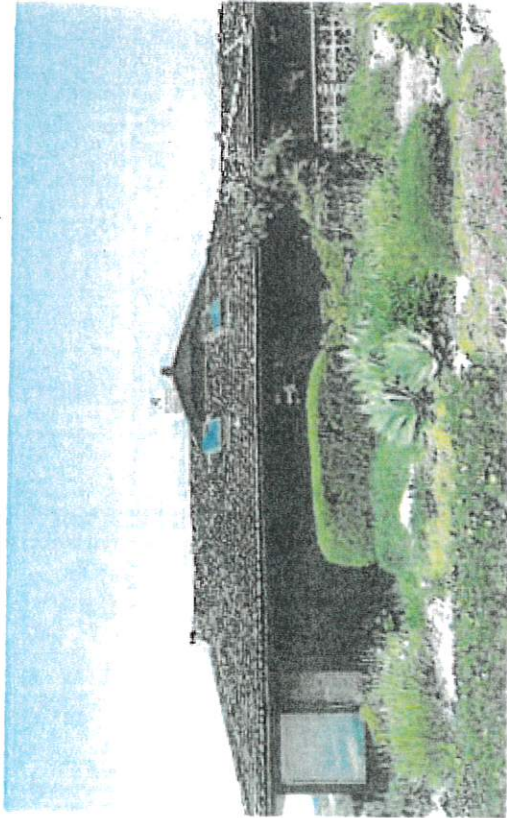
- APPROXIMATE 40+ HOMES ARE TWO-STORIES OR MORE WITH AN OPEN, RUSTIC, MODERN NEIGHBORHOOD
- STORIES VOLUMES LOCATED AT BOTH THE FRONT AND REAR OF THE PROPERTY
- LARGE INDOOR AND OUTDOOR LIVING SPACES AT SECOND FLOOR
- LARGE WINDOW WALL AT SECOND FLOOR TO CAPTURE SUNLIGHT & VIEWS

WINN CLADMAN DESIGN INC

APPROXIMATE 40+ HOMES ARE TWO-STORIES OR MORE WITH AN OPEN, RUSTIC, MODERN NEIGHBORHOOD

JAN PIEKOTA ARCHITECTURE | 800.800.8000

Applicant's surrounding home examples



SAN PIECHOTA ARCHITECTURE | 2008

VARIOUS QUADMANI DECISIONS

- MORE THAN 100% OF THE HOME IN THE CHURCH, PLEASANT HILLS, CALIFORNIA
- DOMINANT WOOD BOARDING TYPES INCLUDE BROWN AND BATTEN, SHIP LAP, SHEDDING, AND TONGUE & GROOVE
- VERTICAL WOOD PICKET FENCE A COMMON FENCE TYPE AND MATERIAL
- OTHER NATURAL MATERIALS AND FEATURES INCLUDE LIGHT COLORED CONCRETE, STAINED-GLASS, METAL, ZINC, AND SMOOTH STUCCO

NEIGHBORHOOD: CHURCH, PLEASANT HILLS, CALIFORNIA

13

Applicant's surrounding home examples

EXHIBIT 3

Salvo View Blocked



Salvo View Blocked





CHOBOR'S DECK VIEW

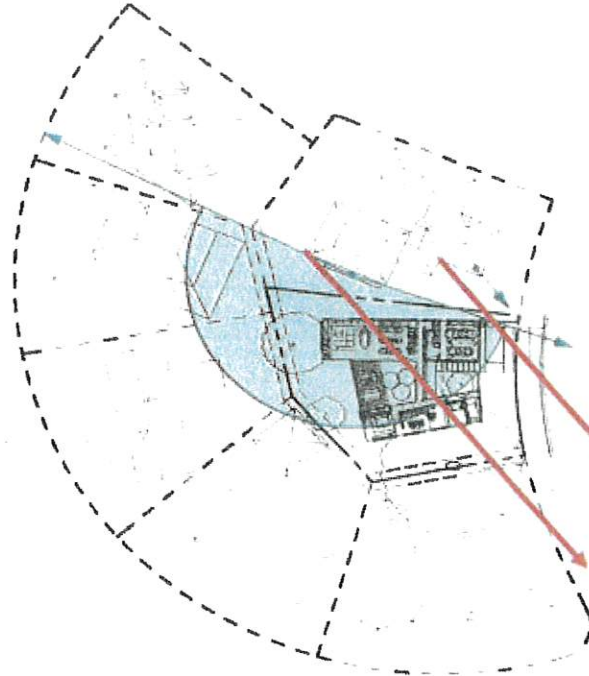
- TAKEN FROM MIDDLE OF NEIGHBOR'S DECK AT +5'-4" (EYE LEVEL) ABOVE SECOND LEVEL FINISH FLOOR

Salvo View Blocked



NEIGHBOR'S LIVING ROOM VIEW

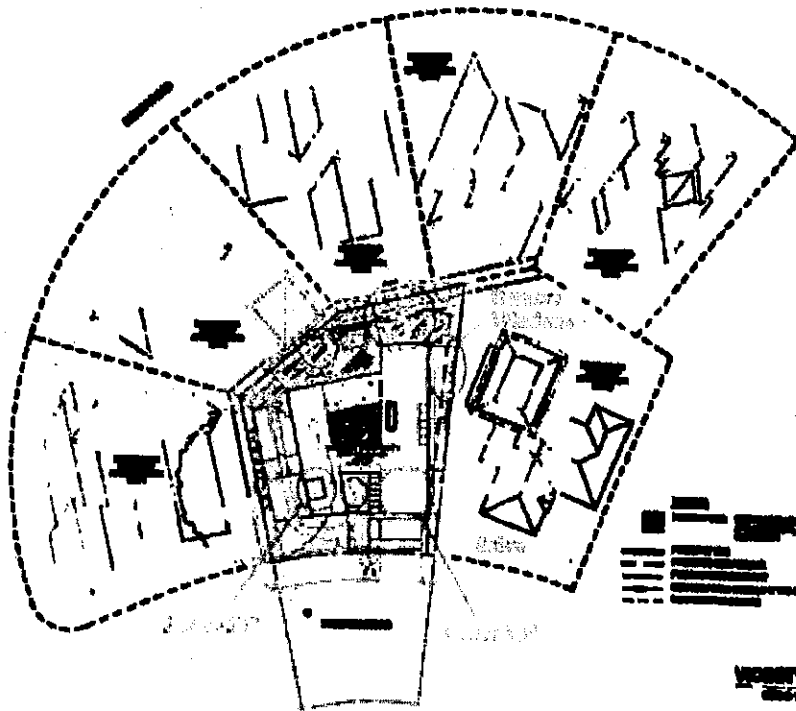
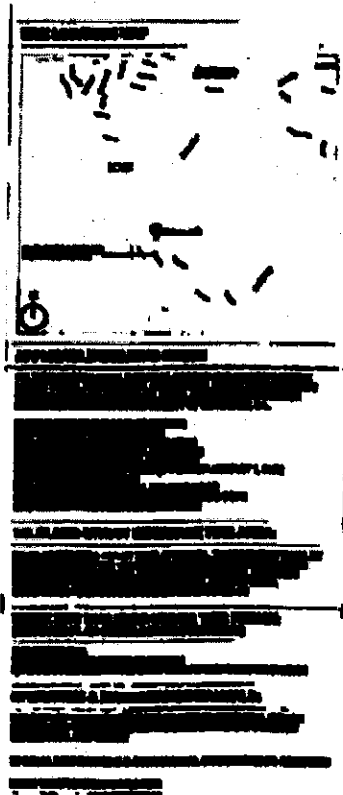
- TAKEN FROM CORNER WINDOW INSIDE NEIGHBOR'S LIVING ROOM AT +5'-4" (EYE LEVEL) ABOVE GROUND LEVEL FINISH FLOOR



FLAGGING STORY-POLE INDICATES
SW CORNER OF PROPOSED GARAGE

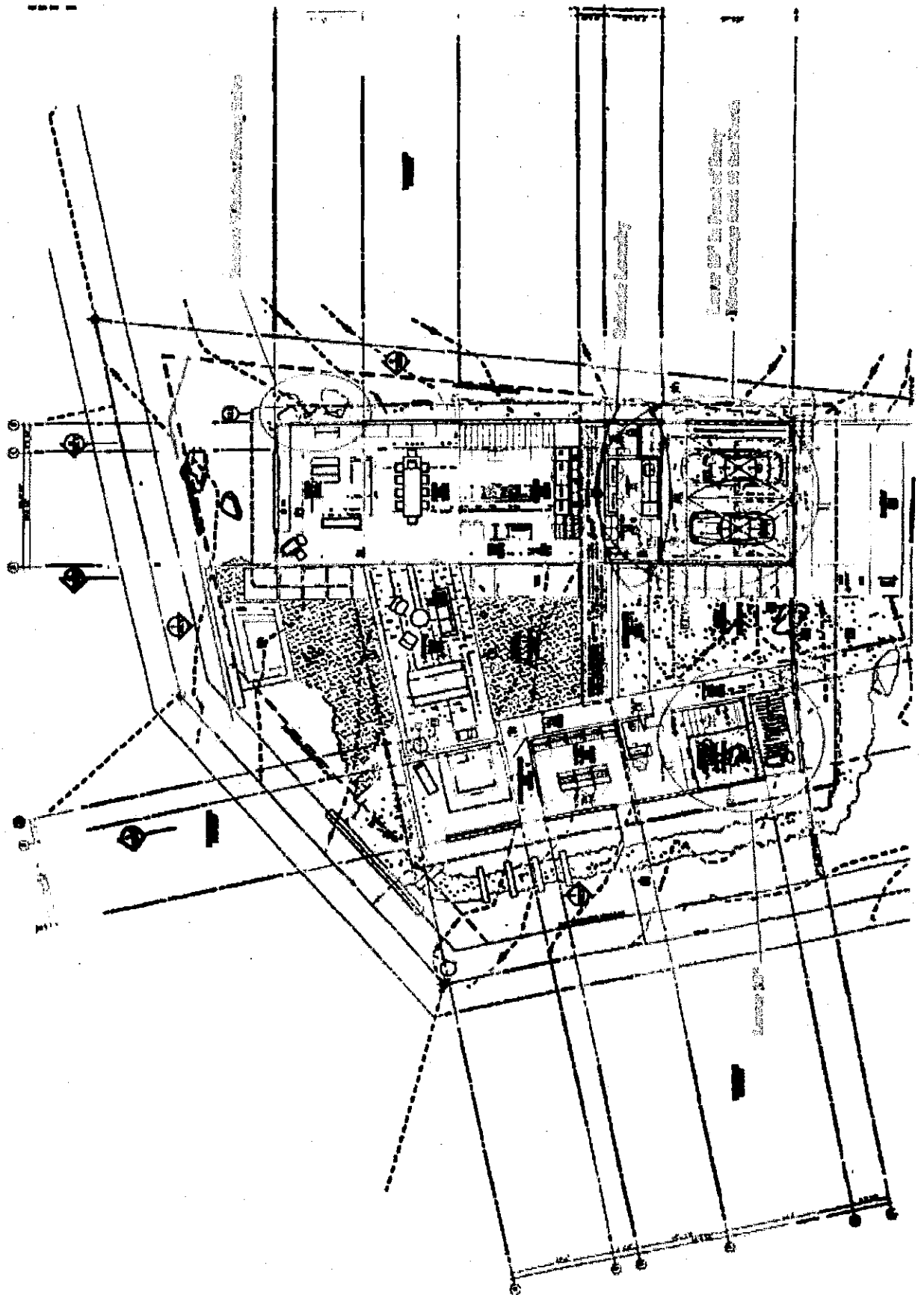
EXHIBIT 4

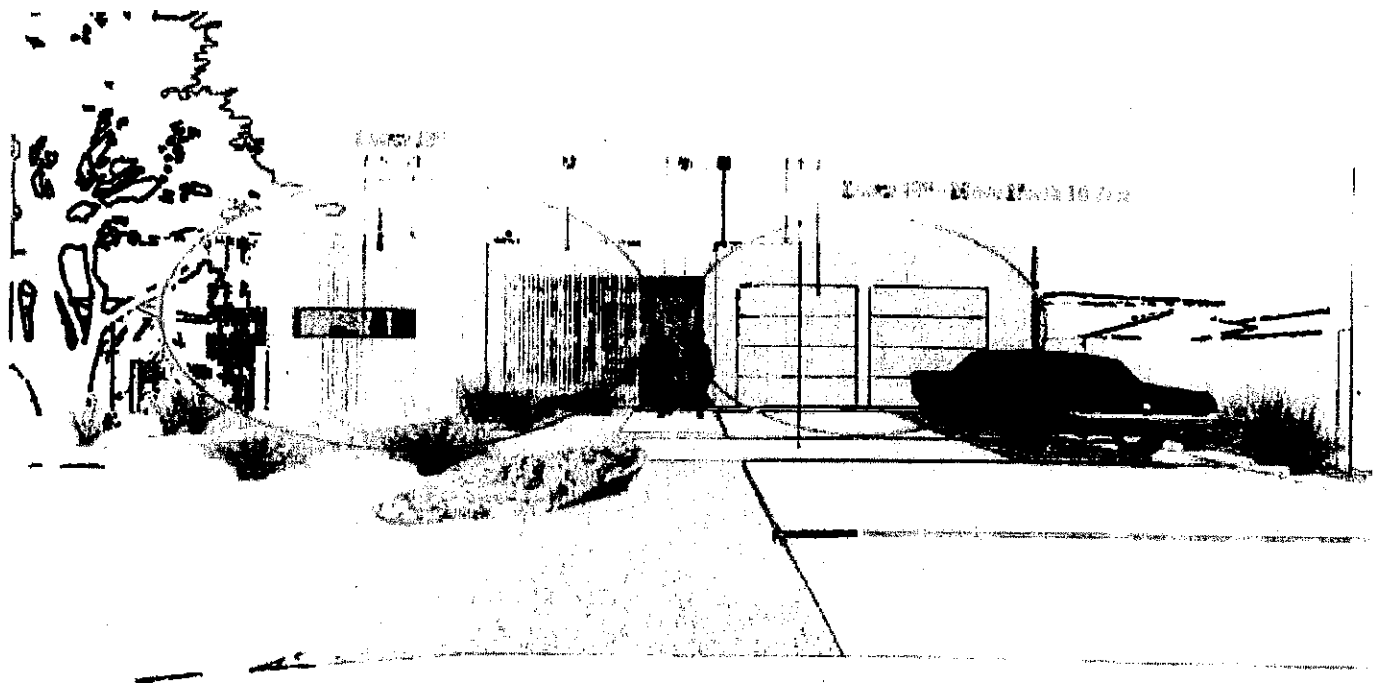
WOUNG - CHAPMAN RESIDENCE



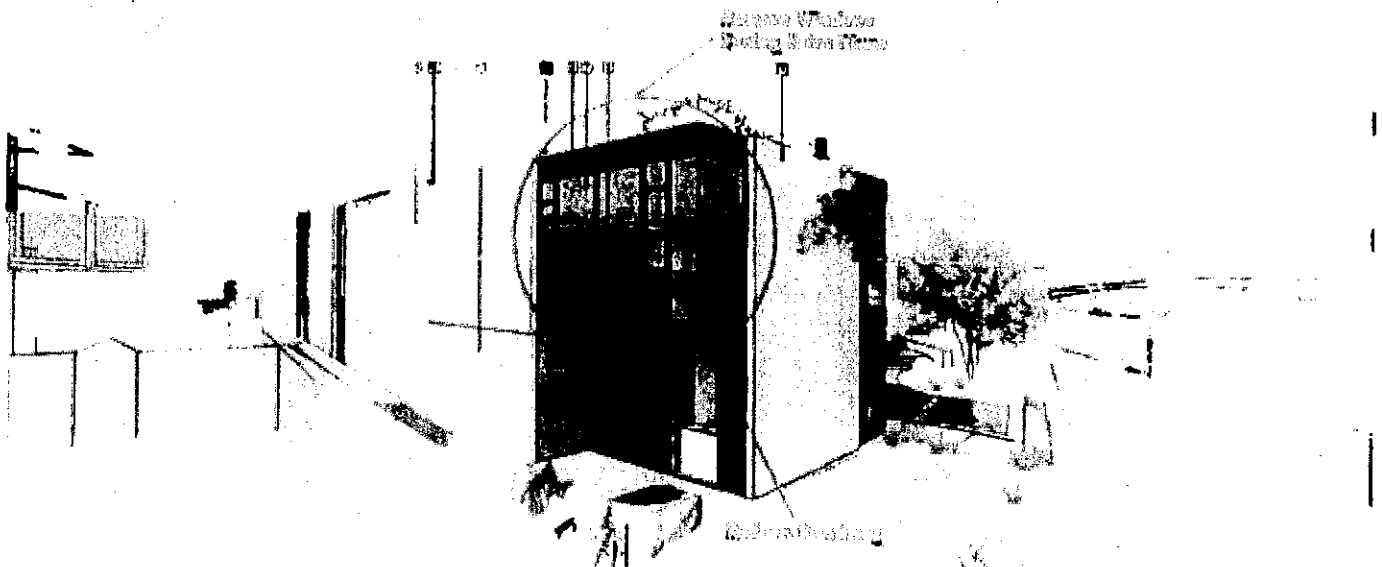
WOUNG - CHAPMAN
RESIDENCE

G0.1



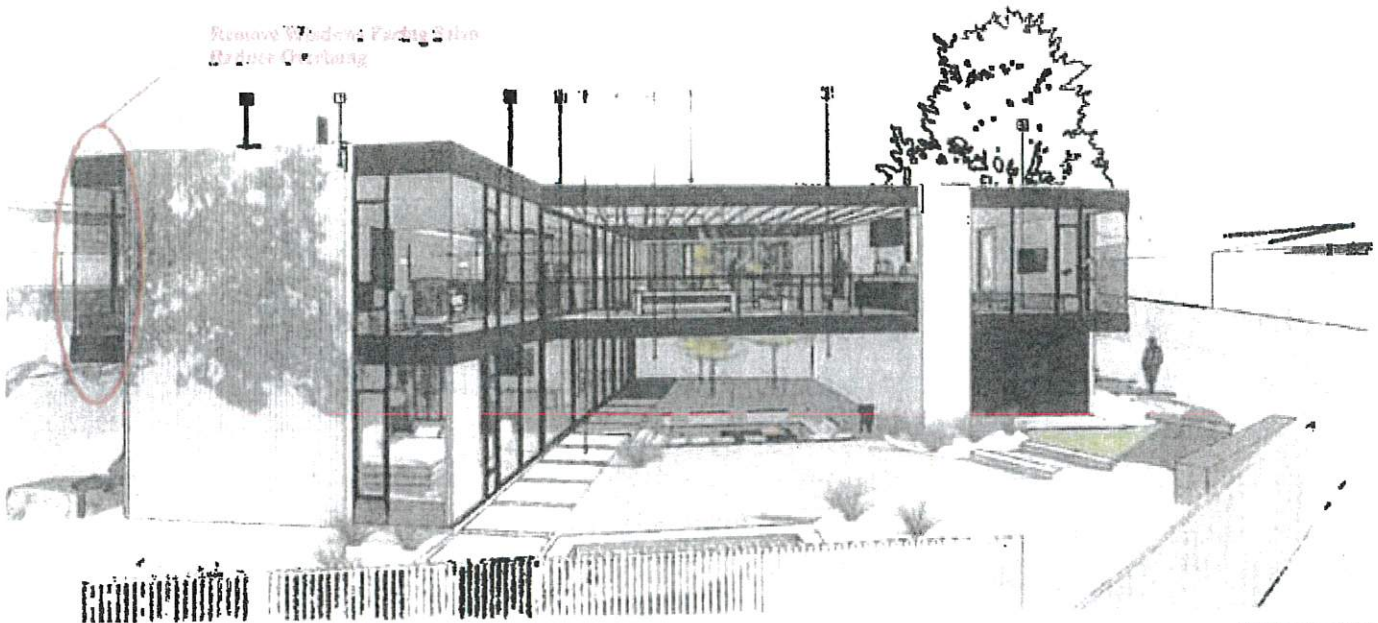


ARCHITECTURE

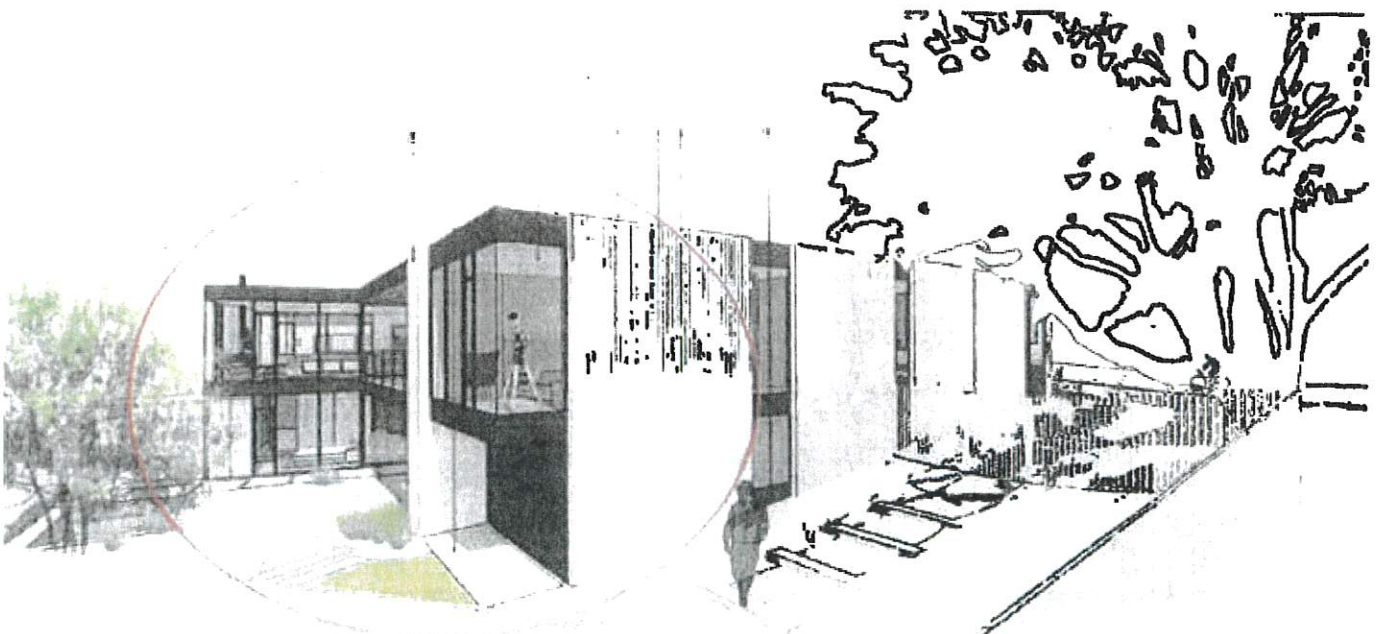


ARCHITECTURE

Remove Window Facing into
Bedroom Corridor

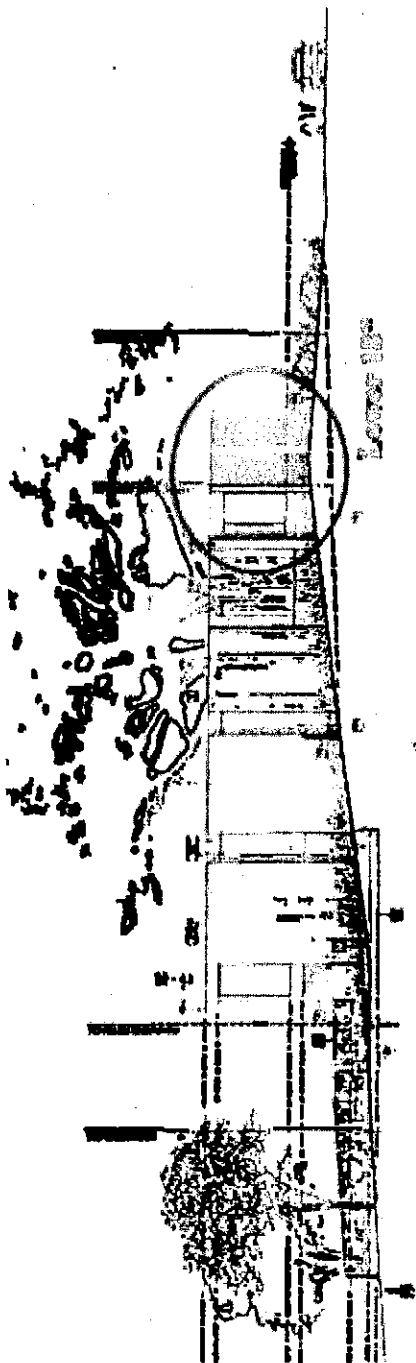


NORTH FACADE

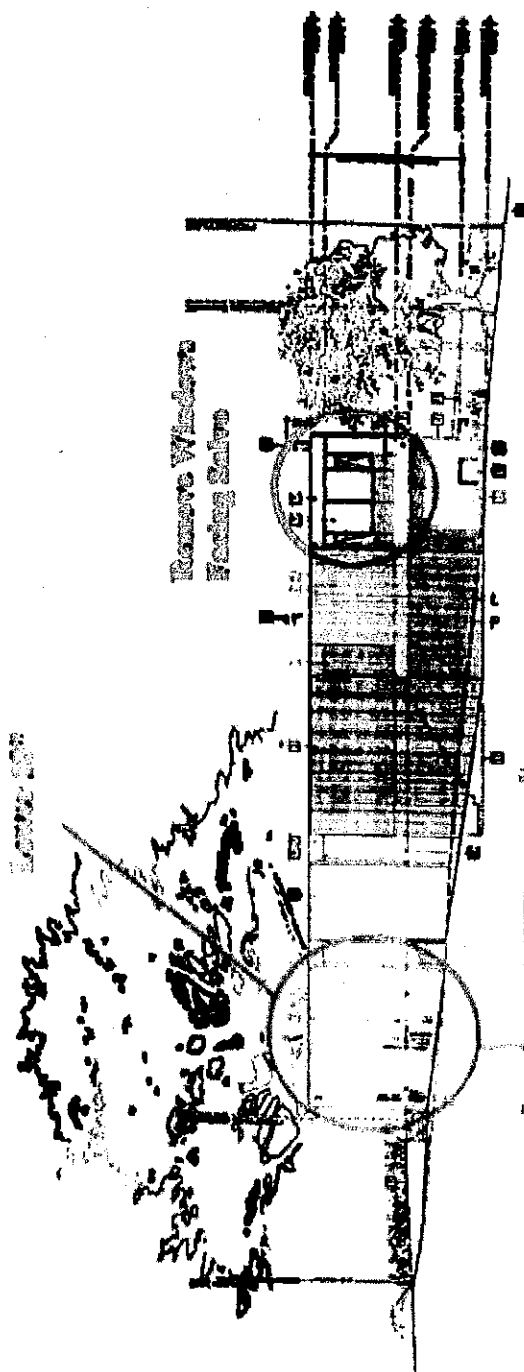


View Focused to North Bedroom

NORTHWEST CORNER

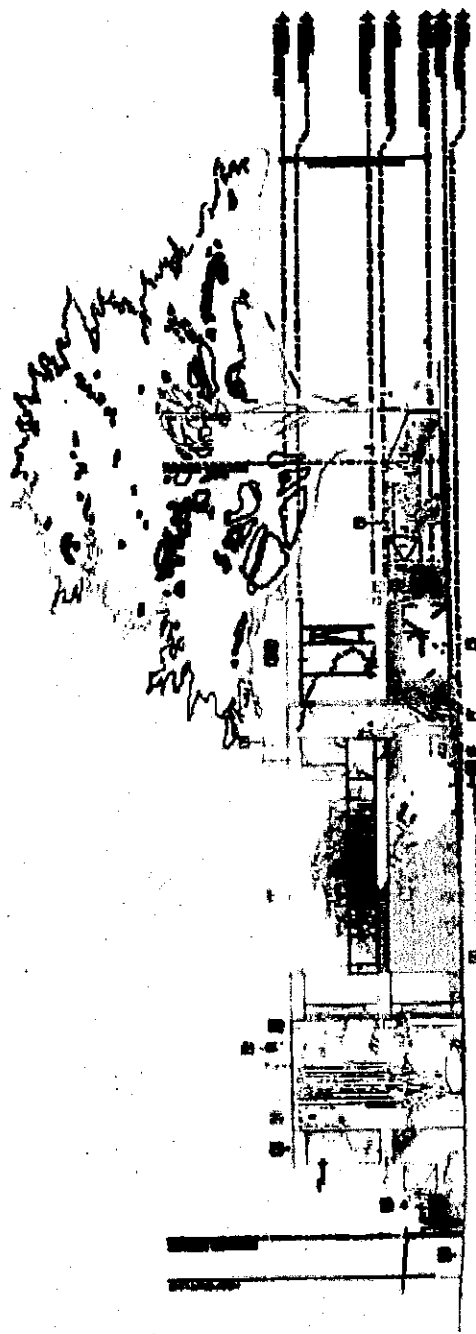


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New Church
at New York



1

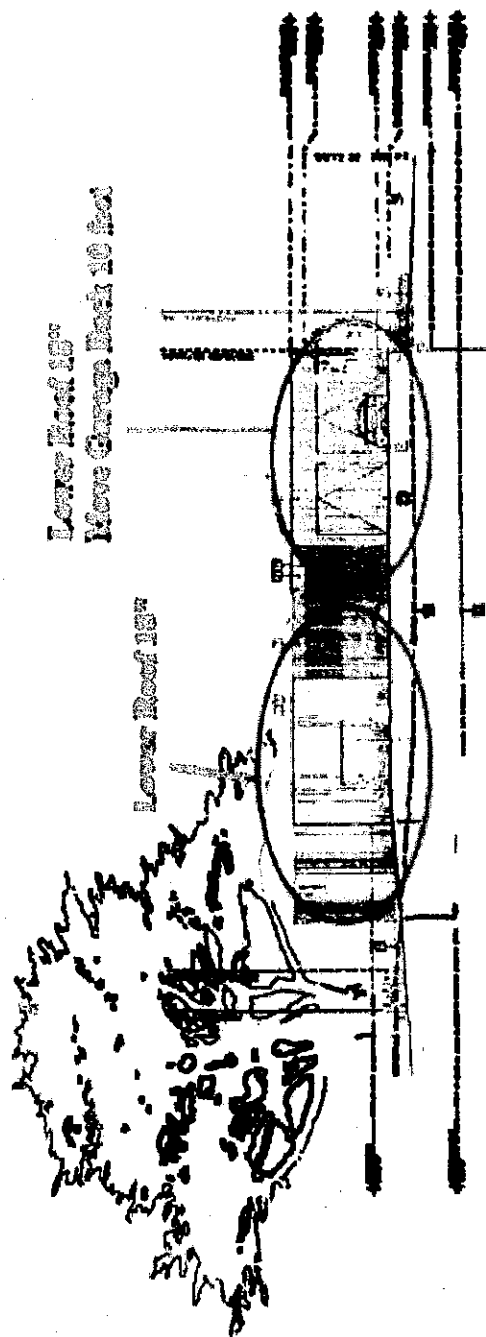
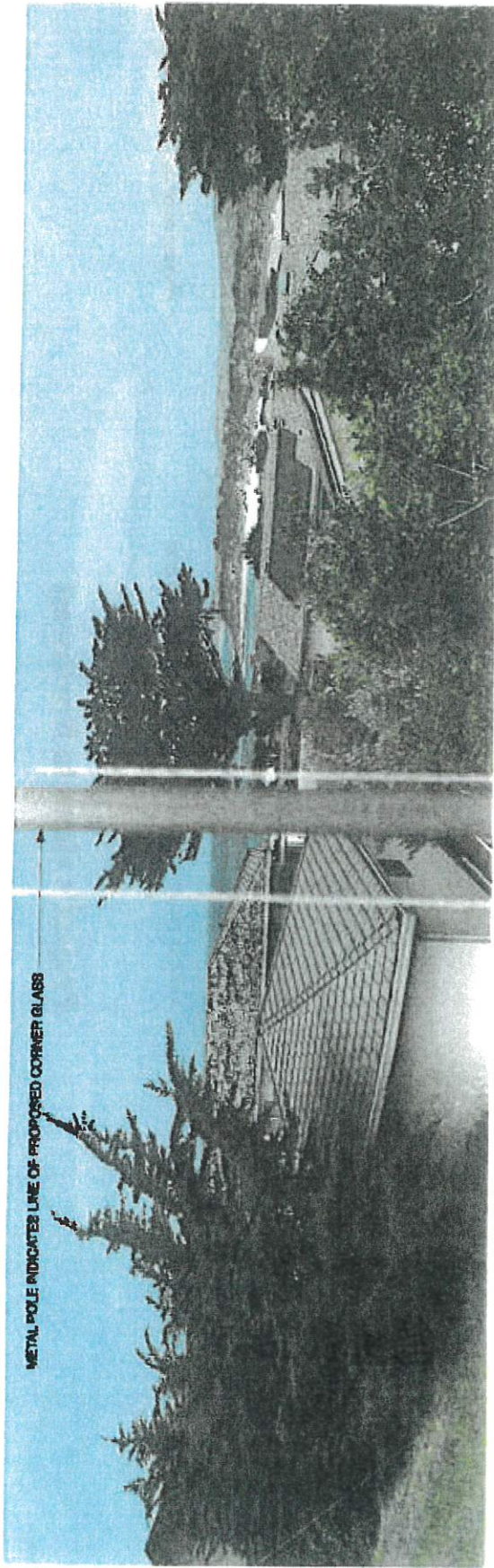


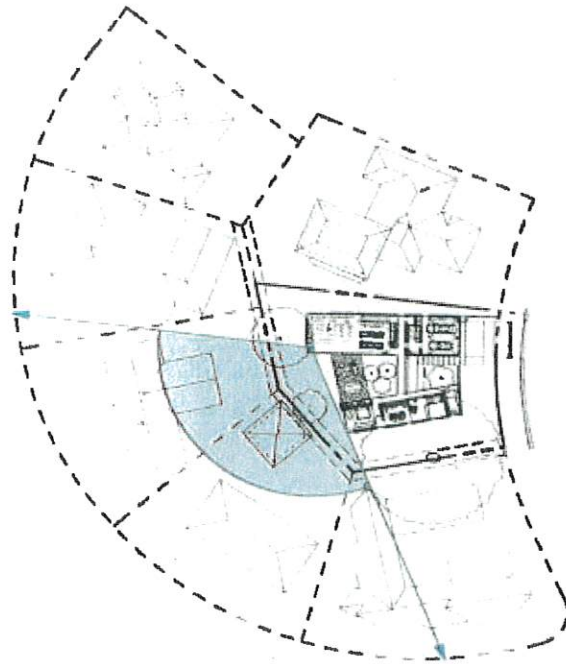


EXHIBIT 5

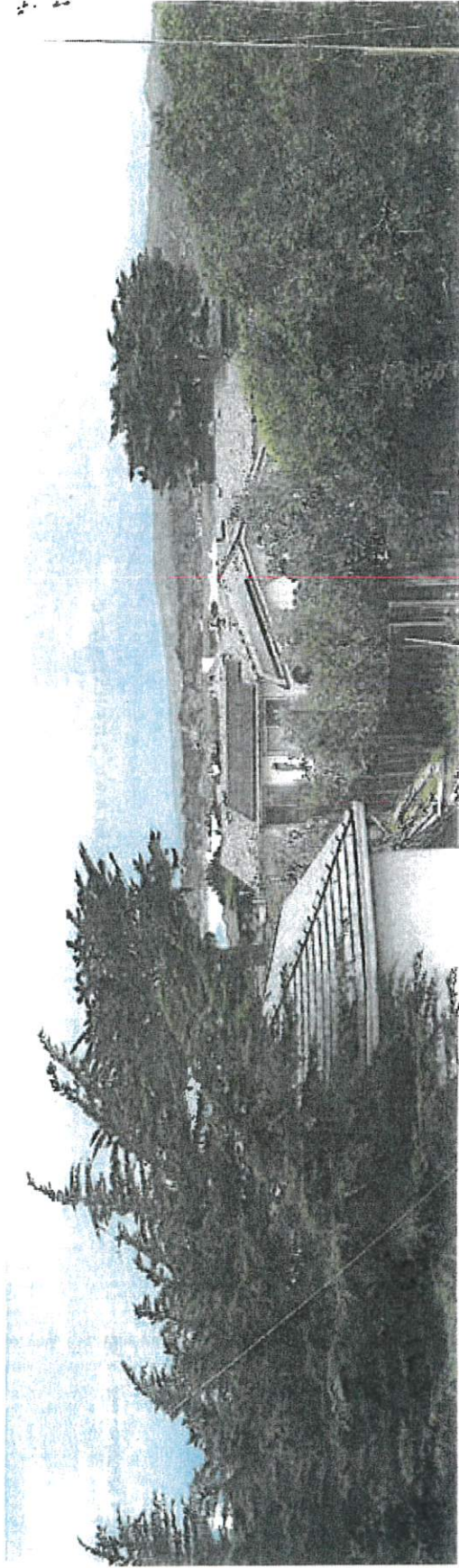


ING ROOM VIEW

- TAKEN FROM PROPOSED LIVING ROOM CORNER AT +5'-5" (EYE LEVEL) ABOVE STREET LEVEL FINISH FLOOR
- EYE LEVEL ELEVATION = +105'-0" (+16'-0" ABOVE EXISTING GRADE)
- EXISTING GRADE = +89'-0"

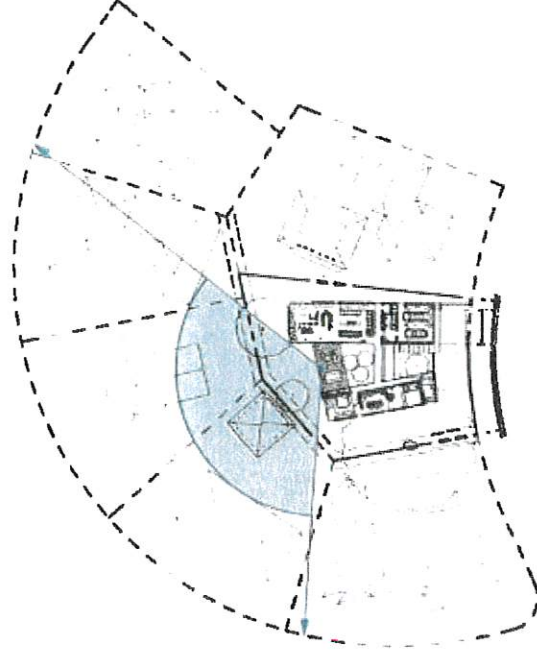


Project's views to Northwest



VIEWED DECK VIEW

- TAKEN FROM MID-SPAN OF PROPOSED COVERED DECK AT +5'-6" (EYE LEVEL ABOVE STREET LEVEL FINISH FLOOR)
- EYE LEVEL ELEVATION = +105'-0" (+15'-0" ABOVE EXISTING GRADE)
- EXISTING GRADE = +99'-0"



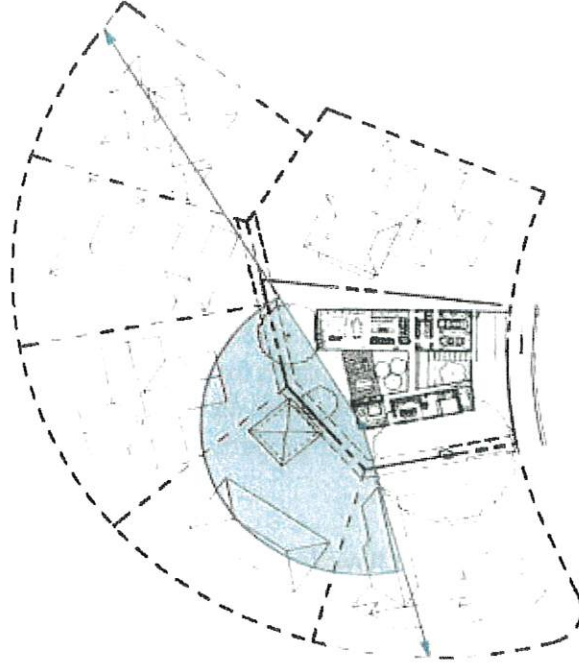
Project's views to Northwest

TAL POLE INDICATES LINE OF PROPOSED CORNER GLASS



MASTER BEDROOM VIEW

- TAKEN FROM CORNER OF PROPOSED MASTER BEDROOM AT +5'-4" (EYE LEVEL) ABOVE STREET LEVEL FINISH FLOOR
- EYE LEVEL ELEVATION = +105'-0" (+14'-0" ABOVE EXISTING GRADE)
- EXISTING GRADE = +91'-0"



VIEW STUDY - FROM MASTER BEDROOM

Project's views to Northwest

I am writing to register a concern about the Chapman project in Carmel Meadows, pln171046.

9/5/18

Concern re pln171046

I am Cary Hill, and own the adjacent property at 2740 Ribera Rd, which is directly downhill from the Chapman property. My mailing address is 13870 La Paloma Rd, Los Altos Hills, CA, 94022. My review of the plans suggests that the drainage plan is for all the water falling on the property to be collected at the low point of the property and then pumped up to Pradera Road and then released. The location of the collection reservoirs is adjacent to the property line I have in common with the project site.

Currently no appreciable water flows from the Chapman property onto my property. My lot is relatively flat, and if as a result of the property development any significant amount of water does flow onto my property, my house will likely flood.

My request is that redundancy and "worst case" planning be done to minimize the risk of flooding. I strongly suggest that dual sump pumps, each with the ability to pump all the water in a high flow situation be installed rather than just a single pump. If there is a pump failure I would like the reassurance that there is a backup pump that will be able to handle the load.

Similarly, a high water flow event is likely to occur during a storm, which is also a time to expect a power outage. I would also like there to be the requirement for an emergency generator to guarantee that the sump pumps will always be powered.

I cannot stress enough the likelihood of water damage to my property if the water from the Chapman property is inadvertently funneled through my yard.

Cary Hill

September 12, 2018

Ms. Maira Blanco, Assistant Planner
Monterey County Planning Department
1441 Schilling Place-South Second Floor
Salinas, CA 93901

Ms. Blanco:

Submission regarding the planning application file number PLN180169, project location 009-041-003-000 at 3284 San Luis Avenue, Carmel, for the construction of a two-story garage.

We have the following concerns about this project:

1. The project would destroy a unique old growth oak stand which have become quite rare in this area. Who will protect the character of this classical neighborhood?
2. The structure, as displayed by orange netting, appears to be separate from the house, thus different regulations apply.
3. The project property and my property abut at the bottom of the backyards, forming a V type Amphitheatre. This makes negative drainage and noise impact unavoidable.
4. The structure would become a dominant feature of our back yard and any windows will directly affect our privacy.

Further:

5. Any problems caused with the proposed structure would not likely be mitigated, judging by previous problems. Examples are noise impacts from a generator and the three-times a week yard maintenance with gasoline equipment. Community and sheriff involvement have not resolved those issues.
6. The residence has a garage. We are not seeing other residences adding garages. Monterey and Seaside have commercial storage available for car storage.

Respectfully;

Dr. Robert & Ellen van Spyk
24507 San Mateo Ave
Carmel, CA 93923
831-622-7795



P.O. Box 716
Saratoga, California 95071

September 5, 2018

Mr. Joseph Sidor, Planning Associate
Monterey County Planning Department
1441 Schilling Place, 2nd Floor
Salinas, California 93901

RE: Monterey County Planning # PLN171046_040918 – 2707 Pradera Rd. – Chapman Residence

Dear Mr. Sidor:

Per our conversation of June 30, 2018, I am following-up in writing with you concerning the results of our survey record and exploratory work of our site at 2700 Ribera Road in Carmel Meadows. We have concluded the flowing with respect to our property that adjoins the subject along its rear boundary line.

1. The Monterey Cypress hedge that provides the visual screen between our property and that of the subject was planted entirely on our parcel.
2. The hedge in question is formed from two trunks that both exceed 24 inches in diameter and are about forty years in age. Our arborist has confirmed its protected status (see attached).
3. The trunk of the most prominent portion of the hedge currently has grown about 1-2 inches into the property boundary of the subject as it has matured. The foliage extends several feet into the subject and the supporting main trunk may also overhang the property boundary.
4. We have been advised by our county certified arborist Brian Jacobson of Smith Tree Service that pruning to the property boundary of the hedge in question of the 2707 Pradera Road side of the hedge would not only expose brown understructure that would not regenerate green foliage, but also threaten the health of the hedge itself, and perhaps its demise (see attached).

The rear lot line fence in the location as proposed will require extensive pruning of the existing mature dividing and screening hedge. As owners of the hedge, we would request that the county request a plan for pruning from the project owner prepared by a certified arborist that would provide reasonable guidelines ensuring survival of the hedge and its continued viability as a screening element. We would also recommend that the owner consider relocating the fence on the plan so as to help assure the survival and viability of the hedge. In the absence of such there could be legal consequences for all.

We look forward to a working relationship with our neighbors, but also believe the county should take some reasonable steps in protecting our property whose value would be significantly diminished if the health of the screening hedge was jeopardized, given the scale of the proposed structure behind it.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carl J. Fisher".

Carl Fisher, Acting Trustee, Carl J. Fisher Exemption Trust
2700 Ribera Road, Carmel Meadows

Brian A. Jacobson

ISA Certified Arborist
No. WE 0422A

CA Contractor's License
No. 649998



stree@redshift.com
www.smith-tree-service.com

(831) 649-4343
(831) 809-6709 Cell

September 5, 2018

Carl Fisher
Box 1186
Pinecrest, CA 95364
(209)965-3600 office
(209)888-402-3956 fax
cfisher@facilicom.org

Re: Cypress hedge at 2700 Ribera Road, (Carmel Meadows development) Carmel, 93923

Dear Mr. Fisher,

In mid-June we met at your property to discuss the mature cypress hedge that stands on your property upslope southeast of your house. You expressed concern for its continued well-being, given that a new dwelling construction is planned for the vacant parcel adjacent to and southeast of you at 2707 Pradera (APN 243-032-020).

This hedge is comprised of two Monterey Cypress (*Cupressus macrocarpa*, updated to *Hesperocyparis macrocarpa*) that have dense and abundant branch structure. Because of the density of the branching, it is difficult to measure exactly the diameters of the main stems, though they have broad bases and main stem diameters of *at least* 12 inches and 16 inches at breast height (dbh). These are well above the threshold size (of 6 inch dbh) that qualifies these as protected trees as defined by Monterey County statute. Monterey Cypress is one of (at least) four native protected species in this Land Use Zone.

You mentioned that the hedge had been planted many years ago by your father, who owned the property before you. This had been maintained as a dense screen to provide privacy for the back yard space and rear windows. You also mentioned that a property line survey had been recently performed and it was discovered that some of the cypresses that comprise this screen also straddle the property line, and

you're concerned that if a new fence were placed directly on the property line, the result would be the destruction of one or more of the cypresses and a loss of privacy screen.

Legal precedents have been established to protect trees, as they are unable to understand human concepts like "property line," "view easement," and "succession of ownership," so cutting in a way designed to enforce property lines can result in legal peril. Cutting branches, roots, and shaving main stems back to the property line would result in damage that would soon cause the death and/or collapse of these trees. Additionally, it is possible to assign a dollar value to the hedge, given a well-established appraisal process. The International Society of Arboriculture has several publications that pertain to this, and a good place to start would be "Arboriculture & The Law," by Victor Merullo and Michael J. Valentine. ISA publications are available through their website.

Optimally, the hedge could be preserved and its privacy screen function be retained. In my estimation this row of trees would tolerate some trimming, whether lower branches were headed back or removed entirely, in order to make space for a fence that would be near, though not necessarily on the property line. A more comprehensive conversation would be appropriate regarding proposed fence placement, trimming tolerances, cultivation of proposed landscaping, and other factors, before doing any cutting or construction.

Please contact me if you have other questions.

Sincerely,

Brian

Brian A. Jacobson

President

ISA Certified Arborist No. WE-0422A

ISA Qualified Tree Risk Assessor

2730 Ribera Rd.
Carmel, CA 93923

September 7, 2018

Mr. Joseph Sidor
Associate Planner, Monterey County RMA-Planning
1441 Schilling Place
Salinas, CA 93901

Dear Mr. Sidor,

We are the downhill and backyard neighbors to the Woung Chapman's property at 2707 Pradera Rd.; Carmel, CA. We would like to share our views of the proposed plans (pln 171046) for the residence at that address, and to ask for the help of the Zoning Commission in addressing design issues that make the proposed home oppressive when experienced from our home.

The design of the house violates the spirit of the FAR requirements by exempting an interior courtyard from the FAR calculation. This allows the structure to spread out much closer to the neighbors than the FAR was designed to allow. In our case, it is the second-story, very large, covered deck that looms over the back of our home, specifically, our dining room and master bedroom (see photos below). One of the purposes of the FAR limits is to allow for particular neighborhoods to maintain separation between homes appropriate for the particular neighborhood's settings. The Carmel Meadows neighborhood is not a dense urban neighborhood, and no new house built in the neighborhood should impinge on its neighbors as much as the proposed house would. Simply put, if the perimeter of the proposed house were filled in, the house would exceed the FAR limit, and therefore would not be approved. The interior courtyard may be a design feature that benefits the homeowners, but it will harm all of its neighbors and should not be allowed as proposed.

For us, the impingement is compounded by the structure and function of the part of the proposed home that is closest to us: it is a deck, a public social space. Indeed, it is a large, second-story deck with an outdoor kitchen and pizza oven. Its use for gatherings commensurate with its capacity would substantially violate our privacy. There is also a daylight issue for us where the roof over the 9' high outdoor deck presents a monolithic, light-blocking structure.

We probably would not be raising these issues with you if it were not for a stunningly improper decision by the Carmel Meadows Homeowners Association Architectural Review Committee to approve the proposed house despite multiple neighbors' unrefuted objections. In addition to being grossly out of character with its immediate surroundings, the proposed home squarely violates the Carmel Meadows CCRs' 20-foot setback from the rear lot line of the Fisher home next to us. If the CCRs had been enforced as written, the proponents of this house would have had to return to their drawing boards.

We would like you to consider how this proposed plan impacts our home and that of our neighbors and we ask you to recommend an adjustment in the design to either make use of the interior, FAR-exempted space of the home to reduce impingement on our and other neighbors' privacy, or recommend a reduction in the size or nature of the deck to compensate for this abuse of FAR.

Respectfully submitted,

Ss//Diane Guinta and Paul Goldstein
2730 Ribera Rd.
Carmel, CA 93923

Photo of 2707 Pradera Story Poles
from our Master Bedroom, taken at eye
level by a 5'4" person

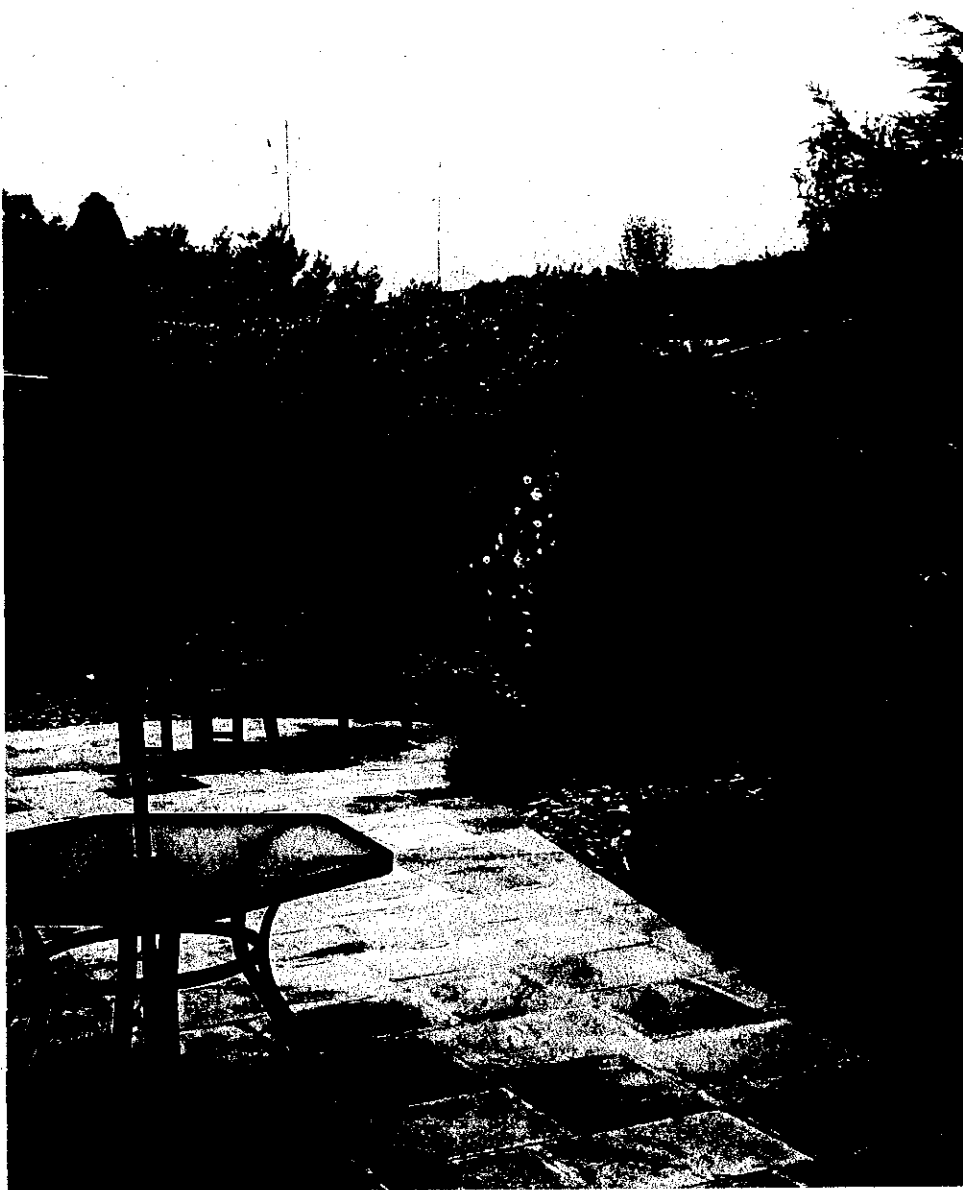


Photo of 2707 Pradera Story Poles
from our Master Bedroom, taken at eye
level by a 5'4" person



NOLAND
HAMERLY
ETIENNE
HOSS

Attorneys at Law A PROFESSIONAL CORPORATION

WWW.NHEH.COM
E-MAIL CKEMP@NHEH.COM
831-424-1414 EXT. 271
OUR FILE No. 22065

September 6, 2018

Stephen W. Pearson

Lloyd W. Lowrey, Jr.

Anne K. Secker

Randy Meyenberg

Michael Masuda

Christine G. Kemp

Terrence R. O'Connor

Timothy J. Baldwin

* Charles Des Roches

* Leslie E. Finnegan

Ana C. Toledo

* Robert D. Simpson

Lindsey Berg-James

Nicholas W. Smith

VIA E-MAIL AND BY HAND-DELIVERY

Mike Novo, Monterey County Zoning Administrator
c/o Joseph Sidor, Project Planner
Monterey County Planning Department
1441 Shilling Place, South 2nd Floor
Salinas, CA 93901

Re: PLN171046 Woung-Chapman Residence
2707 Pradera Road, Carmel 93923

Dear Mr. Novo:

I am writing on behalf of John and Teresa Salvo, owners of the home at 2717 Pradera Road, immediately east of the proposed Woung-Chapman residence at 2707 Pradera Road ("the Project"), in the Carmel Meadows subdivision as shown on **Exhibit 1**.

The purpose of the Design Control District is to regulate the location, size, configuration, materials, and colors of a project to assure protection of neighborhood character and to assure the visual integrity of certain developments without imposing undue restrictions on private property. (MCC §20.44.010).

This Project is out of character with the neighborhood. The large mass, unbroken walls, and flat roof with no roof definition, create a stark bunker-like appearance, which is not in keeping with the surrounding homes. The Applicant claims the home is similar to others in the neighborhood, but it is not. In fact, the homes the Applicant uses as examples of similar homes in the neighborhood, confirm this. These homes all have varied rooflines, off set walls, windows, and decks, and provide visual relief on their façade, as shown on **Exhibit 2** (renderings of the Project, along with photos from the Applicant's neighborhood study). Clearly, this Project's stark bunker-like appearance is not in keeping with the homes in the surrounding area.

In addition to being out of character with the neighborhood, the Project, blocks the Salvos' view of Point Lobos to the southwest, as shown on **Exhibit 3**, as well as a portion of their ocean view to the west.

HONE 831-424-1414

FROM MONTEREY 831-372-7525

FAX 831-424-197

333 SALINAS STREET POST OFFICE BOX 2510 SALINAS, CA 93902-2510

22065\001\850069.1:9618

Retired
Peter T. Hoss
James D. Schwefel, Jr.
Jo Marie Ometer

Harry L. Noland
(1904-1991)
Paul M. Hamerly
(1920-2000)
Myron E. Etienne, Jr.
(1924-2016)

* CERTIFIED SPECIALIST IN
PROBATE, ESTATE PLANNING,
AND TRUST LAW BY
THE CALIFORNIA BOARD OF
LEGAL SPECIALIZATION
STATE BAR OF CALIFORNIA



The Project also has a large bank of windows facing east which look directly into the Salvo's property, impacting privacy and creating glare and light issues.

To address the Salvo's concerns, we ask that the County require, at a minimum, the following revisions be made:

1. Lower the roof over the garage by 18" to provide relief to the front of the house and, reduce the bunker-like appearance of the structure, as well as, reduce the project's impact to the Salvos' adjacent property, as shown on Exhibit 4.

The Applicant argues they cannot lower the garage roof, because, if they do, they will lose their ocean view, which is not the case. There is no view from the garage. Moreover, the garage has an internal ceiling height of 10'-6" see Exhibit 4. With this high ceiling, 18" of height can be removed from the garage by simply lowering the finished ceiling height from elevation 108'-6" to 107'-0", which would still give the Applicant an internal garage height of 9' (garage finished floor 98'-0" - 107'-0" = 9' high ceiling). The garage is also built on fill, the grade of which could also be lowered to reduce the overall height of the garage.

Alternatively, shifting the garage to the north approximately 10 feet (or the width of the laundry room), and relocating the laundry area to another location within the structure, as shown on Exhibit 4, would provide visual relief to the building's front elevation.

2. Eliminate the east facing upper story windows that look into the Salvo property, to reduce both privacy and light/glare issues. Eliminating these windows does not impact the Applicant's primary view, as the view from the Woung-Chapman home is oriented to the northwest with large windows facing this direction, as shown on Exhibits 4 and 5.

The Salvo's also suggest lowering the ceiling height on the master bedroom to give the house and roof more variation, as shown on Exhibit 4, but that is not as essential to them as addressing the garage height and east facing windows.

While the County does not protect private views, in doing so, it should not allow one applicant to enhance their private views, at the expense of an existing resident, particularly when the new applicant is working with a vacant parcel and can design their home in a manner that provides them with the view they want, while not taking away a neighbor's existing view, or looking directly into their property.

The Salvos' request provides a compromise that gives the Applicant the square footage, floor plan, and views they want, yet brings the front of the house down to a scale that is more in line with the character of the neighborhood, by creating a more

Monterey County Planning
c/o Joseph Sidor
September 6, 2018
Page 3

varied facade and lower profile along the front of the building, thereby reducing the overall massing and bunker-like appearance of the building.

In this case, both parties can obtain what they want without unreasonable interference with the other. Compromise is required. The project is being designed by noted architects. It is clear they have the expertise to make design changes to the home.

The Salvos were precluded from expressing their concerns to the Carmel Meadows Association's Architectural Review Committee when the home was reviewed by the two-member ARC, as the Salvos were not given notice of the meeting on the Project. Thereafter, the LUAC simply rubber-stamped the Project, essentially stating, "If the ARC approved it, we are ok with it.", paying no attention to the Salvo's concerns. The HOA comments were not the standard by which the LUAC should have reviewed the Project.

We request that, as Zoning Administrator, charged with the authority to implement the County's Design Approval regulations, you use your independent judgment to assure the protection of neighborhood character and the visual integrity of the area, as required under the Monterey County Code Design Approval regulations.

These revisions will protect the neighborhood character and visual integrity of the Carmel Meadows development, as well as lessen the Project's impact on the Salvo's property, without imposing an undue restriction on the Woung-Chapman property.

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation



Christine G. Kemp

CGK:aac

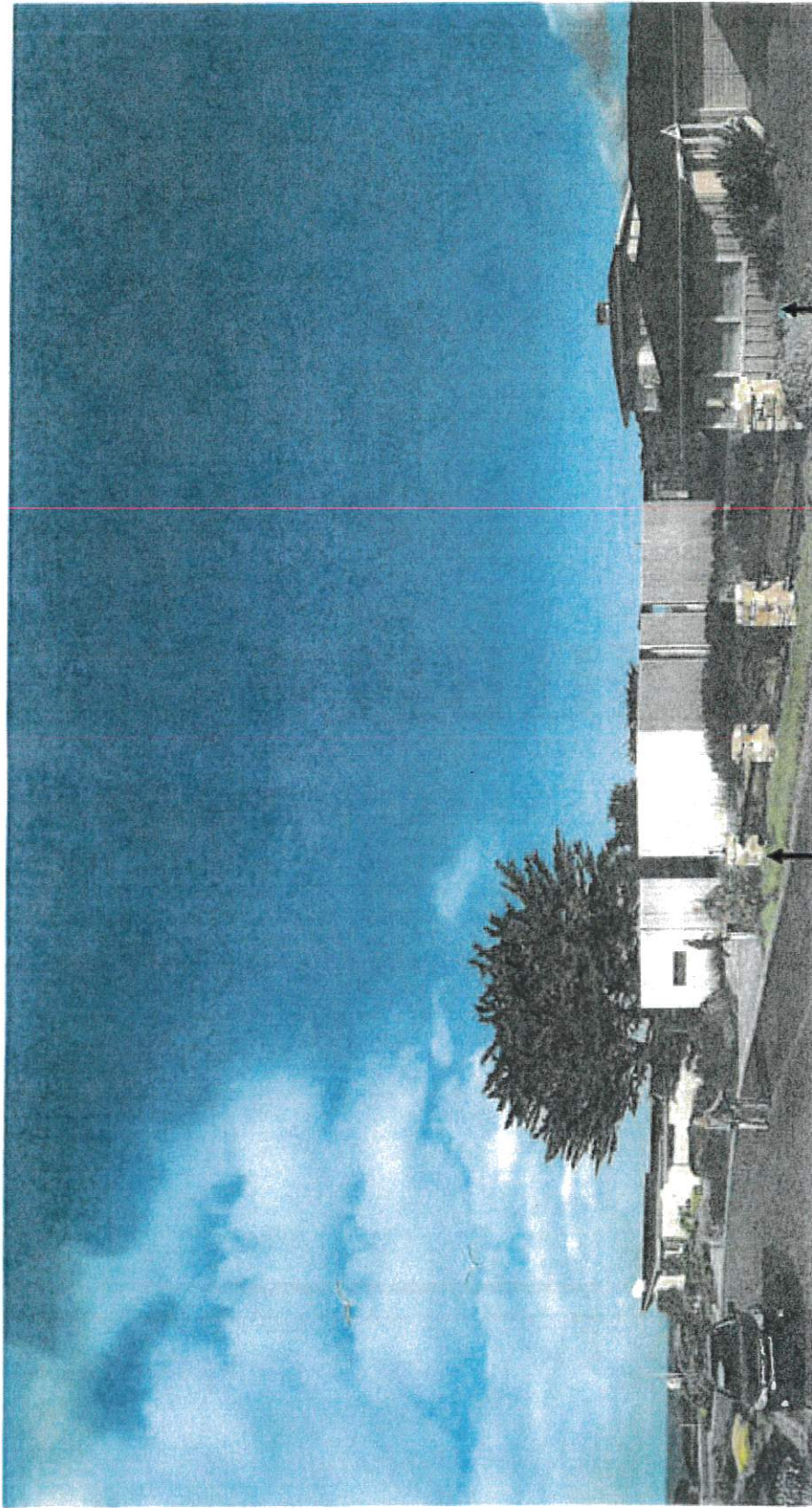
Encls: Exhibit 1 -- Salvo property in relation to Project
Exhibit 2 - Applicant's Project rendering, and photos of surrounding homes
Exhibit 3 -- Salvos' view loss
Exhibit 4 -- Requested plan revisions
Exhibit 5 -- Applicant's view diagrams

cc: Clients

EXHIBIT 1



EXHIBIT 2



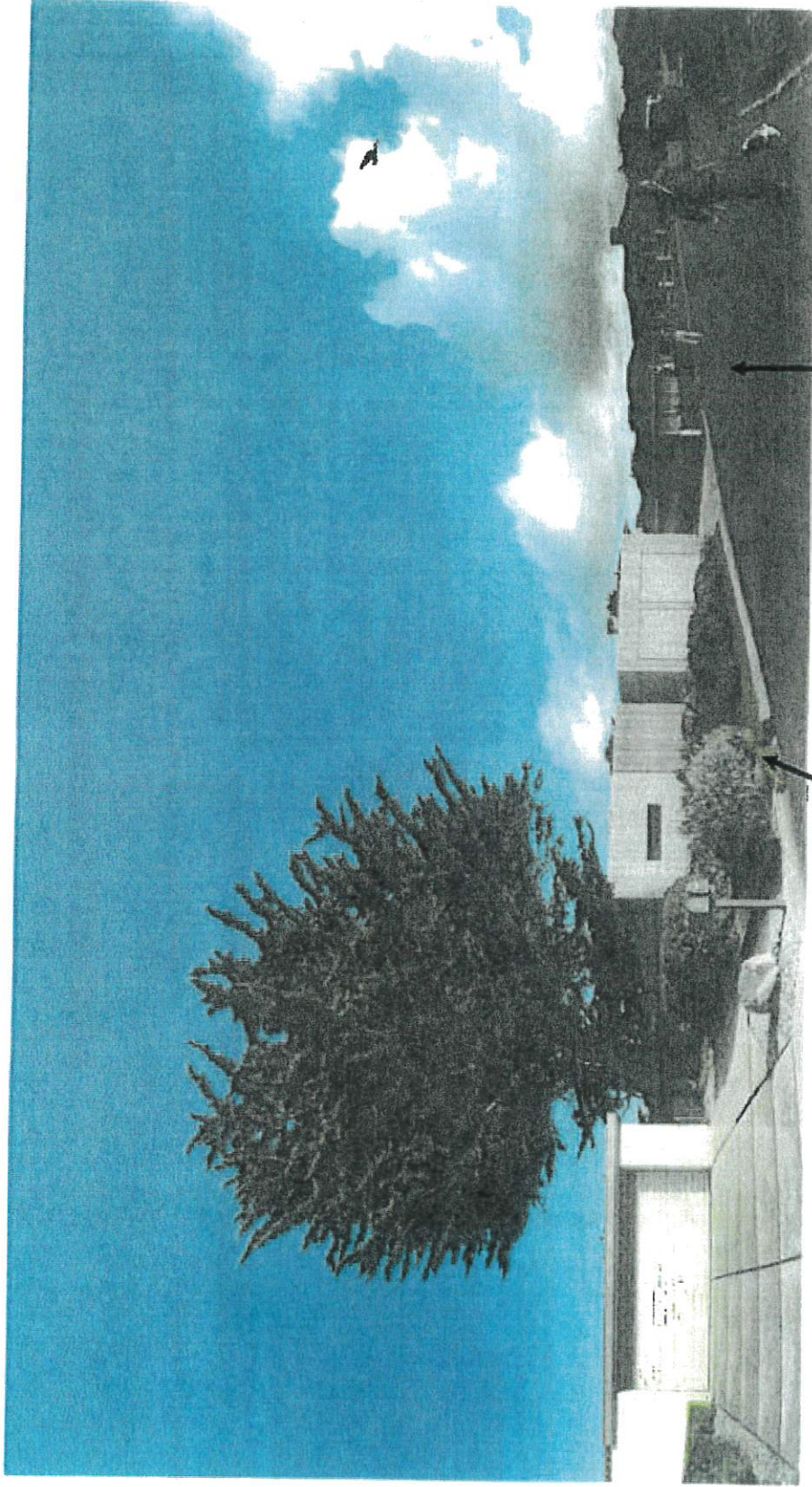
SAN PIERRE ARCHITECTURE

WILSON QUADMAN RESIDENCE

STANFORD UNIVERSITY ARCHITECTURE

Proposed Project

Salvo Property



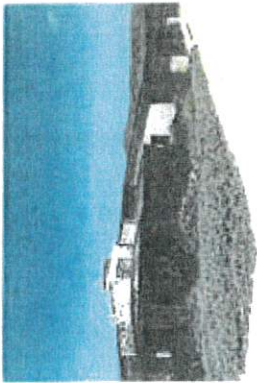
SAN PIERRE ARCHITECTURE

PROPOSED PROJECT

SALVO PROPERTY

PROPOSED PROJECT

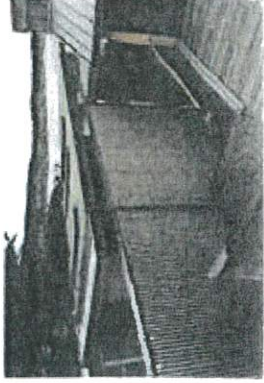
SALVO PROPERTY



2010 MODERN MINIONA LARG SHALLOW ROOF, NATURAL
POTENTIAL CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF

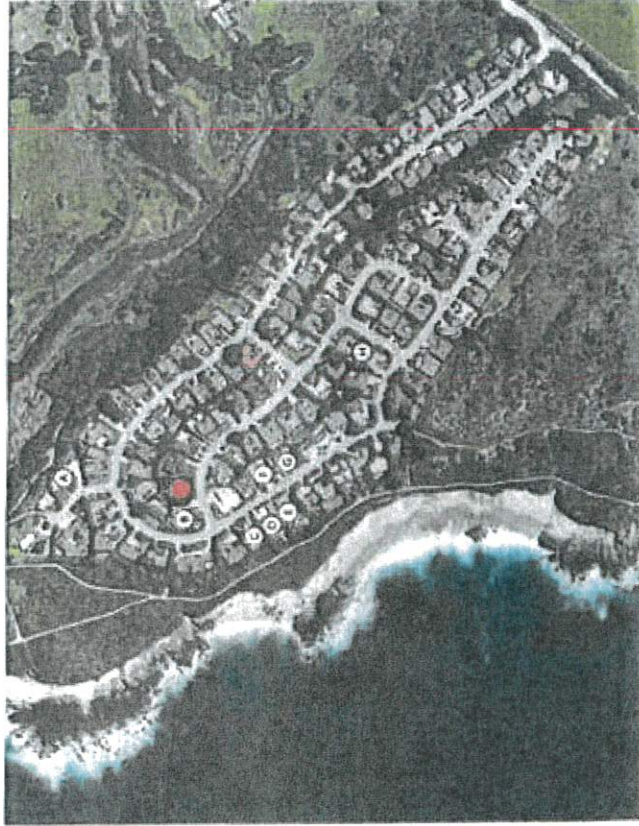


1970 MODERN MINIONA LARG SHALLOW ROOF, NATURAL
POTENTIAL CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF

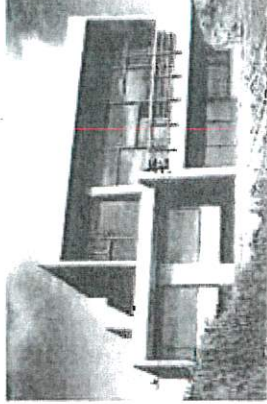


2017 NEW ADDITION A MINIONA LARG SHALLOW ROOF AND
SHALLOW CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF. VERTICAL BOARD-AND-BATTEN WOOD SIDING, SHALLOO, ROOF
NATURAL POTENTIAL

JAN MINIONA ARCHITECTURE | 111111



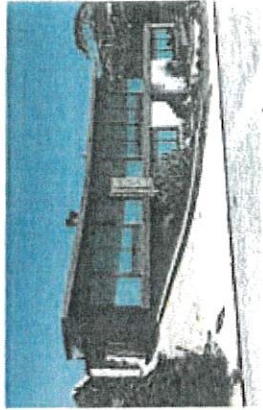
1990 MODERN MINIONA LARG SHALLOW ROOF, NATURAL
POTENTIAL CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF



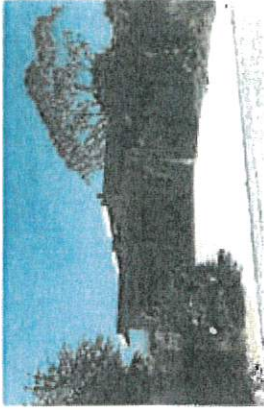
1980 MODERN MINIONA LARG SHALLOW ROOF, NATURAL
POTENTIAL CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF



1980 MODERN MINIONA LARG SHALLOW ROOF, NATURAL
POTENTIAL CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF



2010 NEW CONSTRUCTION MINIONA LARG SHALLOW ROOF, NATURAL
POTENTIAL CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF



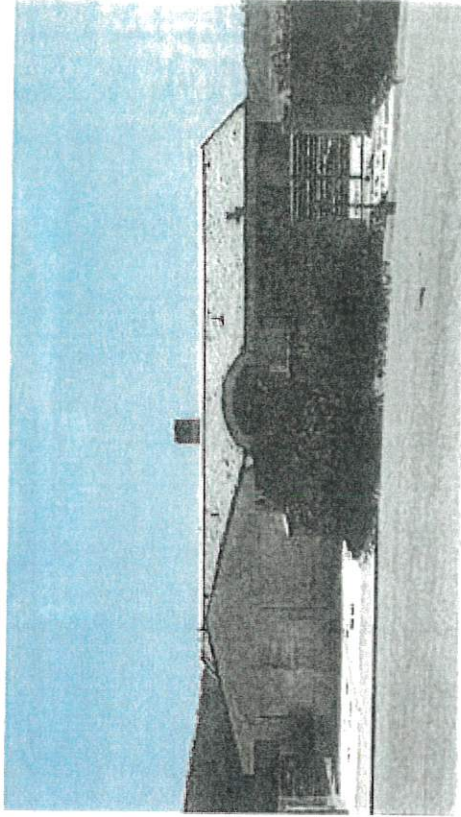
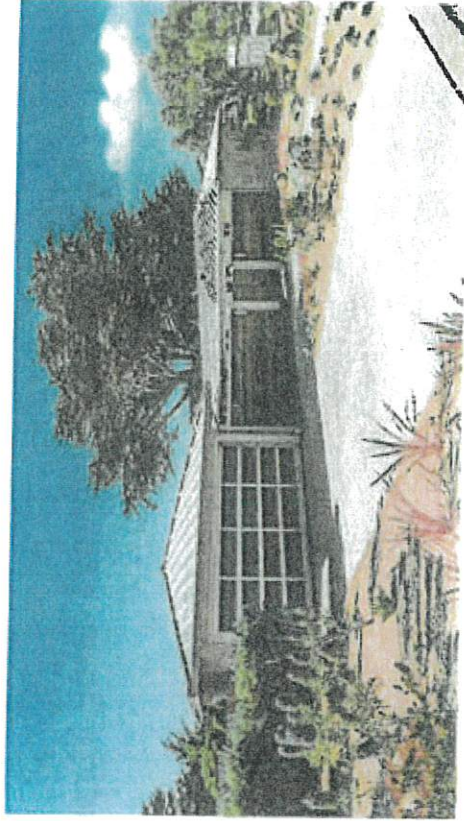
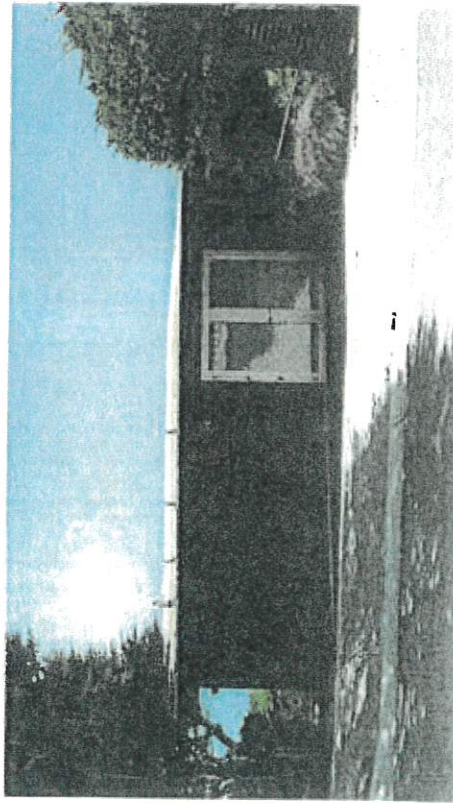
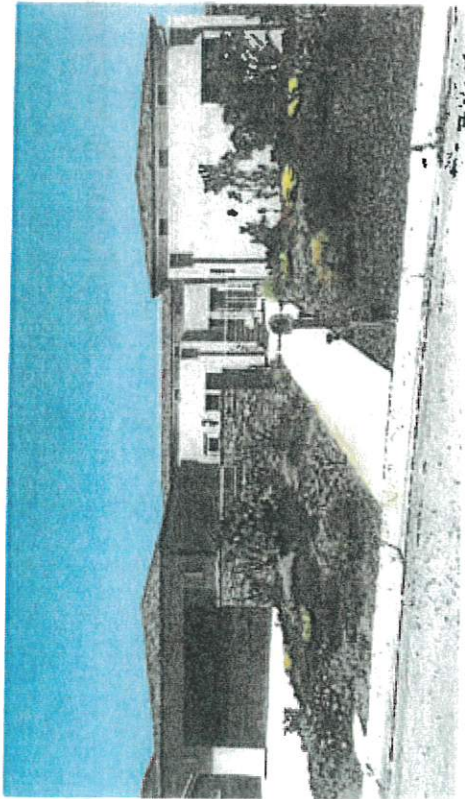
1980 MODERN MINIONA LARG SHALLOW ROOF, NATURAL
POTENTIAL CURVED FEATURE FROM EXISTING 25'x10' PAUL
ROOF

JAN MINIONA ARCHITECTURE | 111111

Applicant's surrounding home examples

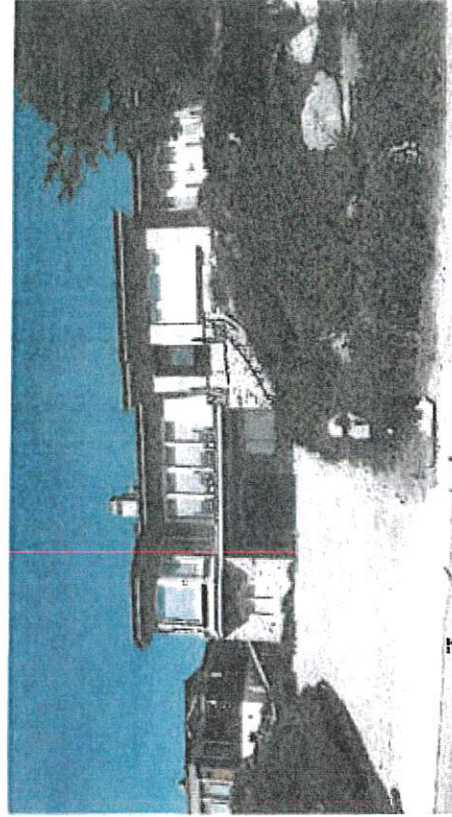
MINIONA LARG SHALLOW ROOF, NATURAL POTENTIAL

NEIGHBORHOOD CHARACTER STUDY - MODERN MINIONA



- APPROXIMATE 100+ SINGLE-STORY HOUSES AT STREET LEVEL LOCATED WITHIN CANYON MEADOWS NEIGHBORHOOD
- FRONT APPROACH LITERALLY HAS GARAGE DOORS
- FRONTING ACCESS FROM STREET WITH STRAIGHT FORWARD APPROACH TO ENTRY DOOR

Applicant's surrounding home examples



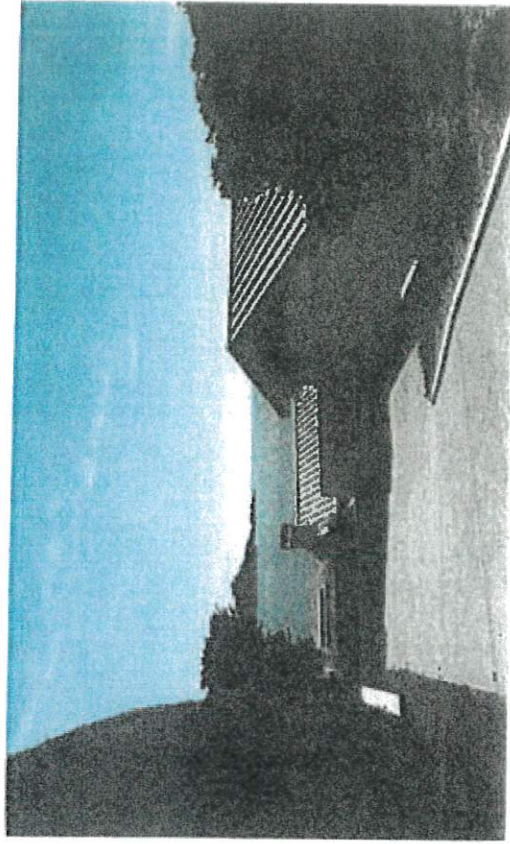
- APPROXIMATE 40+ HOMES ARE TWO STOREY OR MORE WITH AN CHIMNEY, REDWOODS, HERRINGWOOD
- STORIES VOLUMES LOCATED AT BOTH THE FRONT AND REAR OF THE PROPERTY
- LARGE BRICKS AND OUTDOOR LIVING SPACE AT SECOND FLOOR
- LARGE WINDOW WALL AT SECOND FLOOR TO CAPTURE SUNLIGHT AVERNS

SAN DIEGO ARCHITECTURE | 2022

WASING CUDMANI DECIDENCE

APPROXIMATE 40+ HOMES ARE TWO STOREY OR MORE WITH AN CHIMNEY, REDWOODS, HERRINGWOOD

Applicant's surrounding home examples



- MORE THAN 80% OF THE HOMES IN THE CAMEL MEADOWS NEIGHBORHOOD HAVE WOOD-BURNING
- DOMINANT WOOD-BURNING TYPES INCLUDE: BURNED AND BOTTLED SAW AND SPLITTED HICKORY AND TOWHEE • GROOVE
- OTHER WOOD-FUELED ARE A COMMON PINE/TYME AND PINE/ALDER
- OTHER NATURAL MATERIALS AND FEATURES INCLUDE: LIGHT COLORS, CONCRETE, STAINED-Glass, METAL, TINC AND BRASS, STONE

SAN MECHOTA ARCHITECTURE | 1000.11

WIMBLESLEY MANI DECISIONS

מחלקת המחקר והפיתוח - מחלקת המחקר והפיתוח

Applicant's surrounding home examples

EXHIBIT 3

Salvo View Blocked





GARSON'S DECK VIEW

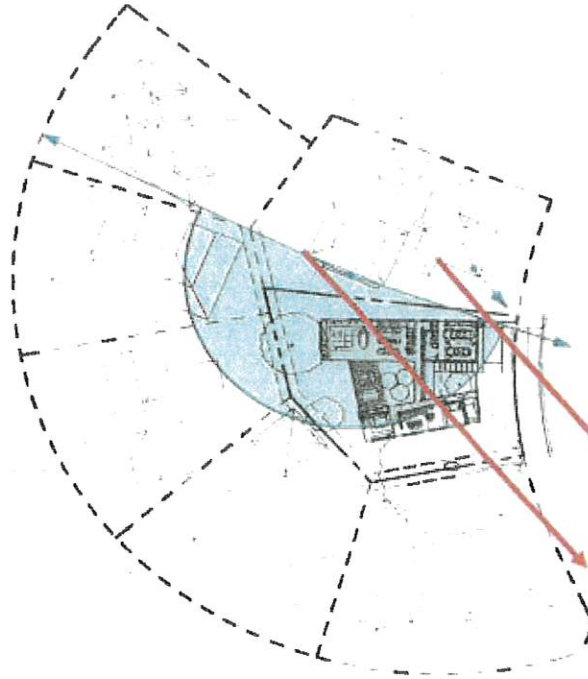
- TAKEN FROM MIDDLE OF NEIGHBOR'S DECK AT +5'-4" (EYE LEVEL) ABOVE SECOND LEVEL FINISH FLOOR

Salvo View Blocked



NEIGHBOR'S LIVING ROOM VIEW

- TAKEN FROM CORNER WINDOW INSIDE NEIGHBOR'S LIVING ROOM AT +5'-4" (EYE LEVEL) ABOVE GROUND LEVEL FINISH FLOOR



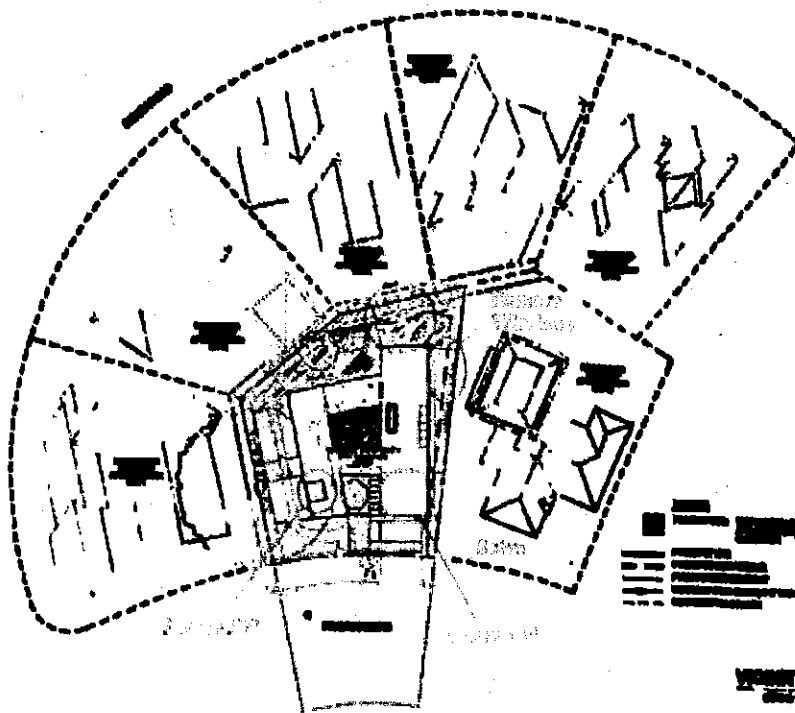
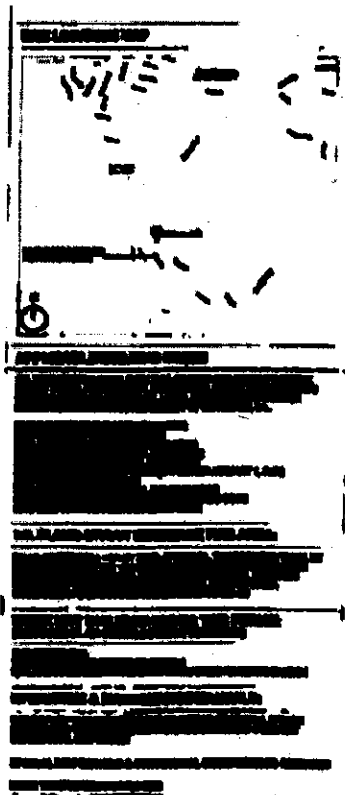
SAN PIECHOTA ARCHITECTURE

DATE:

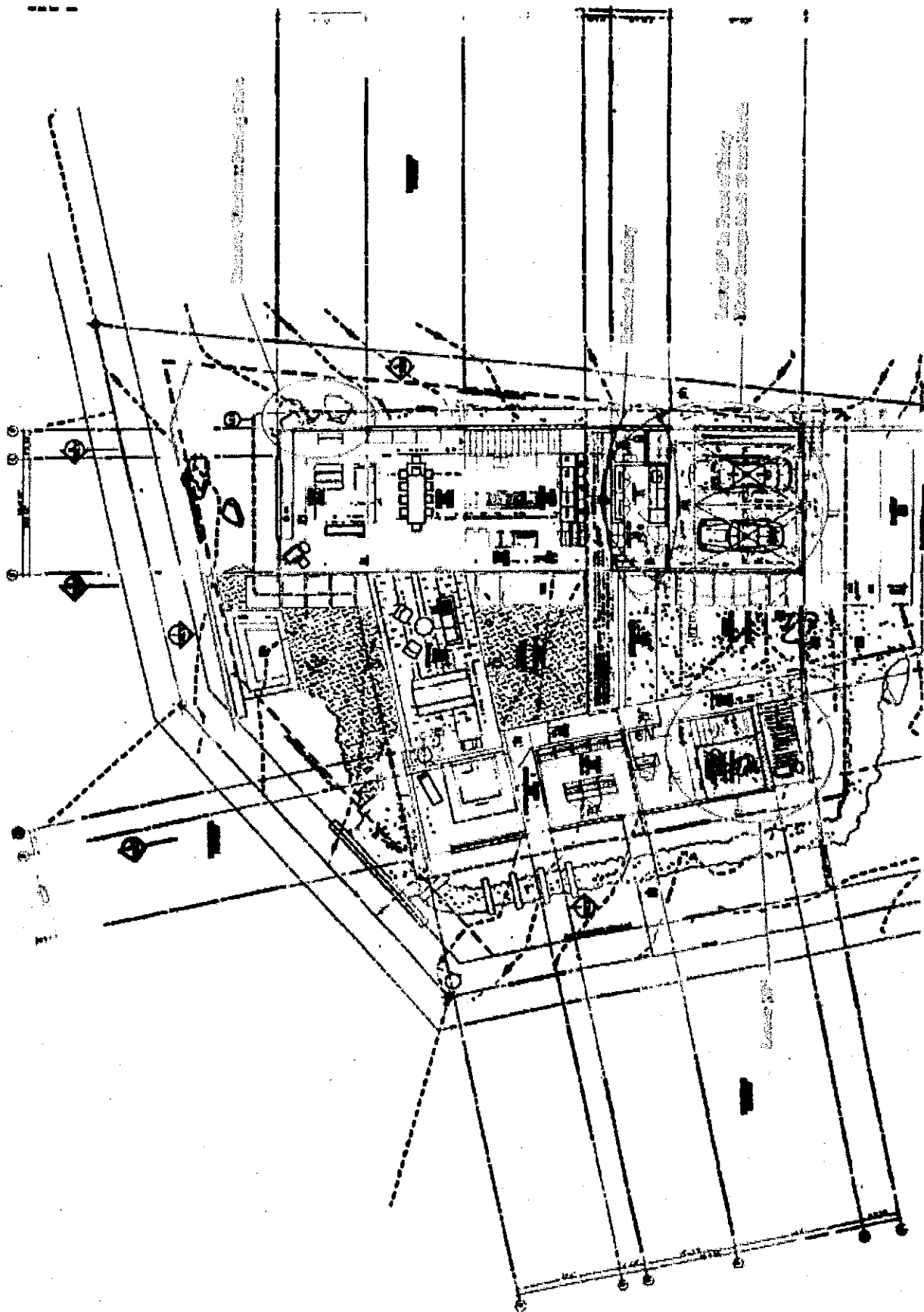
VIEW STUDY - FROM NEIGHBOR'S PROPERTY
View to Point Lobos

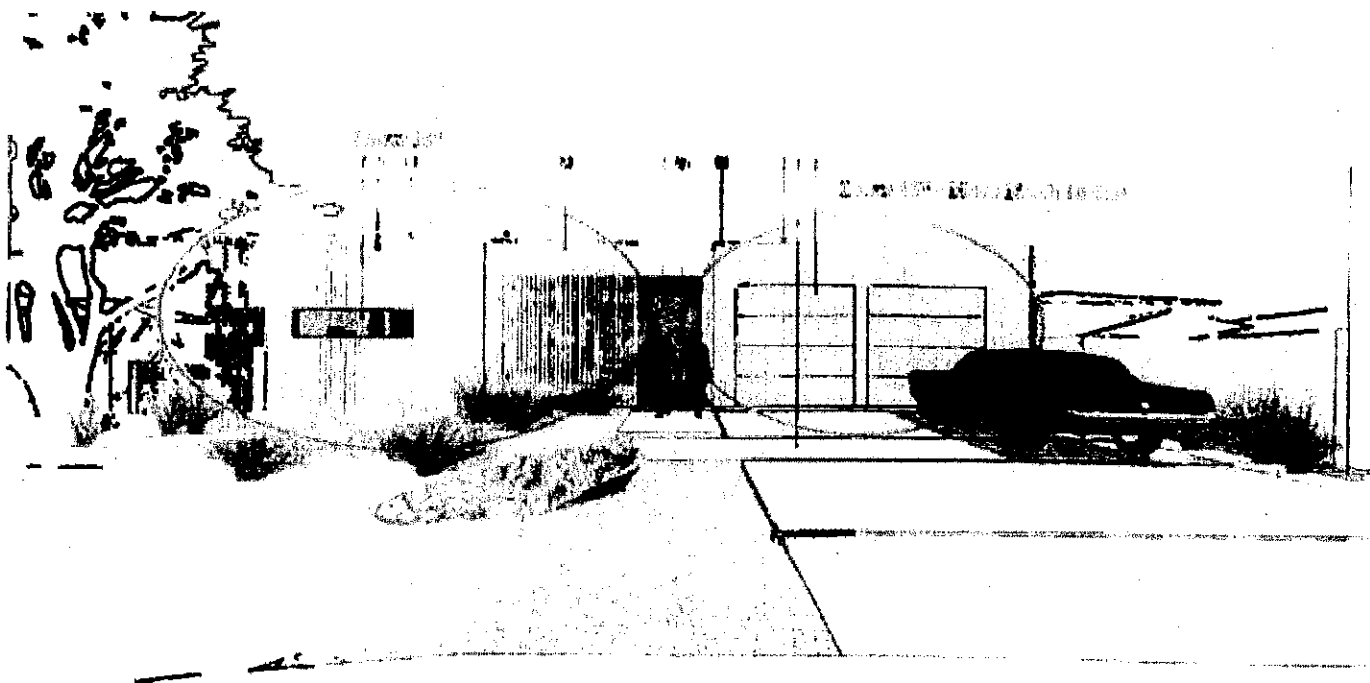
EXHIBIT 4

WOUNG - CHAPMAN RESIDENCE

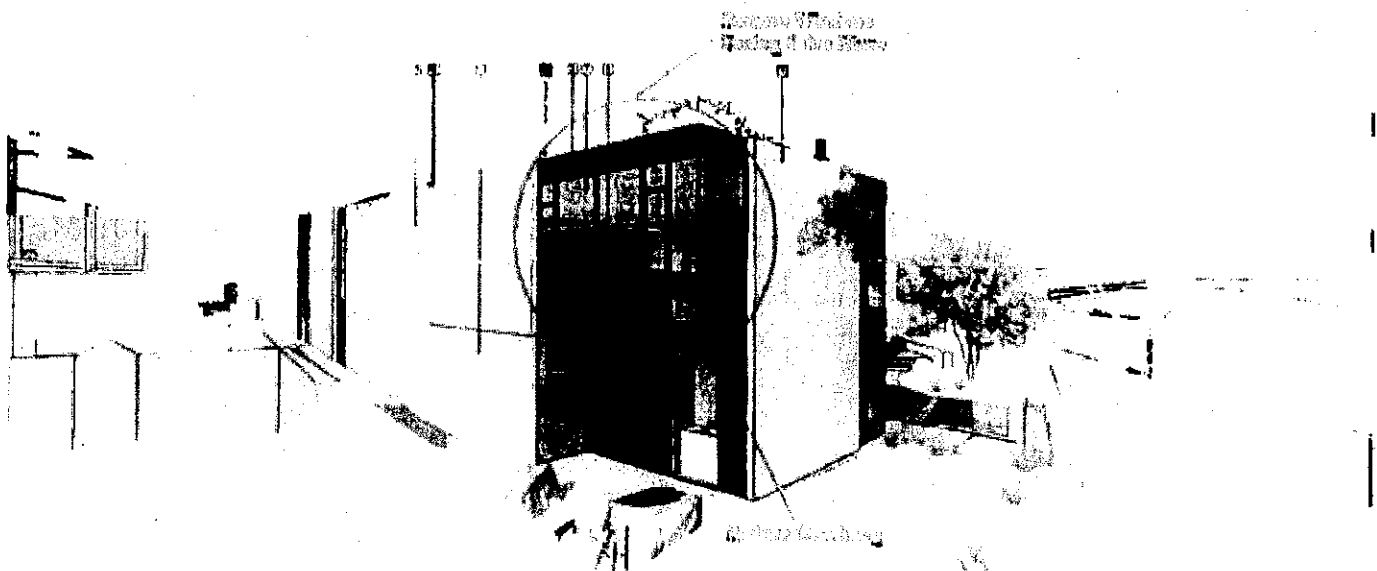


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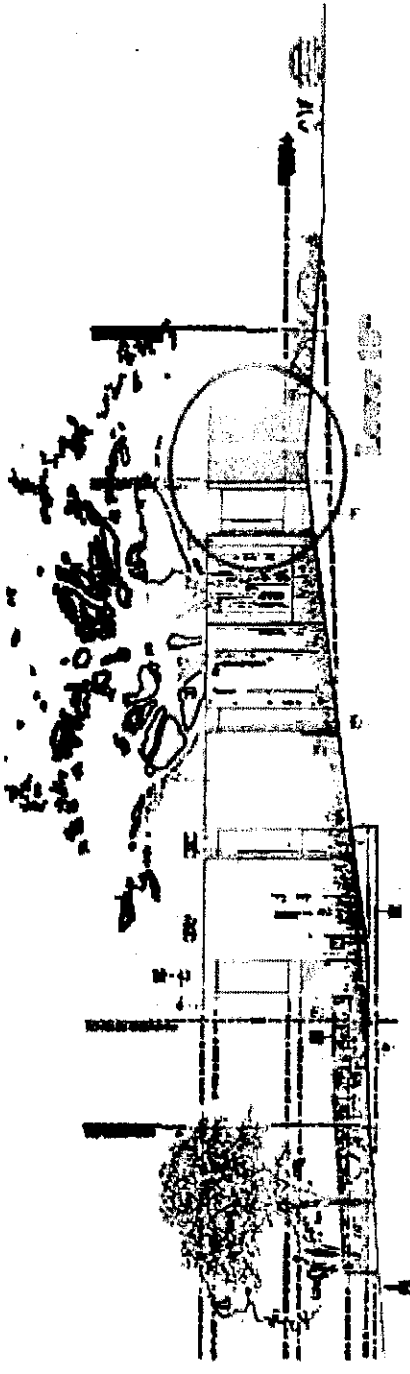
www.johnson.com



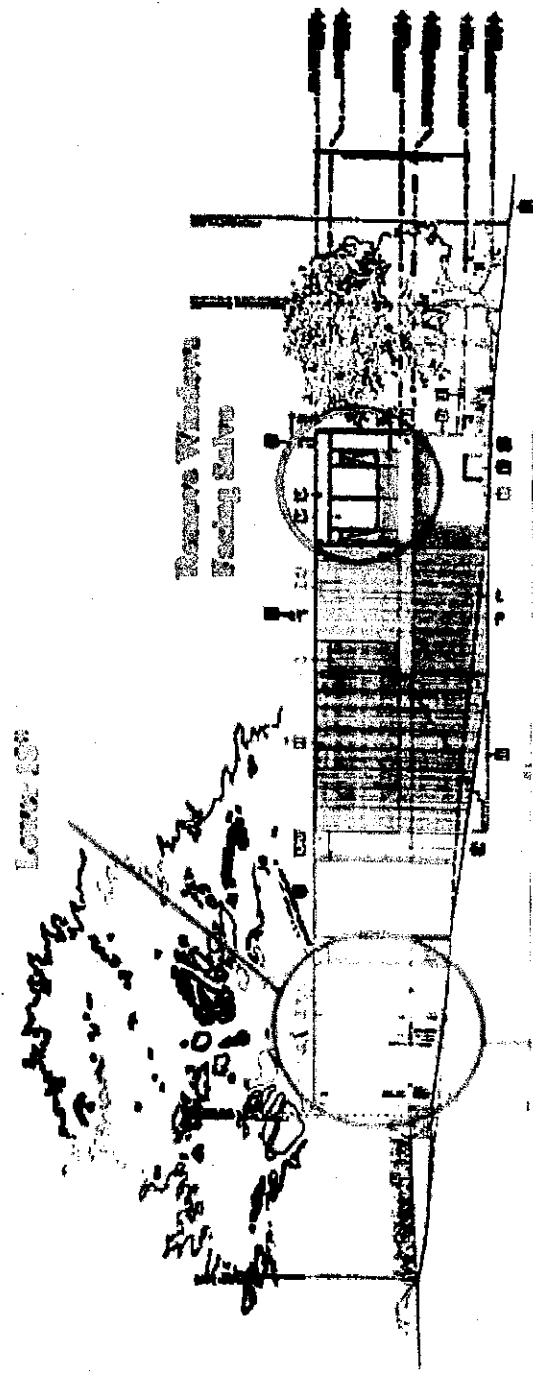
www.johnson.com

Architectural rendering of the proposed building design. The drawing shows a modern, multi-story structure with large glass windows and a central courtyard area. A red circle highlights a specific section of the building's facade. The text "Proposed Building Design" is visible in the upper left corner.

NORTHEAST CORNER

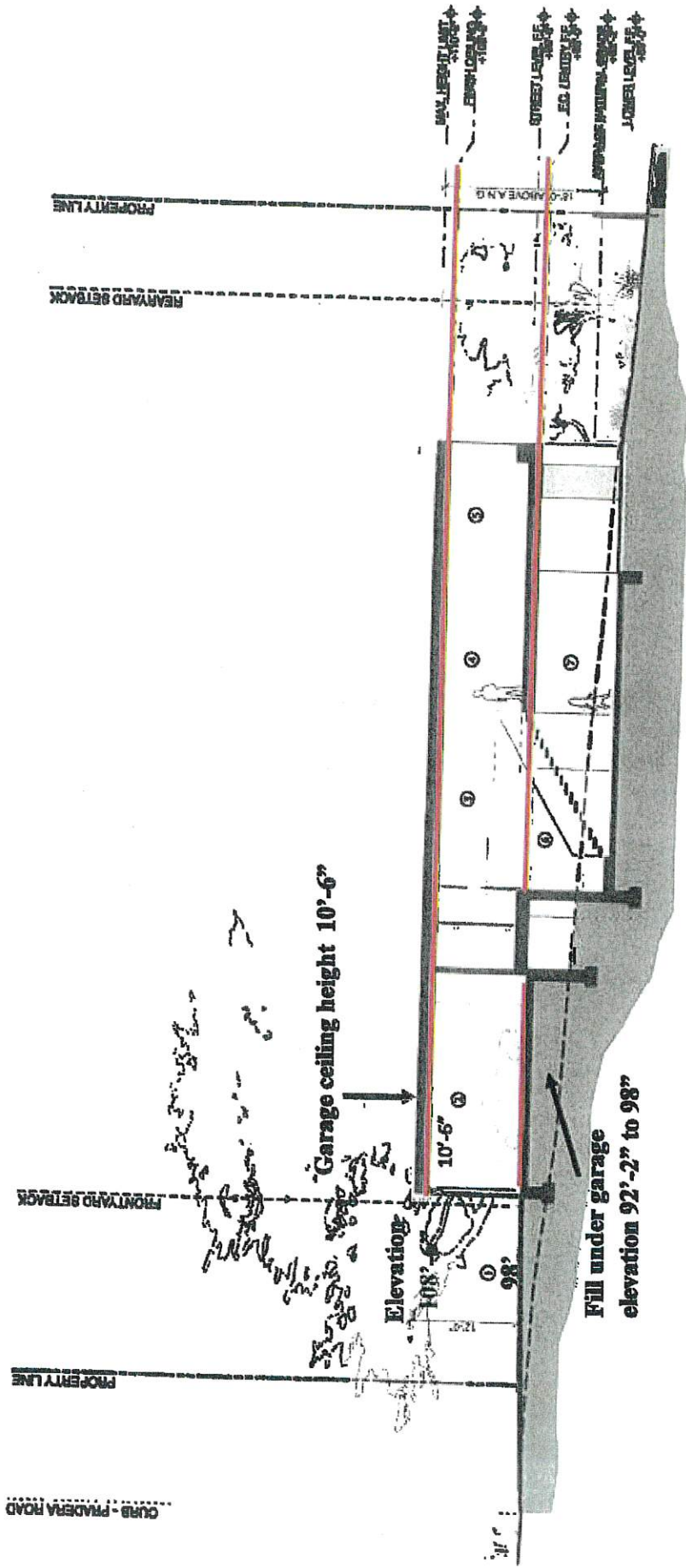


1. [illegible text]



2. [illegible text]

More Change Book
AC 100-1000



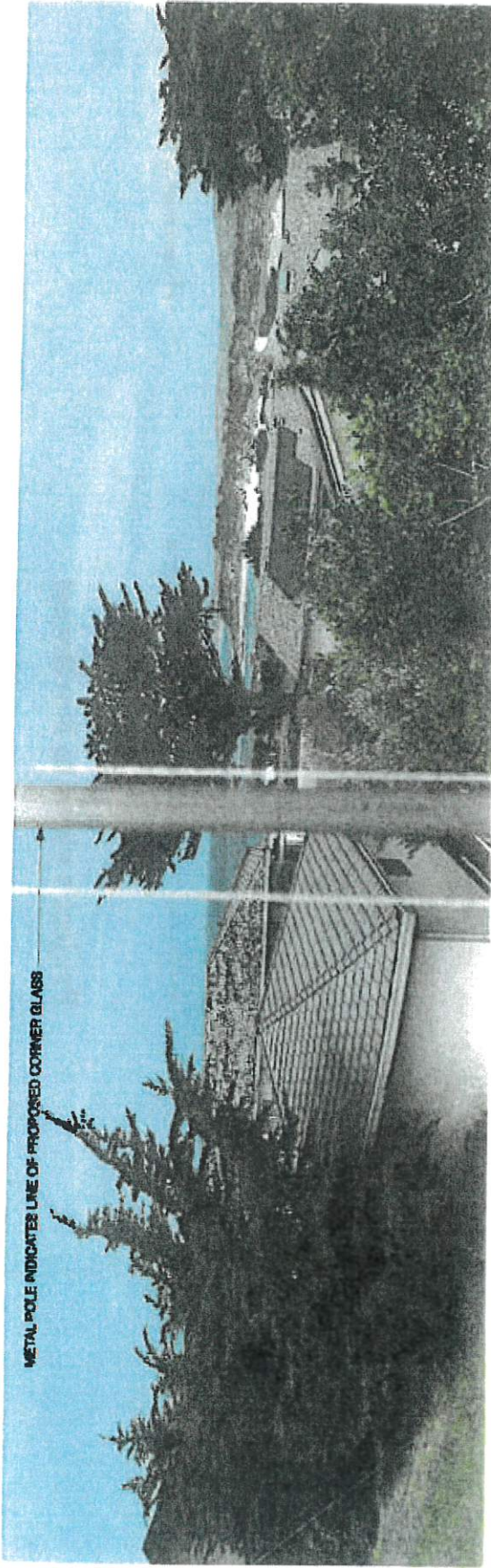
- LEGEND
- 1. Kitchen
 - 2. Garage
 - 3. Hallway
 - 4. Living
 - 5. Dining
 - 6. Bath
 - 7. Bed



SAGAN PIECHOTA ARCHITECTURE

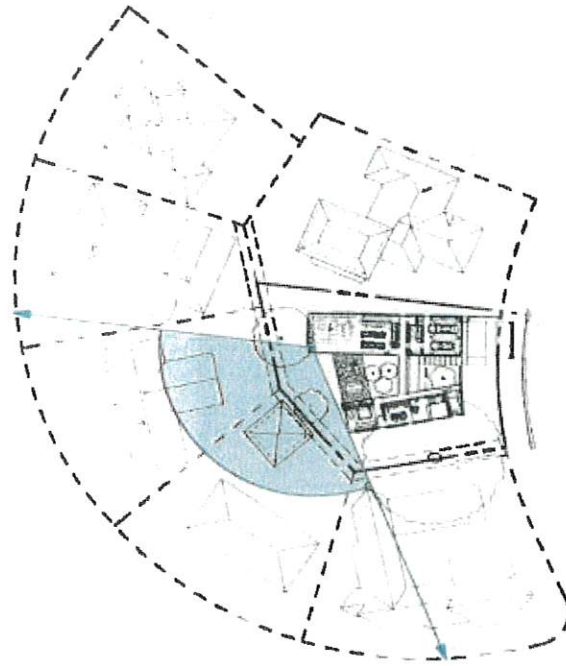
WOUNG-CHAPMAN RESIDENCE

EXHIBIT 5

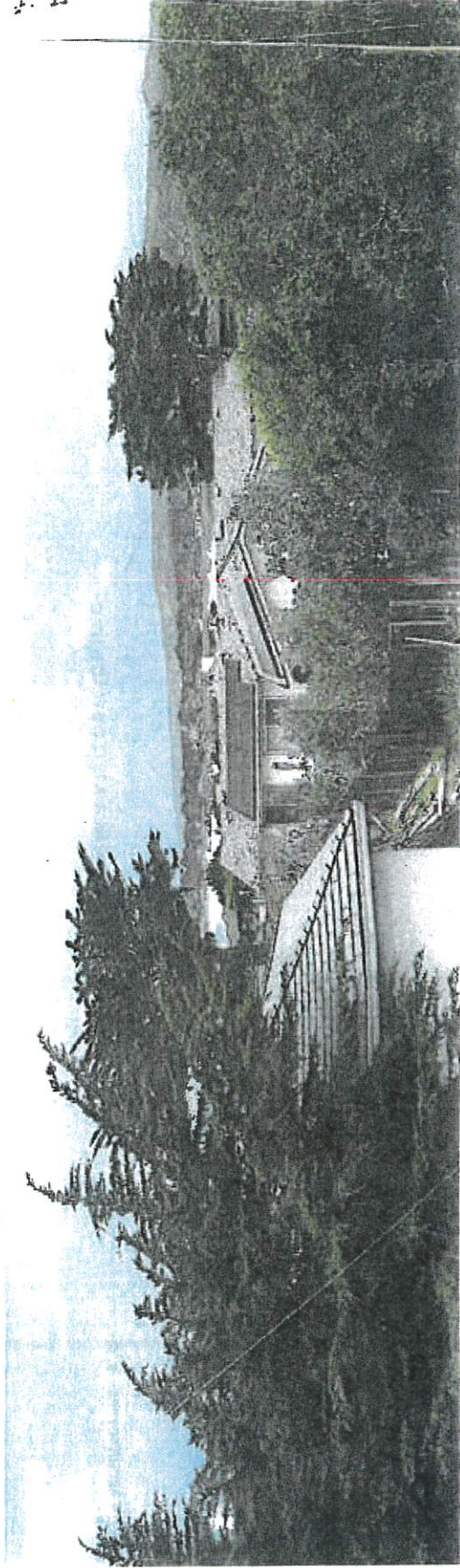


BRG ROOM VIEW

- TAKEN FROM PROPOSED LIVING ROOM CORNER AT +5'-0" (EYE LEVEL) ABOVE STREET LEVEL FINISH FLOOR
- EYE LEVEL ELEVATION = +105'-0" (+16'-0" ABOVE EXISTING GRADE)
- EXISTING GRADE = +89'-0"

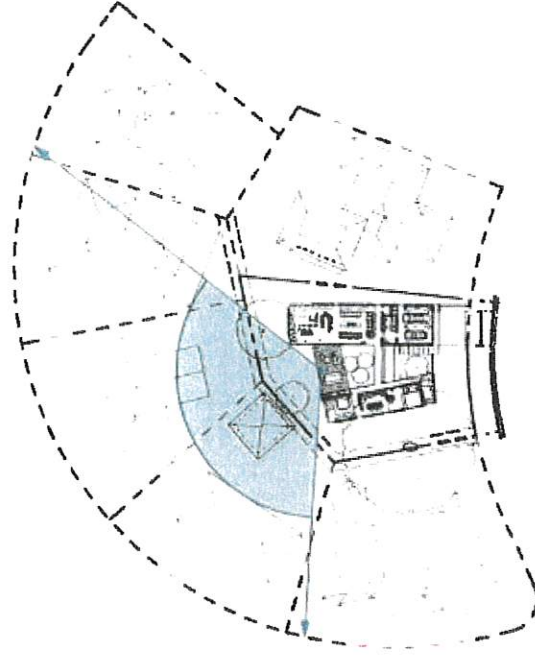


Project's views to Northwest



VIEWED DECK VIEW

- TAKEN FROM MID-SPAN OF PROPOSED COVERED DECK AT +5'-6" (EYE LEVEL) ABOVE STREET LEVEL FINISH FLOOR
- EYE LEVEL ELEVATION = +105'-0" (+15'-0" ABOVE EXISTING GRADE)
- EXISTING GRADE = +90'-0"



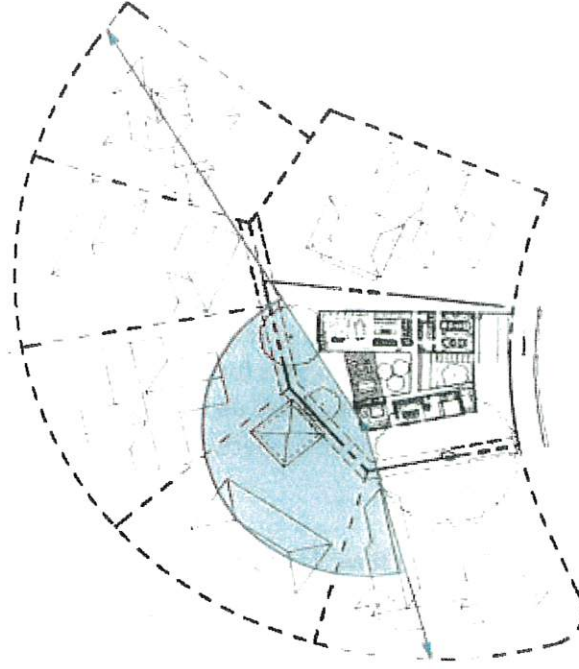
Project's views to Northwest

TAL POLE INDICATES LINE OF PROPOSED CORNER GLASS



MASTER BEDROOM VIEW

- TAKEN FROM CORNER OF PROPOSED MASTER BEDROOM AT +5'-0" (EYE LEVEL) ABOVE STREET LEVEL FINISH FLOOR
- EYE LEVEL ELEVATION = +185'-0" (+14'-0" ABOVE EXISTING GRADE)
- EXISTING GRADE = +91'-0"



VIEW STUDY - RICH MASTER BEDROOM

Project's views to Northwest

I am writing to register a concern about the Chapman project in Carmel Meadows, pln171046.

9/5/18

Concern re pln171046

I am Cary Hill, and own the adjacent property at 2740 Ribera Rd, which is directly downhill from the Chapman property. My mailing address is 13870 La Paloma Rd, Los Altos Hills, CA, 94022. My review of the plans suggests that the drainage plan is for all the water falling on the property to be collected at the low point of the property and then pumped up to Pradera Road and then released. The location of the collection reservoirs is adjacent to the property line I have in common with the project site.

Currently no appreciable water flows from the Chapman property onto my property. My lot is relatively flat, and if as a result of the property development any significant amount of water does flow onto my property, my house will likely flood.

My request is that redundancy and "worst case" planning be done to minimize the risk of flooding. I strongly suggest that dual sump pumps, each with the ability to pump all the water in a high flow situation be installed rather than just a single pump. If there is a pump failure I would like the reassurance that there is a backup pump that will be able to handle the load.

Similarly, a high water flow event is likely to occur during a storm, which is also a time to expect a power outage. I would also like there to be the requirement for an emergency generator to guarantee that the sump pumps will always be powered.

I cannot stress enough the likelihood of water damage to my property if the water from the Chapman property is inadvertently funneled through my yard.

Cary Hill