

From: [Lennie Roberts](#)
To: [Camille Leung](#)
Cc: [Glen Jia](#); [Richard Klein](#); [Kathleen Klein](#); [Susana Van Bezooijen](#); [Martinez, Erik@Coastal](#)
Subject: Re: Item \$4 on August 211, 2022 CDRC Agenda: PLN 2021-00478
Date: Monday, August 8, 2022 11:44:17 AM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Hi Camille,

Thanks for your quick reply. And thanks for clarification re the IS/MND.

However, I disagree with your conclusion about the project's location outside of the Commission Appeals Jurisdiction. Due to the presence of Arroyo Willow in the lower area of the subject property, the area described as "Riparian" by Coast Ecology is also a wetland, per CCC determination for Dispute Resolution 2-9-1994-EDD (Ralston, single family residence on a 20,000 sq.ft.parcel at the end of Hermosa Avenue, unincorporated Miramar, San Mateo County). Although that case involved the question of whether the Ralston property fell within the Categorical Exclusion area, the Coastal Commission staff biologist, Dr. Lauren Garske-Garcia, concluded that the biological resources on-site (specifically Arroyo Willow — as is the case with the Lacasia property) qualified as both riparian and wetland, and therefore could not be excluded from CDP requirements. Therefore, in this case, the applicable buffer zone setback from the outermost line of Arroyo Willow vegetation is 100 feet. This may be reduced to no less than 50 feet only upon demonstration that the reduced setback is adequate to protect wetland resources to the satisfaction of both the County and CA Fish and Wildlife per LCP Policy 7.18,

And as I stated in my letter of August 7, 2022, if you still disagree with the appealability of the CDP to the Coastal Commission, please refer this question to the Coastal Commission's Executive Director. I believe the County Zoning Regulations Section 6328.3(s)(2) is quite clear - projects located within 100 feet of any wetland are appealable to the Coastal Commission.

Best,

Lennie

On Aug 8, 2022, at 9:55 AM, Camille Leung <cleung@smcgov.org> wrote:

Hi Lennie,

Thanks for your comment letter. Based on the survey attached, the project (not the parcel, but location of proposed development) is outside of the Coastal Commission Appeals Jurisdiction. The County has a long standing practice of basing appealability on the project location, not parcel location in the CCC Appeals Jurisdiction. The IS/MND will follow after the DR meeting. The decision to bring the project to Design Review first was made due to the Applicant's rapidly failing health and due to the strength of the survey and bio

reports submitted, which are attached here.

Thanks

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

From: Lennie Roberts <lennieroberts339@gmail.com>

Sent: Sunday, August 7, 2022 10:54 AM

To: Camille Leung <cleung@smcgov.org>; Glen Jia <bjia@smcgov.org>

Cc: Richard Klein <richk@richk.com>; Kathleen Klein

<kathyklein@hotmail.com>; Susana Van Bezooijen <svanb9@gmail.com>;

Martinez, Erik@Coastal <erik.martinez@coastal.ca.gov>

Subject: Item \$4 on August 211, 2022 CDRC Agenda: PLN 2021-00478

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Dear Camille and Glen,

Please see my letter on behalf of Green Foothills re: above-referenced project.

Thanks,

Lennie Roberts

<Kobernus LacasiaOverallTopoMapSignedStamped.pdf><Kobernus
Lacasia_letter report 08-13-2020.pdf><Kobernus Final Lacasia letter report 07-
25-2013.pdf><Kobernus Lacasia letter report_02-14-2020.pdf>



Date: August 7, 2022
To: Glen Jia, Project Planner and
Camille Leung, Senior Planner
From: Lennie Roberts, Legislative Advocate, Green Foothills
Re: Item # 4 on the August 11, 2022 Coastside Design Review Committee meeting: “Consideration of a Design Review recommendation for the construction of a new 2,226 sq. ft. three-story, single-family residence with attached 795 sq. ft. ADU and 374 sq. ft. garage on a 7,070 sq. ft. parcel associated with a staff level Coastal Development Permit (CDP) and Variance. Staff will make a decision on the IS-MND, CDP, and Variance after August 11, 2022. The project is not appealable to the California Coastal Commission. Owner-Applicant: Rodrigo Lacasia-Barrios, File #PLN2021-00478, Location: San Carlos Avenue, El Granada, APN: 047-105-020”

Dear Glen and Camille,

Green Foothills objects to the CDRC Agenda listing of the proposed single-family residence, ADU and garage, specifically the following: “Staff will make a decision on the Initial Study-Negative Declaration, CDP, and Variance after August 11, 2022,” and “The project is not appealable to the California Coastal Commission.”

First, No Notice of the IS-MND was sent to Green Foothills, and I have not been able to find the referenced IS-ND on County Planning’s website. Staff should be well aware of our concerns about this project, as we commented extensively on the parcel legalization and spoke at the ZHO public hearing. We should have been notified of the availability of the IS-MD. Please send me the Draft IS-ND and please extend or re-open the comment period.

Second, due to the presence of riparian vegetation/wetlands on the parcel, a staff-level decision for the CDP and Variance appears to be inappropriate. Could you please advise as to the basis for a staff level decision?

Finally, Green Foothills strongly disagrees with the statement that the CDP is not appealable to the Coastal Commission. The subject parcel supports a dense Arroyo Willow riparian woodland that covers approximately 25%-30% of the property, as depicted on the 11/17/2020 Boundary and Topographic Map by Turnrose Land Surveying which was part of the COC-B approval process. The Arroyo Willow riparian woodland is described by Tom Mahoney of Albion Environmental in his October 15, 2004 Report on the subject parcel as: “Riparian woodland, composed of the Arroyo Willow series (Sawyer and Keeler-Wolf 1995) occurs along the western half of the Project Area. The riparian area is structurally mature, and forms an intact canopy extending from the Project Area down to the unnamed drainage channel to the west...”. Mr. Mahoney also describes the understory vegetation: “...including spreading rush (*Juncus patens*), a facultative wetland species 4 and slough sedge (*Carex obnupta*), an obligate wetland indicator species.”

Development within 100 feet of a wetland is appealable to the California Coastal Commission, per County Zoning Regulations Section 6328.3(s)(2) which states (in relevant part): “Projects Appealable to the Coastal Commission...Projects located within 100 feet of any wetland”. The proposed project has the potential for significant adverse impacts to coastal resources, and the CDP must maximize protection of those resources, through adequate setbacks of development, and other measures to prevent changes to existing patterns of surface and subsurface drainage, and/or removal of environmentally sensitive habitat species, etc.

Please correct the project description on the CDRC August 11, 2022 Agenda accordingly.

If you disagree regarding the issue of appealability of the CDP, please follow the Dispute Resolution process as specified in Section 13569 of the Coastal Commission’s Regulations (California Code of Regulations (CCR), Title 14) and refer this matter to the California Coastal Commission’s Executive Director for a resolution of the disagreement.

Thank you for your attention to our comments.

CC: Erik Martinez, California Coastal Commission
Rich and Kathy Klein
Susana van Bezooijen

From: [Richard Klein](#)
To: [Glen Jia](#)
Cc: [Lennie Roberts](#); kathyrklein@hotmail.com
Subject: RE: PLN2021-00478 (Lacasia) Coastside Design Review Concerns Klein
Date: Monday, August 8, 2022 1:06:13 PM

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Glen:

I found the plans, which are now posted on the website.

In addition to the fire concerns regarding the tightening of the turnaround at the dead end, I see in the plans that the fire district requires 30 feet of defensible space around the house. Since parts of the house approach 20 feet from the willows, is this not an additional concern? Our neighbors have had to cut down trees close to their house in order to retain fire insurance. Obviously, an unsafe risk next door directly imperils us as well.

From a design standpoint, our main concerns are the windows facing our house, and the cantilever deck, both of which would put any new neighbor right into our living room.

Lennie has followed up separately regarding the wetlands issues. I share her concerns.

Rich Klein

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

From: Richard Klein
Sent: Sunday, July 31, 2022 9:39 AM
To: 'bjia@smcgov.org' <bjia@smcgov.org>
Cc: 'Lennie Roberts' <lennie@greenfoothills.org>; Kathleen Klein <kathyrklein@hotmail.com>
Subject: PLN2021-00478 (Lacasia) Coastside Design Review Concerns Klein

Glen:

My wife Kathy and I own the property at 771 San Carlos Ave in El Granada, adjacent to the proposed new development, assessor's parcel number 047-105-020. In your design review hearing on August 11, please take into consideration the wetland characteristics of the property as outlined in Lennie Roberts letter to the county from the previous meeting. Per that letter, it appears that the property is subject to the 100-foot wetlands buffer (potentially reducible to 50-feet). The current owner is, apparently inappropriately, asserting the necessity of only a 50-foot riparian buffer, reducible to 20 feet. It would appear to be impossible to build any structure on the site that complies with the 100ft/50 ft wetlands buffer requirement. I have talked to the previous owner of the property, and he assured me that Mr. Lacasia-Barrios was well aware of the likely impossibility of development when he bought the property. My wife and I have often witnessed the flooding of the downhill section of the property during wet winters. The biologist report shows the existence of characteristic wetland flora on the property, which is an active wildlife corridor and contains thick vegetation cover, especially near the creek.

Also, I've been unable to find any detailed plans for the project other than the exterior drawings which are posted on the lot. Do these exist and are they on file somewhere?

We are currently the last house on our side of this dead-end street. In front of the proposed development is a fire hydrant and a turn-around. We have particular concerns from the drawing about impaired turn-around ability for emergency vehicles and any other large vehicles. There is a barely-adequate widening at the end of San Carlos Ave that facilitates a turn-around between the fire hydrant and the dead end. This development would seem to eliminate part of that turn-around. This is of particular concern given the adjacent highly-flammable hillsides that are mostly part of Golden Gate National Recreation Area.

Richard Klein
771 San Carlos Ave
Half Moon Bay, CA 94019
(925)451-3121
richk@richk.com

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

From: Lennie Roberts <lennieroberts339@gmail.com>
Sent: Monday, June 14, 2021 9:02 AM
To: Deb Robinson <d Robinson@smcgov.org>; Planning_Zoning <Planning_Zoning@smcgov.org>
Cc: Summer Burlison <sburlison@smcgov.org>; Martinez, <erik.martinez@coastal.ca.gov>
Subject: ZHO Agenda Item #2: PLN2020-00448. (Lacasia)

Hi Deb,

Attached is my letter on behalf of Green Foothills regarding the proposed Coastal Development Permit and Certificate of Compliance (Type B) to legalize the undeveloped parcel at 779 San Carlos Avenue, El Granada (APN 047-105-020)

I plan to attend the meeting; see you on Thursday!

Thanks for the opportunity to comment.

Best,

Lennie Roberts, Legislative Advocate, Green Foothills