

CALIFORNIA COASTAL COMMISSION

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Date Filed:	November 6, 2001
49th Day:	December 25, 2001
180 th Day:	May 5, 2001
Staff:	Tiffany S. Tauber
Staff Report:	November 21, 2001
Hearing Date:	December 14, 2001
Commission Action:	

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.:	1-01-052
APPLICANT:	THE ELEUTHERIAN PAN-COMMUNION OF ADIDAM
PROJECT LOCATION:	1512 Stagecoach Road, north of Trinidad, Humboldt County, (APN 517-011-05)
PROJECT DESCRIPTION:	After-the-fact authorization of a six-foot-high, wooden perimeter fence, gate, and landscaping.
GENERAL PLAN DESIGNATION:	Rural Residential, 5-acre minimum
ZONING DESIGNATION:	Rural Residential, Non-Certified Area
LOCAL APPROVALS REQUIRED:	None Required
OTHER APPROVALS REQUIRED:	None
SUBSTANTIVE FILE DOCUMENTS:	CDP File No. 1-83-96 (Knight)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval with special conditions of the six-foot-high, solid wood fence along the north, east, and south property boundaries of the subject parcel with a gate and landscaping. The project site is located on the west side of Stagecoach Road approximately ¼ mile south of the northern intersection with Patricks Point Drive and approximately 2.2 miles north of Trinidad. The fence was installed without benefit of a coastal development permit and the permit applicant is seeking after-the-fact authorization for the fence.

The site is located in an area of low-density, rural residential development in an area characterized by a densely vegetated, narrow road corridor. Prior to installation of the gate, a view corridor from the road over the driveway of the site provided one of the few ocean views from Stagecoach Road. The application raises issues with regard to consistency with the visual resource protection standards of Coastal Act Section 30251, including whether the fence (1) is visually compatible with the character of the surrounding area and (2) protects views to and along the ocean and coastal scenic areas. Staff is recommending two special conditions to minimize the visual impact of the development.

First, to ensure that all three lengths of the fence are adequately screened with vegetation in a manner consistent with the character of the area, staff recommends Special Condition No. 1, which requires the applicant to submit a revised landscaping plan for review and approval of the Executive Director. Second, the siting and design of the gate as constructed impairs the blue water view of the ocean from the road and would eliminate this open view corridor. To provide for the continuance of this ocean view corridor across the property consistent with Section 30251, staff recommends Special Condition No. 2 that requires the applicant to submit a revised plan for the fence gate across the driveway that provides for a more open-style design such as rod iron, or the removal of every other vertical wood slat to provide a more open view corridor as viewed from the public road.

As conditioned, staff believes that the project is fully consistent with the Chapter 3 policies of the Coastal Act.

STAFF NOTES:

1. Standard of Review

The proposed project is located on the west side of Stagecoach Road north of the City of Trinidad in Humboldt County. Humboldt County has a certified LCP. However, the project is located in an area of deferred certification (ADC). Therefore, the standard of review that the Commission must apply to the project is the Chapter 3 policies of the Coastal Act.

I. MOTION, STAFF RECOMMENDATION AND RESOLUTION:

The staff recommends that the Commission adopt the following resolution:

Motion:

I move that the Commission approve Coastal Development Permit No. 1-01-052 pursuant to the staff recommendation.

Staff Recommendation of Approval:

Staff recommends a YES vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Approve the Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or (2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions: See Attachment A.

III. Special Conditions:

1. Revised Landscaping Plan

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a revised landscaping plan prepared by a qualified professional with expertise in the fields of landscaping or botany, such as a landscape architect or botanist, for the review and approval of the Executive Director. The landscaping plan shall substantially conform with the plan received by the Commission on November 6, 2001 from James Calledine except that the plan shall also provide for the following:

- (a) Landscaping shall be planted along all three lengths of the fence to minimize the visual impacts to Stagecoach Road and shall include the planting of plants or shrubs on at least three-foot centers along the entire span of each of the three lengths of fence;

- (b) The landscaping shall include only native species or non-invasive, non-native species commonly found along Stagecoach Road and shall include a planting plan detailing the specific locations where individual plants and shrubs would be planted;
- (c) Specifications shall be included to indicate species, size at planting, height at maturity, and establishment techniques (e.g., irrigation, fertilization, etc.);
- (d) A site map showing the type, size, and location of all plant materials that will be planted at site, the irrigation system, and all other landscape features;
- (e) A schedule for installation of the plants;
- (f) All planting shall be completed within 60 days of receipt of the coastal development permit. The applicant shall notify the Executive Director in writing when the vegetation has been planted, and Commission staff shall verify the planting via a site visit or by examining photographs submitted by the applicant.
- (g) All required plantings shall be maintained in good growing condition throughout the life of the project, and wherever necessary, shall be replaced with new plant materials to ensure continued compliance with the approved landscaping plan.
- (h) The installed landscaping shall achieve 80% coverage of the fence within three years of planting. Monitoring to determine if the success standard has been achieved shall be conducted in the fall after the summer dry season. Monitoring shall continue each year for three years or until the success standard has been achieved. Monitoring reports shall be submitted to the Executive Director by October 1 of each year and shall contain accurate counts of the numbers of plants that survived or died, a plan showing the location of plants that did not survive, a narrative assessment of the general condition of the vegetation along the fence, an analysis of reasons for any failure of the planting, photographs of the landscaping, and an evaluation of whether the 80% coverage standard will be or has been achieved within three years of planting. If a report indicates that the plants will not be or have not been successful in part, or in whole, the applicant shall submit for the review and approval of the Executive Director a revised landscaping program containing recommendations for any additional planting and other corrective measures needed to achieve the 80% coverage performance standard. The revised landscaping program shall require an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

- B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. Revised Gate Plan

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a revised plan for the design of the fence gate to the Executive Director for review and approval. The revised plan shall provide for a gate of open-style construction such as rod iron or alternating vertical wood slats and openings as wide as the wood slats to protect the existing ocean view corridor down the driveway across the property.
- B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Condition Compliance

- A. **WITHIN 60 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT APPLICATION**, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

1. Site Description & Project Description

The project site is a blufftop lot located on the west side of Stagecoach Road approximately ¼ mile south of the northern intersection with Patricks Point Drive and approximately 2.2 miles north of Trinidad (Exhibit Nos. 1 & 2). The site is located in an area of low-density, rural residential development along a densely vegetated, narrow road corridor. The blufftop lot is at an elevation of approximately 200 feet above sea level and is developed with a single-family residence built pursuant to a coastal development permit approved by the Commission in 1983 (CDP No. 1-83-96, Knight). The site and surrounding area is vegetated with a spruce forest

community containing spruce, alder, wax myrtle, ferns, huckleberry, salal, and related undergrowth species.

The applicant seeks after-the-fact authorization of a six-foot-high, solid wood perimeter fence, gate, and landscaping. The fence is constructed of 1' x 6' vertical redwood slats, 2' x 8' horizontal redwood slats across the top, 6" x 6" vertical posts spaced every ten feet, and a similarly designed gate across the driveway (Exhibit No. 5). The fence extends along the north, east, and south property boundaries for approximately 124, 186, and 127 linear feet respectively (Exhibit No. 3). The applicants indicate that the purpose of the fence is to provide security and privacy, as the residence is used from time to time as a retreat for the applicants' spiritual leader. The project does not involve a change of use, as the property and existing residence is not used for church assembly.

The applicants are proposing landscaping along the eastern fence line paralleling the road to screen the view of the fence from Stagecoach Road. The applicants propose to plant two types of vegetation native to the area including 32 Garrya bushes (silk tassel) and 22 Clematis vines (Exhibit No. 4). The applicants also propose to install landscaping irrigation to help establish the vegetation.

2. Need for a Permit

Section 30601(a) of the Coastal Act exempts certain improvements to existing single-family residences from coastal development permit requirements. Section 30610 states in applicable part that:

Notwithstanding any other provision of this division, no coastal development permit shall be required pursuant to this chapter for the following types of development and in the following areas:

(a) Improvements to existing single-family residences; provided, however, that the commission shall specify, by regulation, those classes of development which involve a risk of adverse environmental effect and shall require that a coastal development permit be obtained pursuant to this chapter.

The proposed development is the kind of improvement to an existing single-family residence that the Commission, pursuant to Section 13250 of its administrative regulations, has determined involves a risk of adverse environmental effect and shall require a permit. Section 13250 of the Commission's administrative regulations states in applicable part:

(b) Pursuant to Public Resources Code Section 30610(a), the following classes of development require a coastal development permit because they involve a risk of adverse environmental effect:

*(4) On property...that is located between the sea and the first public road paralleling the sea...**any significant non-attached structure such as garages, fences, shoreline protective works, or docks....** (emphasis added)*

The project site is located between the sea and the first road paralleling the sea and the proposed development, a fence, is specifically listed as a significant non-attached structure requiring a permit. Therefore, the improvement to an existing single-family residence is not exempt from permit requirements under Coastal Act Section 30610 (a).

3. Visual Resources

Section 30251 of the Coastal Act states that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance, and requires in applicable part that permitted development be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of surrounding areas.

The applicant seeks after-the-fact authorization for a six-foot-high, solid wood fence along the north, east, and south property boundaries of the subject parcel with a gate and landscaping. The installation of the fence does not involve any grading and thus, the alteration of natural land forms is minimized as required by Section 30251. Therefore, the proposed project raises two issues with regard to consistency with the visual resource protection standards of Section 30251 including whether the fence (1) is visually compatible with the character of the surrounding area and (2) protects views to and along the ocean and coastal scenic areas.

Visual Compatibility with the Character of the Surrounding Area

The site is located on the west side of Stagecoach Road in an area of low-density, rural residential development on heavily forested lots. Stagecoach Road is a narrow, densely vegetated travel corridor that provides public access to several coastal recreation areas including Trinidad State Beach to the south and Patricks Point State Park to the north. The proposed project does not involve the removal of any trees or major vegetation and would not be visible from any park or public recreation area, only from the public road.

The character of the area is largely defined by the dense, native spruce forest and coastal scrub vegetation along the east and west sides of the road corridor. Due to the dense vegetation on the west side of the road, blue water views of the ocean from Stagecoach Road are minimal. As a result of the densely vegetated character of the area, very little development is actually visible from Stagecoach Road with the exception of occasional rooftops and property fences.

The applicant has provided photos of several fences that exist along Stagecoach Road that vary in height and design. The existing fences along Stagecoach Road include open-style wire, picket, and solid wood fences. Many of the existing fences are overgrown with the same species of vegetation that comprises the character of the area and thus, they are not overtly visually

intrusive and do not conflict with the character of the area. Some are not vegetated, but are of a more open-style design such as wooden posts and wire that easily blend with the character of the area.

As the fence that the applicant is seeking authorization for is tall and solid, it results in a greater visual impact than the more open style fences, or those that are overgrown with vegetation. When the fence was originally constructed, the applicants planted vegetation along the eastern fenceline which has been only partially successful in screening the fence, as some of the plantings did not survive due to what the applicants attribute to lack of light and irrigation. The applicants are proposing to provide additional native landscaping along the eastern fence line facing Stagecoach Road including Garrya shrubs (silk tassel) and Clematis vines.

The Commission finds that due to the height and solid design of the fence and the lack of sufficient vegetative screening, the proposed fence is out of character with the surrounding area. However, the fence would be in character with the surrounding area if the fence were screened with vegetation in a manner consistent with other fences along the road in the area. To ensure that the fence is adequately screened in a manner consistent with the character of the area, the Commission attaches Special Condition No. 1 which requires the applicant to submit a revised landscaping plan for review and approval of the Executive Director. In addition to the length of fence on the eastern property boundary that parallels the road, the lengths of fence that are perpendicular to the road along the north and south property boundaries are also visible when traveling northbound and southbound along Stagecoach Road. As the applicants are proposing only to provide landscaping along the eastern fence line, Special Condition No. 1 requires that the revised landscaping plan provide for native landscaping along all three lengths of the fence to screen the fence from view in all directions along the public road. Furthermore, due to the limited success of previous landscaping attempts, the Commission finds that it is also necessary to require a mechanism to monitor and maintain the health of the vegetation to ensure its successful establishment. The landscaping plan requires specifications including species, size at planting, height at maturity, and establishment techniques including irrigation and fertilization. Special Condition No. 1 also requires that the installed landscaping achieve 80% coverage of the fence within three years of planting to ensure that it achieves consistency with the character of the area as discussed above. Monitoring reports are required to be submitted to the Executive Director by October 1 of each year and a narrative assessment of the general condition of the vegetation along the fence, an analysis of reasons for any failure of the planting, photographs of the landscaping and an evaluation of whether the 80% coverage standard will be or has been achieved within three years of planting. If a report indicates that the plants will not be or have not been successful in part, or in whole, the applicant is required to submit for the review and approval of the Executive Director a revised landscaping program containing recommendations for any additional planting and other corrective measures needed to achieve the 80% coverage performance standard and obtain a permit amendment unless the Executive Director determines that no amendment is legally required.

Protection of Views To and Along the Ocean and Coastal Scenic Areas

As noted above, views of the ocean from Stagecoach Road are limited by the intervening dense spruce forest vegetation and the distance from the road to the ocean (approximately 125 feet at the subject property). As seen from Stagecoach Road, the subject property affords a minimal blue water view corridor across the property down the area of the driveway entrance.

Nonetheless, the ocean view corridor from the public road is important because there are few ocean views afforded from other locations along Stagecoach Road and because the road is a popular travelway to access public visitor serving facilities and coastal recreation areas.

The siting and design of the fence includes a gate across the driveway that, like the rest of the fence, is proposed to be 6-feet-high and of a solid wood design. The siting and design of the gate impairs the blue water view of the ocean from the road and, although the gate is minimal in size, eliminates this open view corridor. To provide for the continuance of this ocean view corridor across the property consistent with Section 30251, the Commission attaches Special Condition No. 2. Special Condition No. 2 requires the applicant to submit a revised plan for the fence gate across the driveway that provides for a more open-style design such as rod iron, or the removal of every other vertical wood slat to provide a more open view corridor as viewed from the public road. The Commission finds that an open-style gate would continue to provide property delineation and provide reasonable security while also protecting the existing view corridor.

Conclusion

The fence for which the applicant is seeking after-the-fact authorization is not visible from any public beach or public park lands and does not involve grading or any other form of natural landform alteration. However, the fence has been constructed along a public roadway providing access to the coast with occasional glimpses of the ocean. As conditioned, the fence would be screened from view with vegetation in a manner that is visually compatible with the character of the surrounding area, namely the densely vegetated road corridor and similarly vegetated property fences. Furthermore, as conditioned, the gate would be designed of an open-style construction in a manner that would protect views to and along the ocean and the scenic coastal area through the property. Therefore, the Commission finds that the proposed development as conditioned is consistent with Section 30251.

4. Public Access

Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or adequate access exists nearby. Section 30211 requires that development not interfere with the public's right to access gained by use or legislative authorization. Section 30214 of the Coastal Act provides that the public access policies of the Coastal Act shall be implemented in a manner that takes into

account the capacity of the site and the fragility of natural resources in the area. In applying Sections 30210, 30211, 30212, and 30214, the Commission is also limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential access.

Although the project site is located between the first public road (Stagecoach Road) and the sea, it will not otherwise adversely affect public access. There are no trails that provide shoreline access through the subject property and therefore, the fence would not result in a barrier to public coastal access. Furthermore, the proposed fence would not change the nature or intensity of use of the site and thus, would not create any new demand for public access or otherwise create any additional burdens on public access.

Therefore, the Commission finds that the proposed project does not have any significant adverse effect on public access, and that the project as proposed without new public access is consistent with the requirements of Coastal Act Sections 30210, 30211, 30212, and 30214.

5. Religious Land Use And Institutionalized Persons Act of 2000

The Commission notes that its action on the proposed development is not based upon any animus toward the religious affiliation of the applicant. The Commission has reviewed the provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA), which prohibit certain actions even if *not* based upon animus, to ensure that its actions are not in violation of federal law in any other way. Section 2 of RLUIPA ("Protection of Land Use as Religious Exercise"), 42 U.S.C. § 2000cc, contains four separate prohibitions on government action.¹

Pursuant to that section, the Commission may not "implement a land use regulation . . ."

- "in a manner that imposes a substantial burden on the religious exercise of a[n] . . . institution, unless the imposition of the burden . . . (A) [furthers] . . . a compelling governmental interest; and (B) is the least restrictive means of furthering that compelling governmental interest" (RLUIPA Section 2(a));
- "in a manner that treats a religious assembly or institution on less than equal terms with a non-religious assembly or institution" (RLUIPA Section 2(b)(1));
- "that discriminates against any assembly or institution on the basis of religion or religious denomination" (RLUIPA Section 2(b)(2)); or
- "that (A) totally excludes religious assemblies from a jurisdiction; or (B) unreasonably limit religious assemblies, institutions, or structures within a jurisdiction" (RLUIPA Section 2(b)(3)).

These sections are inapplicable, initially, because the Commission's action does not involve the implementation of a "land use regulation" as RLUIPA defines that phrase. RLUIPA specifically

¹ These prohibitions apply to all state agencies, including the Commission. 42 U.S.C. § 2000cc-5(4).

defines "land use regulation" to mean "a zoning or landmarking law . . . that limits or restricts a claimant's use or development of land . . . if the claimant has an ownership, leasehold, easement, servitude, or other property interest . . . or a contract or option to acquire such an interest." RLUIPA Section 8(5); 42 U.S.C. § 2000cc-5(5). The Coastal Act provisions implemented by the Commission's decision are neither zoning nor landmarking laws that limit or restrict the applicant's use or development of the subject property.

Furthermore, even if the Commission's action were to constitute implementation of a "land use regulation" for purposes of RLUIPA, it meets none of the four criteria listed above. Regarding the first prohibition, in RLUIPA Section 2(a), the Commission notes that the subject site is not used for church assembly and therefore, the Commission's action imposes no substantial burden on the applicant's religious exercise. The proposed development is not designed to facilitate the exercise of religion (much less is it central to such exercise). Thus, the imposition of conditions on the project does not burden the applicant's exercise of religion, much less substantially burden it.

Secondly, with respect to RLUIPA Section 2(b)(1), the Commission's action treats the applicant on terms that are identical to those it would apply to any non-religious entity applying for the same development. It is the nature of the proposed development, and the fact that it involves coastal resource impacts, rather than the nature of the applicant, that is critical to the Commission's decision.

Finally, the Commission's action does not discriminate against the applicant on the basis of religion or religious denomination, and it does not exclude or unreasonably limit religious assemblies or institutions from any jurisdiction. Consequently, the Commission concludes that its action is not in violation of the Religious Land Use and Institutionalized persons Act of 2000.

6. Alleged Violation

As noted above, the fence was constructed at the site in an area within the Commission's jurisdiction without the benefit of a coastal development permit. Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the cited alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

7. California Environmental Quality Act (CEQA)

Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by findings showing that the application, as modified by any conditions of approval, is consistent with any applicable requirement of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives

or feasible mitigation measures available, which would substantially lessen any significant adverse effect the proposed development may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. As discussed above, the proposed project has been conditioned to be found consistent with the policies of the Coastal Act. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. Mitigation measures which will minimize or avoid all significant adverse environmental impact have been required. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found consistent with the requirements of the Coastal Act and to conform to CEQA.

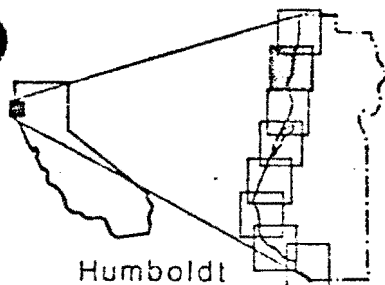
EXHIBITS:

1. Regional Location
2. Vicinity Map
3. Site Plan
4. Landscaping Plan
5. Fence Typical
6. Correspondence

ATTACHMENT A

Standard Conditions:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



Humboldt

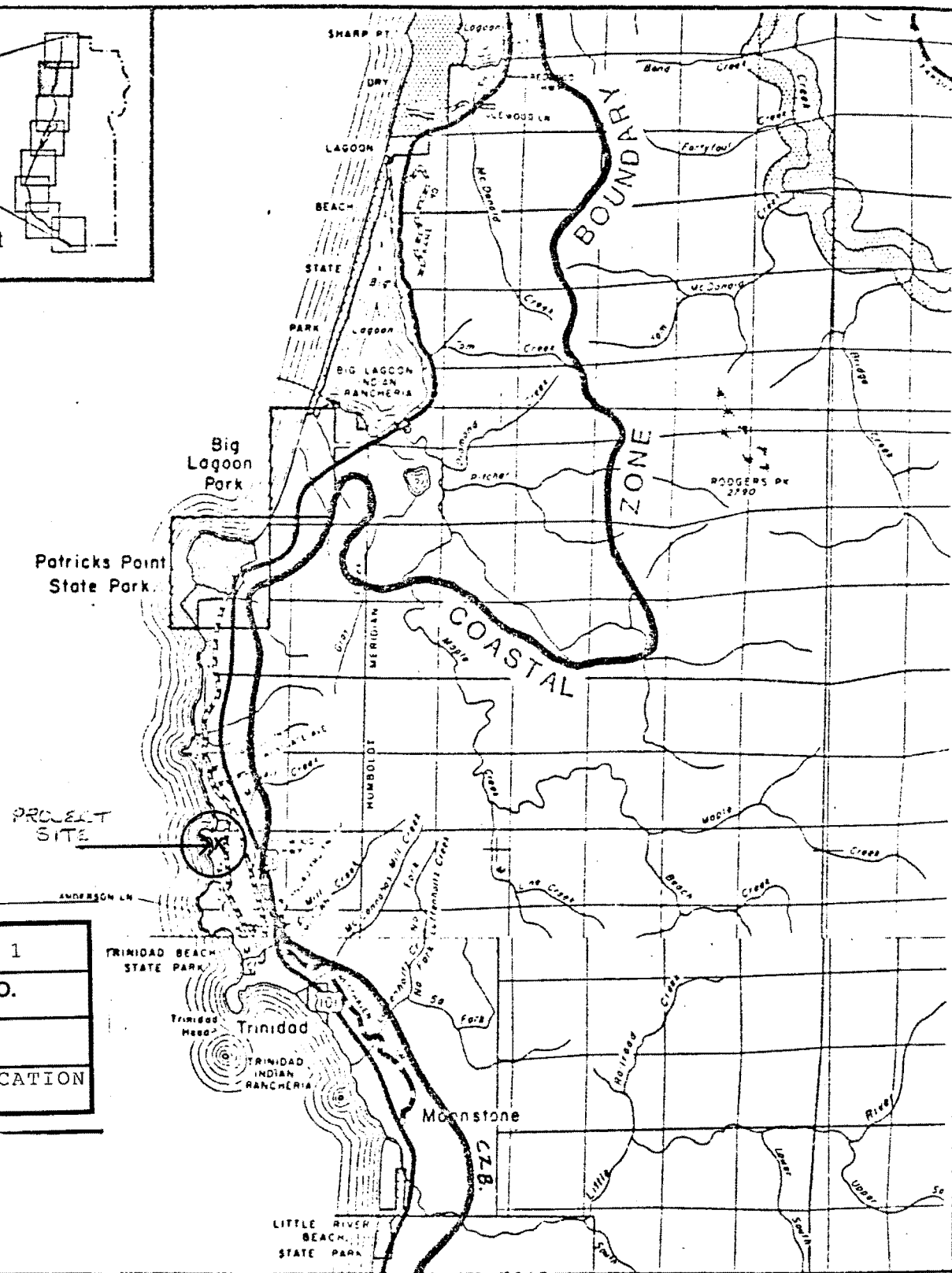


EXHIBIT NO. 1
APPLICATION NO. 1-01-052
REGIONAL LOCATION

LOCATION MAP



1512 Stagecoach Road

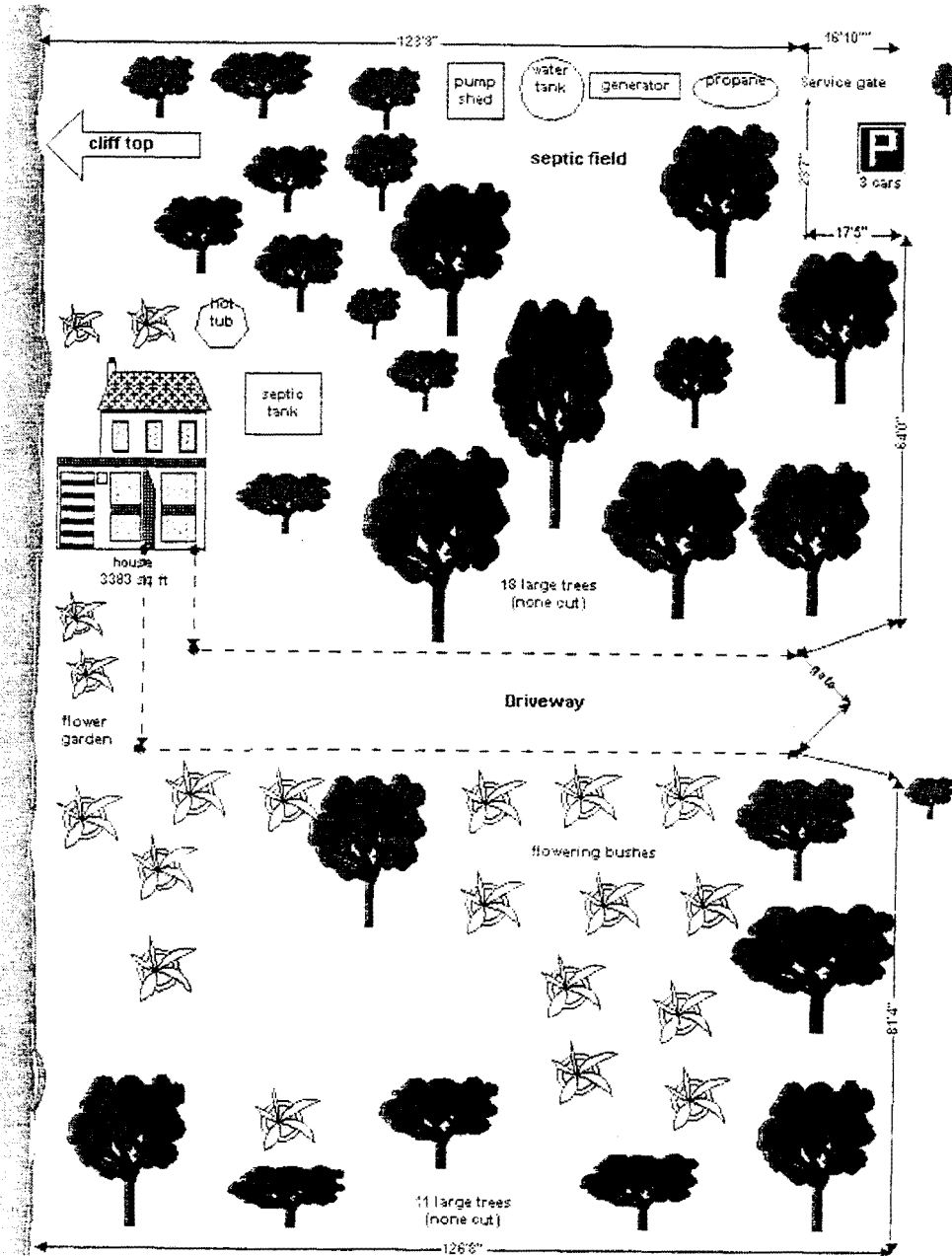


EXHIBIT NO. 3

APPLICATION NO.
1-01-052

SITE MAP

The Eleutherian Pan Communion of Adidam

EXHIBIT NO.	4
APPLICATION NO.	1-01-052
LANDSCAPING PLAN (2 pages)	

Reply to:
North Coast Office,
636 Patrick's Point Drive,
Trinidad, California,

Tiffany S. Tauber,
Coastal Planner,
California Coastal Commission,
710 E Street, Suite 200,
Eureka, CA 95501-1865

RECEIVED
NOV 06 2001
CALIFORNIA
COASTAL COMMISSION

Dear Ms. Tauber,

In conjunction with our development permit application relative to 1512 Stagecoach Road, here is the additional information you requested:

- 1) **LANDSCAPING:** Landscaping is proposed as part of the development. Information is contained in the section immediately below.
- 2) **LANDSCAPING PLAN:** At the time of initial construction, approximately \$600 was spent for nursery stock, for plantings across the front of the fence. These plantings have not done well due to:
 - a) lack of sunlight, particularly on the north section of the fence
 - b) lack of irrigation

There are three sections of the fence which run parallel to Stagecoach Road; from north to south, first there is a section of 28'7"; the second is 64'0"; the third is 81'4"

Each of these sections will receive plantings having as their intention to increase overall vegetation, and enhance the beauty of the area.

The first area will receive 6 Garrya bushes, placed about 4' apart; The second will receive 16 Garrya bushes, about 4' apart; the third will also received 16 Garrya bushes averaging 5' apart, for the reason that there is significantly more vegetation in this area at present.

The bushes when planted will be approximately 40" tall on planting, and will be very thick and dense. They can be expected to equal or significantly exceed the height of the fence in about 2 years. They should also do well in the light conditions that exist.

In addition, along the entire front area of the fence we will plant approximately 22 Clematis vines, which will densely cover the face of the fence, while also offering attractive white flowers at certain times.

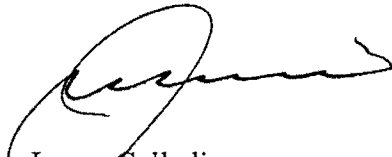
The Eleutherian Pan Communion of Adidam

We will also add irrigation to cover all of these plantings. We estimate the total cost of these improvements to be \$1750

- 3) **FENCE PLAN:** We enclose drawings of the fence construction. The post caps, however, have not been used.

I hope this gives you the information you need.

THE ELEUTHERIAN PAN COMMUNION OF ADIDAM



James Calladine
Regional Manager

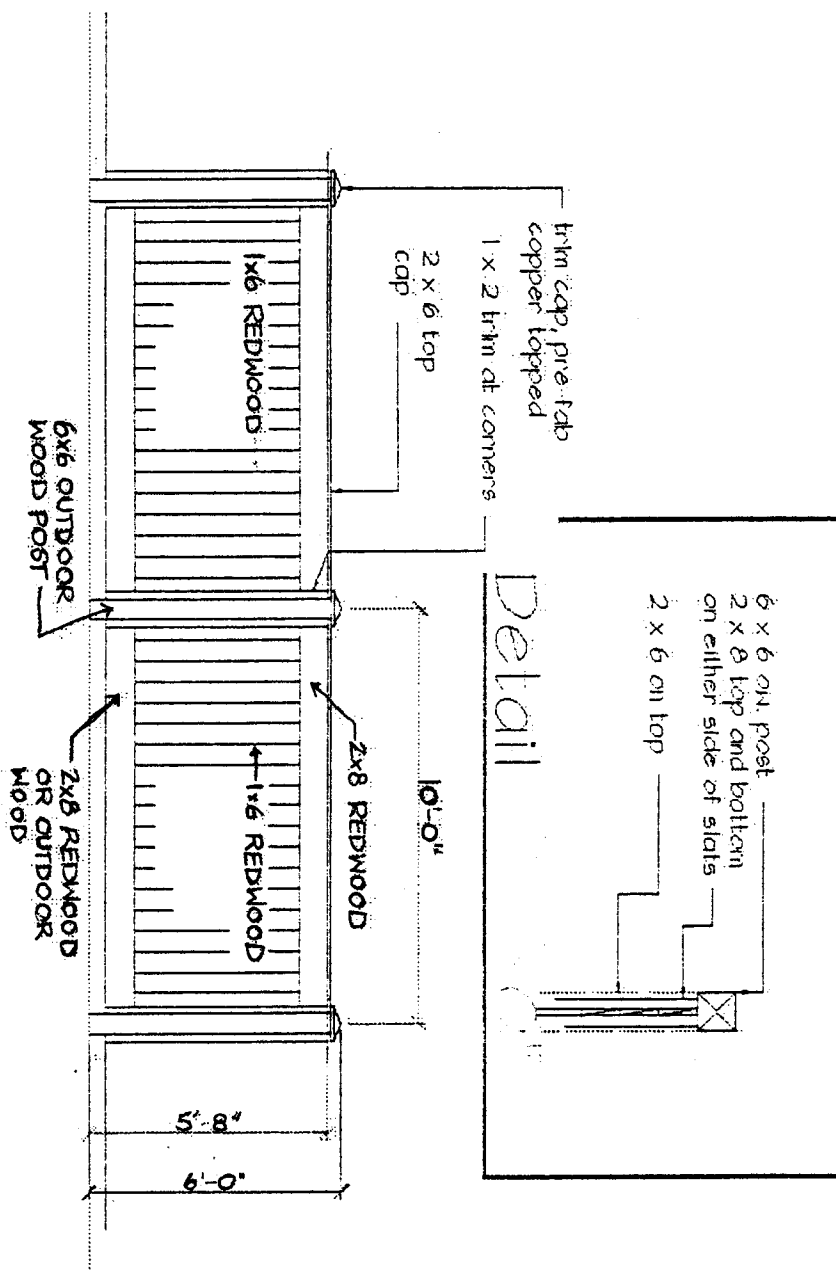


EXHIBIT NO. 5
APPLICATION NO. 1-01-052
FENCE TYPICAL

STANDING COMMITTEES:
BUDGET & FISCAL REVIEW
SUBCOMMITTEE #3, CHAIR
EDUCATION
ENVIRONMENTAL QUALITY
GOVERNMENTAL ORGANIZATION
HEALTH & HUMAN SERVICES
INDUSTRIAL AFFAIRS

STATE CAPITOL, ROOM 4081
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California State Senate

SENATOR
WESLEY CHESBRO
SECOND SENATORIAL DISTRICT



SELECT COMMITTEES:
CALIFORNIA'S WINE INDUSTRY
CHAIR
DEVELOPMENTAL DISABILITIES
& MENTAL HEALTH CHAIR
BAY AREA TRANSPORTATION
FORESTRY
MOBILE & MANUFACTURED
HOMES
RURAL EDUCATION

October 31, 2001

RECEIVED
NOV 19 2001

EXHIBIT NO. 6
APPLICATION NO. 1-01-052
CORRESPONDENCE (22 pages)

Kate Green
1480 Stagecoach Road
Trinidad, CA 95570

CALIFORNIA
COASTAL COMMISSION

Kate
Dear Ms. Green:

Thank you for your recent letter outlining your contacts with the California Coastal Commission and your concerns with the wood fence located on property near your residence. I appreciate your taking the time to inform me of your thoughts on this matter.

My Eureka District Office contacted the Eureka Coastal Commission office to inquire about this issue. Based on this discussion, my staff confirmed that the Commission is aware of the issue and of your specific concerns as well as those of your neighbors. Additionally, Commission staff have been in contact with the property owners who have formally submitted an application for a permit for the fence. The written concerns received by the Commission from you and your neighbors will be brought to the attention of the Commission at an upcoming hearing when the item will be presented for Commission deliberation. It is my understanding that the item is scheduled to be heard at the December meeting which is scheduled to be held in San Francisco, California.

According to Coastal Commission staff, the issue could not be heard at the recent Commission meeting in Eureka because further information was required to enable the matter to be properly heard. I understand your frustration with having to travel to locations out of the area. I concur that it is unfortunate that the matter could not be heard at this past meeting. However, as you may know, the Coastal Commission routinely meets in various locations up and down the State of California. It is common practice for items to be heard by the Commission that are not "local" to the area where the meeting is being held. As I noted earlier, it is my understanding that your written concerns regarding the fence will be made part of the support material for the agenda item.

To further insure that your concerns are presented to the Commission, I would suggest that you contact Humboldt County Supervisor John Woolley who is a member of the Commission. I am sure that Mr. Woolley would be very happy to get an understanding of your concerns on this matter.

Ms. Green
October 31, 2001
Page 2

Again, I appreciate your keeping me informed of your efforts. Please feel free to continue to keep me informed and I will continue to monitor the situation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wesley Chesbro", followed by a horizontal line.

WESLEY CHESBRO
Senator, 2nd District

WC:sar

cc: Commissioner John Woolley
Tiffany Tauver, California Coastal Commission

October 17, 2001

RECEIVED
OCT 22 2001

CALIFORNIA
COASTAL COMMISSION

Members of the California Coastal Commission
North Coast District Office
710 E. Street, Suite 100
Eureka, California 95501

Dear Members of the Commission,

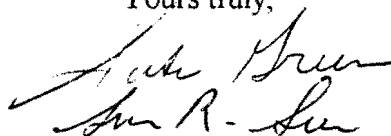
We have been communicating with you since August 1999 (when we filed a "Complaint of Possible Code Violation" form) about the activities at 1512 Stagecoach Road, Trinidad. Although the Commission staff's response has been minimal, we have continued to write and even sent a neighborhood petition. Enclosed you will find another petition, citing the relevant sections of the Coastal Commission's General Plan. This petition grew out of a neighborhood meeting, at which the issues were, again, discussed.

Since Ms. Tiffany Tauver, of the local office, indicated that for some reason all our past communications might be inaccessible, on Sept. 2 of this year we sent copies to the Eureka office of all communications (those of Pat and Howard Wells were not included in the packet); please refer to the Eureka office for copies of all this communication.

We look forward to being informed of when and where the meeting will be held at which this matter will be discussed. Most of us will probably not have the resources or time to attend if it is out of the area, but we would still like to be informed about the meeting.

Thank you for your attention.

Yours truly,



Kate and Simon Green

for concerned
residents of North Trinidad
1480 Stagecoach Road
Trinidad, California 95570

cc: Senator Wesley Chesbro
Assemblyperson Virginia Strom-Martin
Commissioner John Woolley

We, the undersigned residents of north Trinidad, request that the Coastal Commission require that the residents of 1512 Stagecoach Road remove the 6', solid wood fence they have constructed bordering the east side of their property.

1. The fence constitutes "development" (California Coastal Act of 1976, Section 30106).
2. The fence was constructed without permission from the Coastal Commission.
3. The fence is not "visually compatible with the character of surrounding areas" (Trinidad Area Plan, section 3.40, 30251)
4. The fence "is between the first public road and the sea," "is visible from the public road," and "fails to protect public views from any public road" (Trinidad Area Plan, section 3.40 A and Sections 3.40B 4.b. (I).)

The fence needs to be:

- 1) removed, or
- 2) lowered by 2', or
- 3) replaced with fencing material that does not block the view.

We look forward to the Commission exercising its authority to remedy this situation.

NAME (PRINTED)	SIGNATURE	ADDRESS	DATE
VALERIE LARSON	<i>Valerie Larson</i>	172 RAINBOW LANE	9/29/01
Sandra Haux	<i>Sandra Haux</i>	441 Gipsen	9/30/01
ELLIOT LEVIN	<i>Elliot Levin</i>	441 Gipsen	9/30/01
ARNOLD A. JENSEN	<i>Arnold A. Jensen</i>	839 STAGECOACH	9/30/01
<i>Betty Jensen</i>	<i>Betty Jensen</i>	839 STAGECOACH RD	9/30/01
<i>John Jensen</i>	<i>John Jensen</i>	89 Rainbow Lane	9/30/01
<i>Kimly Brown</i>	<i>Kimly Brown</i>	P.O. Box 776	9/29/01
Edith Doe	<i>Edith Doe</i>	753 Highland	9/30/01
<i>John Doe</i>	<i>John Doe</i>	429 Gipsen Dr	9/30/01
DWAIN MEEFORD	<i>Dwain Meeford</i>	185 RAINBOW LN.	9/30/01
LATIA GILBERT	<i>Latia Gilbert</i>	1225 Stagecoach Rd.	10/1/01
JOAN RUPRECHT	<i>Joan Ruprecht</i>	969 STAGECOACH	10-7-01

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- 2) lowered by 2', or
- 3) replaced with fencing material that does not block the view.

We look forward to the Commission exercising its authority to remedy this situation.

NAME (PRINTED)	SIGNATURE	ADDRESS	DATE
SIMON R. GREEN	<i>Simon R. Green</i>	1480 Stagecoach Rd	9/25/01
Kate S Green	<i>Kate S. Green</i>	1480 Stagecoach Rd.	9/25/01
JILL MEEFORD	<i>Jill Mefford</i>	185 Rainbow Ln.	9/26/01
<i>[Signature]</i>	<i>N. Frank</i>	1116 Stagecoach Rd	
PATRICIA A WELLS	<i>Patricia A Wells</i>	1724 Stagecoach Rd	10/2/01
W. HOWARD WELLS	<i>W. Howard Wells</i>	1724 Stagecoach Rd	10/2/01
LORELAINE DAVIS	<i>Lorelaine Davis</i>	359 Stagecoach Rd	10-27-01
General W. Cranston	<i>General W. Cranston</i>	1344 Patrick's Pt. Dr.	10-07-01
Frederick P. Cranston	<i>Frederick P. Cranston</i>	1444 Patrick's Pt. Dr	10/27/01
MARIAN NICHOLSON	<i>Marian Nicholson</i>	1200 STAGE COACH RD	10-7-01
Richard Nicholson	<i>Richard Nicholson</i>	1200 Stage Coach Rd	10-7-01

10/6/01

Charles Robertson ~~Charles E. Robertson~~ 1090 Stagecoach Rd

Victor Taylor Victor Taylor 867 Stagecoach Rd.

Althea Taylor Althea Taylor " " "

SIDNEY DOMINITE Sidney Dominite 267 STAGECOACH RD

CAROL BOYD Carol Boyd 100 Andersen Lane

Judy Wiest Judy Wiest 1623 Stagecoach Rd.

Richard Wiest Richard D Wiest 1623 Stagecoach Rd

1480 Stagecoach Road
Trinidad, California 95570
September 1, 2001

Ms. Tiffany Tover
California Coastal Commission
710 E Street, Suite 200
Eureka, California 95501

RECEIVED
SEP 04 2001

CALIFORNIA
COASTAL COMMISSION

Dear Ms. Tover,

I am writing in reference to our phone conversation of August 30. You explained that within recent weeks Coastal Commission representatives have been to Stagecoach Road to look at the fence bordering the property at 1512 Stagecoach Road, and that the Commission requested the owners to apply for authorization or a permit for the fence. Since your September meeting is held locally and the fence is a local issue, we would assume your visit was preparatory to that meeting. You then said that the Adi Da representatives requested an extension, which you granted, resulting the a postponement of the hearing until you meet in southern parts of the state.

Since we and our neighbors first began contacting the Commission about this fence (August of 1999--over two years ago), the Commission has done none of the following:

- 1) required a permit for the fence
- 2) responded to the many letters and phone calls we have made
- 3) supplied to interested residents any information about the status of the case

Now, by having granted the Adi Da group an extension, you have effectively guaranteed that the case will not be heard this month, locally, where the most concerned residents reside.

We should point out that the organization that owns the property on Stagecoach Road is well-funded, and many of its members, because they do not hold regular jobs, have an abundance of free time; thus they have the resources to travel wherever you chose to deal with the matter. Conducting the hearing hundreds of miles away in no way limits their ability to make their voices heard. Most of us, on the other hand, hold full-time jobs and do not have the time or resources for long-distance travel to attend meetings. Those who might be able to attend resent the fact that your agreeing to an extension requires them to make a large personal expenditure in order to be heard. Surely you hold your meetings in different locations so that issues can be dealt with in the parts of the state most affected? That you postponed the hearing--thus making it inaccessible to most of us--simply because the Adi Da followers couldn't get their paperwork done on time is not acceptable. The matter needs to be heard right here in Humboldt County.

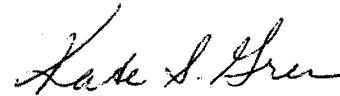
In light of the above, we urge you to be responsive to the communities you serve. We have waited two years for some action, so more delay, though frustrating, is not impossible. We want to know the date and place in our County as soon as possible, since most of us have full-time jobs with demanding schedules. We also want to know the time and location of your September meeting, and since it is now September, you should call one of us. You may contact us at our home number (707-- 677-0198) or at our work numbers as follows:

Simon Green Humboldt State Univeristy (707) 826-3247
Kate Green College of the Redwoods (707) 476-4300, ext. 4903, or
ARMCC (707) 822-1423

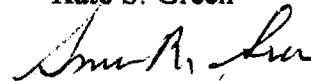
Since you do not appear to be able to locate the file on this case (all the letters we have sent previously), I have enclosed copies of them all, including the list of 29 property owners or residents who wish to be kept informed about hearings and the progress of the case (as Bob Merrill told me--in November 2000--would be possible).

We look forward to hearing from you soon.

Yours truly,



Kate S. Green



Simon R. Green

P.S.

The only helpful response we have received from the Commission was back in November of 1988, when we were dealing with the San Francisco office. Since the response includes some specific information that is relevant to the case, I am enclosing a copy of it as well. We were all appreciative of Mr. Rance's assistance.

cc: Senator Wesley Chesbro
North Trinidad Neighborhood Association

April 30, 2001

Bob Merrill
California Coastal Commission
P.O. Box 4908
Eureka, CA 95502-4908

Re: Development at 1512 Stagecoach Road
A.P. No. 517-011-05

Dear Mr. Merrill:

This will follow up our letters of August 27, 1999 and August 29, 2000 and numerous phone calls regarding the fence constructed in 1999 on the above referenced property. There has been no action regarding this matter. We have heard (unofficially) that the owner of that property is in the process of acquiring the adjacent 7 acres to the north. We are concerned that the solid fence will be continued along the boundary of that property all the way to McNeill Creek.

As indicated in our previous letters, not only are we concerned about the subject fence, but the precedent it would set for solid six foot fencing along Stagecoach Road.

It is nearing two years since our initial complaint, and request that some action please be taken. I would also note that not only are we concerned about the fencing of the new property, but development of the property also. We request notice of any planned development of that property.

Sincerely,

W. Howard & Patricia A. Wells
1724 Stagecoach Road
Trinidad, CA 95570

April 29, 2001

Commissioner John Woolley
California Coastal Commission
c/o Humboldt Board of Supervisors
825 5th Street
Eureka, California 95501

Dear Commissioner Woolley,

We, the undersigned residents of north Trinidad, continue to be concerned about the construction by the property owner at 1512 Stagecoach Road (APN 517-011-05) of a 6' high, solid wood fence bordering the road and disrupting the natural environment. (Please refer to our past letters, beginning with a code violation complaint sent in August of 1999.) In past conversations Bob Merrill has indicated that the fence was probably out of compliance with Coastal Commission regulations and that it would be dealt with at an up-coming meeting (as we recall, the meeting was to be last September). Needless to say, we have heard nothing further about the matter.

In the meantime, the property owner has purchased all the property to the north of his current residence--a 7 acre lot that extends all the way to McNeil Creek.

We ask that the Commission take some action on the current fence (require that the owners eliminate it, lower it, or re-design it) as well as prevent the construction of any more fencing that blocks off the public's views of forest and ocean and is a visual blight on this otherwise exceptionally beautiful coastline.

Thank you for your attention. We look forward to hearing from you. (You may reply in care of the first address on the list.)

Yours truly,

Residents of Stagecoach Road and vicinity

Drive

Kate and Simon Green
Kate and Simon Green
1480 Stagecoach Road
Trinidad, California 95570
(707) 677-0198

Red Cranston
Jerminal W. Cranston
Virginia L. Waters
Marian B. Nicholson
Valued L. Lanyon
G. H. H. H.
Carol B. B.
Bob Merrill
Bob Merrill

P.S.

Last November, Bob Merrill suggested we send a list of residents who would like to be informed of any up-coming activity and decisions on the part of the Commission in relation to this issue. Although none of us has heard anything, other residents would like to be added to the list:

Bob and Nancy Breslin
P.O. Box 554
Trinidad, California 95570

1480 Stagecoach Road
Trinidad, California 95570
February 25, 2001

Mr. Bob Merrill
California Coastal Commission
P.O. Box 4908
Eureka, California 95502-4908

Dear Bob,

I spoke with you in the fall about the status of the fence at 1512 Stagecoach Road (AP No. 517-011-05). You said at that time that there would be a hearing and that I should give you the names of residents who are interested in being kept informed of developments in relation to the issue. In early November I sent you a list. I have since left messages for you on three occasions (Oct. 10, Jan. 21, and about two weeks ago).

Our neighborhood group is meeting in two weeks, and the residents of Stagecoach Road would like to know what progress is being made. Would you please write or call me so I can make a report. Thank you.

Yours truly,

Kate S. Green

cc: Commissioner John Woolley
California Coastal Commission
c/o Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

**STAGECOACH ROAD AND ADJACENT RESIDENTS WHO WISH TO BE
INFORMED OF THE STATUS OF THE REQUEST FOR A PERMIT FOR THE
FENCE AT 1512 STAGECOACH ROAD (A.P. No. 517-011-05).**

Mr. and Mrs. Dan Frost 2431 El Verano Redding, CA 96002
live half of the year 2 lots north of Adi Da, currently are at above
address

Carol Boyd	100 Anderson Lane	Trinidad, CA 95570
Jim & Cecilia Byers	PO Box 1298	"
Audry and Ralph Conant	1326 Stagecoach Rd.	"
Fred and Jenny Cranston	PO Box 767	"
Sid Dominitz	PO Box 541	"
Nicholas Frank	1116 Stagecoach Rd.	"
Clarence & Adrienne Goldberg	1213 Stagecoach Rd.	"
Larry Goldberg & Kathleen DiCiolla	1225 Stagecoach Rd.	"
Kate and Simon Green	1480 Stagecoach Rd.	"
Peter Horner	Box 964	"
Doug and Nancy Jager	349 Stagecoach Rd.	"
Arnie and Betty Jensen	839 Stagecoach Rd.	"
Ron Kokish	450 Mosier Ct.	"
Lindra Lomeli	683 Srtagecoach Rd.	"
Karin Lubin and Randy Crutcher	763 Stagecoach Rd.	"
Dwain & Jill Mefford	PO Box 991	"
Dick and Marian Nicholson	PO Box 480	"
John and Betty Nicklas	PO Box 93	"
Karen Rochames	PO box 314	"
John Rotter	121 Anderson Lane	"
Ted and Joan Ruprecht	969 Stagecoach Road	"
Lore Snell	PO Box 37	"
Lilith and Bill Taylor	PO Box 502	"
Vic and Althea Taylor	PO Box 826	"
Jim and Virginia Waters	PO Box 631	"
Howard and Pat Wells	1724 Stagecoach Rd.	"
Richard and Judy Weist	PO Box 267	"
Pamela and Charles Netzow	2625 Burnside Rd.	Sebastopol, CA 95472

currently at this address, but will be building on property two lots south of Adi Da

1480 Stagecoach Road
Trinidad, California 95570
November 7, 2000

Mr. Bob Merrill
California Coastal Commission
PO Box 4908
Eureka, California 95502-4908

Dear Bob,

You told me on the phone that the Commission would, by mail, inform residents who are interested about the status of the Commission's decision about the continued existence of the fence at 1512 Stagecoach Road (A.P. NO. 517-011-05).

Enclosed is a list of the residents of Stagecoach Road who are concerned about the fence and who wish to be kept informed of the progress of the application and the Commission's response (we are assuming that Adi Da will, in fact, file an application for a permit to retain the fence that, as you told me, they built without a permit). A few of those listed live on Stagecoach for a portion of the year and are very concerned about maintaining our rural, natural environment, though they also live in other places for a part of the year.

I have been offered a list of 40 other Trinidad residents who are concerned about the issue, but since they don't live on Stagecoach Road, I have not sent it to you. Perhaps at a later date, I'll send along their addresses as well.

Thank you for your assistance on this matter. If you have any questions, please call me at my office (822-1423) or at home (677-0198), or you may call my husband, Simon, at HSU (826-3247).

Yours truly,

Kate S. Green

**STAGECOACH ROAD AND ADJACENT RESIDENTS WHO WISH TO BE
INFORMED OF THE STATUS OF THE REQUEST FOR A PERMIT FOR THE
FENCE AT 1512 STAGECOACH ROAD (A.P. No. 517-011-05).**

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Larry Goldberg & Kathleen DiCiolla	1225 Stagecoach Rd.	"
Kate and Simon Green	1480 Stagecoach Rd.	"
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Pamela and Charles Netzow	2625 Burnside Rd.	Sebastopol, CA 95472

currently at this address, but will be building on property two lots south of Adi Da

1480 Stagecoach Road
Trinidad, California 95570
August 31, 2000

Mr. Bob Merrill
California Coastal Commission
P.O. Box 4908
Eureka, California 95502-4908

Dear Mr. Merrill,

I am writing again in reference to the development on the property north of Trinidad, at 1512 Stagecoach Road (A.P. No. 517-011-05).

I contacted the Coastal Commission about the property in October of 1998, January of 1999, and August of 1999. I then wrote to Commissioner John Woolley in January and April of 2000. I spoke with you on the phone in April, at which time you told me there would be a hearing about the matter in September. I am writing to find out when that hearing will be and when the Stagecoach Road residents will be informed of its time and location.

You may write or reach me by phone at home (677-0198) or at my office (822-1423).

Yours truly,

Kate Shattuck Green

cc: Commissioner John Woolley
California Coastal Commission
c/o Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

August 29, 2000

Bob Merrill
California Coastal Commission
P.O. Box 4908
Eureka, CA 95502-4908

Re: Development at 1512 Stagecoach Road
A.P. No. 517-011-05

Dear Mr. Merrill:

The following is a chronological log of events regarding the above:

1. Initial letter sent 8/27/99 (copy attached).
2. Called Eureka Office on 10/7/99 and left message.
3. Was called back by Eric on 10/13/99 and told Tiffany handling the subject matter. He said he would have her call me.
4. On 10/13/99 she returned call (left message on machine), and on October 15, 1999, we discussed matter. Tiffany indicated before a decision could be made, they need to find the original file on the property. I indicated an interest in having someone from the local office attend a Rural Trinidad meeting regarding the issue.
5. I called on 11/8/99 to follow up. They still had not found file. Was told Bob Merrill will be going to San Francisco in early December and will look for file.
6. I called on 12/22/99 to follow up. The file was found in the archives in Sacramento. Was told it takes about one month to get.
7. I called on 1/31/00 and talked with Tiffany. She said Bob Merrill has the file. That there were currently other matters which took precedent. I asked that no decision be made without letting us know. I had been previously told that Mr. Merrill probably would not be able to come to one of our Rural Trinidad meetings but would be willing to meeting with representatives at his office. I was assured no decision would be made without letting us know.

Bob Merrill
Page 2
August 29, 2000

It is now over one year since our original complaint. Since the January, 2000 contact with your office, I have not heard anything regarding this matter. I wanted to let you know that we are still concerned regarding the development—especially any precedent it would set for future fencing of property in the area.

Sincerely,

W. Howard & Patricia A. Wells
1724 Stagecoach Road
Trinidad, CA 95570

Sunday, April 9, 2000

Mr. John Woolley
California Coastal Commission
c/o Humboldt County Board of Supervisors
825 5th Street
Eureka, CA 95501

Dear John,

Rather than calling your machine, as you suggested, I'm sending another copy of the letter, since no doubt the original has disappeared by now.

To make it simple--we think that the fence should be lowered to 4' (if there must be a fence--and that is questionable in such an environmentally sensitive, coastal area). It would be less obtrusive, be less damaging to the beauty of the environment, and enable people to enjoy the natural surroundings somewhat more. As it is, it looks like a prison or a compound.

Frankly, the people occupying this house are paranoid (or, to be more polite about it, VERY private), but that does not, we think, give them the right to destroy the natural beauty of this part of Stagecoach Road, particularly in light of the Coastal Commission's obligation to protect the environment against this sort of construction..

Call me if you have questions (822-1423-work; 677-0198-home).

Thanks.

Yours,

Kate S. Green
1480 Stagecoach Road
Trinidad, CA 95570

1480 Stagecoach Road
Trinidad, California 95570
January 4, 2000

Commissioner John Woolley
California Coastal Commission
c/o Humboldt County Board of Supervisors
825 5th Street
Eureka, California 95501

Dear John,

We are writing you at this address because we cannot find a local address for the Coastal Commission in the phone book.

We are writing about a situation on our road--Stagecoach Road, north of Trinidad--that has been a problem for over a year. We first wrote to the Coastal Commission in October of 1998 and received an informative response from San Francisco about how to protest the activities of the Adi Da Samraj cult that has purchased the property at 1512 Stagecoach Road) APN 517-011-05. Since some of our neighborhood's concerns with the group's behaviors became resolved, we did not write again until August 29, 1999, at which time we explained our concern about the proposed construction of a fence along the road. We have received no response from the Coastal Commission to that letter. The fence, alas, has been built.

Many of us in this neighborhood are profoundly disturbed by the construction of this 6' solid wood fence all along the road-side of this property. As we described in our letter of 8/29, this fence totally blocks views of the sea and forest that were previously available. Stagecoach is a scenic road, much enjoyed by the public as well as those of us who live here. This fence is a real scar on the natural environment. Moreover, this cult's goal is to acquire more property along the road (we have had discussions with them about both the property north of them and other properties in this area). We can only assume that, should they acquire more land, they would wish to fence it in a similar manner--thus further destroying the natural beauty of the area.

We are concerned that the construction of this fence sets a precedent that will enable both the cult and others who may move here to build similar uglinesses. Moreover, at no time were the residents of the neighborhood consulted or given due warning. (A representative of the cult showed us plans, but he did not tell us that it would be a 6' fence that would be solid wood, right on the road.)

It is essential that the Coastal Commission look into this. You need to get some input from residents and examine the impact on the natural environment (it is unfortunate that

you did not come and look at the property before the fence was built).

This fence, which comes between the first road the borders the coast line and the sea, is simply unacceptable.

Because we do not have an address for the local office, we are sending along another copy for the staff there. Please forward it to them. Thank you.

We--and other residents of Stagecoach Road--look forward to hearing from you or the Commission staff.

Yours,

Kate and Simon Green

cc: California Coastal Commission
Eureka office
c/o Commissioner John Woolley

Mr. Bob Merrill
California Coastal Commission
North Coast District
45 Fremont Street, Suite 2000
San Francisco, CA 4105-2219

August 27, 1999

Bob Merrill
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Re: Development at 1512 Stagecoach Road
A.P. No. 517-011-05

Dear Mr. Merrill:

We are concerned regarding development at 1512 Stagecoach Road. The owners are constructing a six foot high solid fence on the property line around the complete perimeter of the property. We understand that this type of development needs a coastal permit. There was also considerable removal of vegetation around the perimeter, which I understand might also need a permit depending on the extent of removal.

The area along Stagecoach Road is a naturally scenic and visually beautiful area. It is often a route for visitors just to enjoy the scenic beauty of the area. We believe the solid fence on the property line will adversely affect both the view to the ocean and the scenic beauty of the area. It certainly will not be compatible with the natural beauty of the neighborhood and totally out of character with the coastal woodland setting.

Sincerely,

W. Howard & Patricia A. Wells
1724 Stagecoach Road
Trinidad, CA 95570

pw