

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
(831) 427-4863 FAX (831) 427-4877  
[www.coastal.ca.gov](http://www.coastal.ca.gov)

**W11**

# CENTRAL COAST DISTRICT (SANTA CRUZ) DEPUTY DIRECTOR'S REPORT

*For the*

*February Meeting of the California Coastal Commission*

MEMORANDUM

Date: February 10, 2010

TO: Commissioners and Interested Parties  
FROM: Charles Lester, Central Coast District Deputy Director  
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the Central Coast District Office for the February 10, 2010 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the Central Coast District.

**REGULAR WAIVERS**

1. 3-09-008-W Nancy Grech Trust et al; Cathy Bonnici (Pacific Grove, Monterey County)
2. 3-09-062-W Ehab & Heidi Youssef (Pacific Grove, Monterey County)
3. 3-09-065-W Kevin & Stephanie Gersten (Pacific Grove, Monterey County)

**DE MINIMIS WAIVERS**

1. 3-09-005-W California Polytechnic State University (Cal Poly), Attn: Larry Kelly (San Luis Obispo, San Luis Obispo County)
2. 3-09-037-W City of Pacific Grove, Attn: Sarah Hardgrove, Senior Planner; Enea Properties Company, LLC, Attn: Robert Enea, Managing Member (Pacific Grove, Monterey County)
3. 3-09-048-W San Luis Obispo Public Works Department, Attn: Dave Flynn, Deputy Director (Oceano, San Luis Obispo County)
4. 3-09-066-W Santa Cruz Seaside Company (Santa Cruz, Santa Cruz County)
5. 3-10-004-W Big Sur Land Trust, Attn: Donna Meyers; California Department Of Parks & Recreation, Attn: Ken Gray (Carmel Area, Monterey County)

**EMERGENCY PERMITS**

1. 3-10-005-G Caltrans, District 5, Attn: Matt Dixon ()

**EXTENSION - IMMATERIAL**

1. 3-07-003-E1 Robin Martella & George Leage, Attn: Troy Leage, Bayshore Realty (Morro Bay, San Luis Obispo County)
2. 3-05-059-E3 Pletz Investment Company (Pacific Grove, Monterey County)

**TOTAL OF 11 ITEMS**

## DETAIL OF ATTACHED MATERIALS

### REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>3-09-008-W</b> Nancy Grech Trust, Et.Al. Cathy Bonnici	Improvements to two single family residences located on a single parcel (671 Ocean View Boulevard and 672 Mermaid). Development includes replacement of existing sub-standard foundation, new front and side entry porches, and replacement of deteriorated walkways at 671 Ocean View Boulevard, and construction of a new 3-car garage, two uncovered parking spaces, removal and replacement of existing laundry facilities, new foundation, new front and rear porches, and tree removal at 672 Mermaid.	671 Ocean View Blvd. & 672 Mermaid Avenue, Pacific Grove (Monterey County)
<b>3-09-062-W</b> Ehab & Heidi Youssef	Demolition of an existing single family residence and construction of a new single family residence.	1349 Pico Avenue (Asilomar dunes), Pacific Grove (Monterey County)
<b>3-09-065-W</b> Kevin & Stephanie Gersten	Demolition of an existing single family residence and construction of a new single family residence.	176 Sloat Avenue, Pacific Grove (Monterey County)

### REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<b>3-09-005-W</b> California Polytechnic State University (Cal Poly), Attn: Larry Kelly	Construct a new two-lane bridge to replace an existing two-lane 4-span timber bridge crossing over Walters Creek.	3270 Gilardi Road (east of Highway 1 on Cal Poly State University property), San Luis Obispo (San Luis Obispo County)

**CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED**

<p><b>3-09-037-W</b> City Of Pacific Grove, Attn: Sarah Hardgrove, Senior Planner Enea Properties Company I.</p>	<p>Remodel and addition to the existing Pacific Grove Bathhouse building located at Lover's Point Park, Development includes demolishing and relocating detached public restrooms in Lover's Point Park to the Bathhouse building, and a 675 square foot second floor restaurant addition with an additional 570 square foot outdoor seating deck. Proposal also includes ADA accessibility improvements to the Bathhouse building and to Lover's Point Park grounds. Additionally, the proposal includes two new outdoor showers, public changing areas in the new restrooms, new wrought iron fencing to replace chain-link fencing around the children's pool, landscaping improvements at site of demolished restrooms, CCT and interpretive signing, and improved pedestrian and bicycle access through/around Lover's Point Park.</p>	<p>620 Ocean View Boulevard (Lovers' Point Park), Pacific Grove (Monterey County)</p>
<p><b>3-09-048-W</b> San Luis Obispo Public Works Department, Attn: Dave Flynn, Deputy Director</p>	<p>Restore a 4,400 foot segment of the Arroyo Grande Creek levee by adding soil layers, compacting each new layer, and hydro-seeding the new slopes for stabilization.</p>	<p>Arroyo Grande Creek North Levee (westerly of the UP Railroad Bridge), Oceano (San Luis Obispo County)</p>
<p><b>3-09-066-W</b> Santa Cruz Seaside Company</p>	<p>Addition of 7-cantilevered decks to extend 4' over the beach at Walk level. Decks to be situated in various locations along the Walk. Also proposed is to add 2 seating areas, one 68'x16' and one 148'x16'; each will extend 16' over the beach and be at Walk level.</p>	<p>400 Beach Street, Santa Cruz (Santa Cruz County)</p>
<p><b>3-10-004-W</b> Big Sur Land Trust, Attn: Donna Meyers California Department Of Parks &amp; Recreation, Attn:</p>	<p>Construct a quarter-mile long multi-use public recreational trail from Rio Road to 140 feet north of the Carmel River, aligned ranging 25 to 125 feet east of, and parallel to, Highway 1.</p>	<p>Highway 1 (east of highway 1 within right-of-way, between Rio Road and the Carmel River), Carmel Area (Monterey County)</p>

**REPORT OF EMERGENCY PERMITS**

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
<p><b>3-10-005-G</b> Caltrans, District 5, Attn: Matt Dixon</p>	<p>A slip out at Shale Point (Mon-1.7.2) has progressed to the top of the slope and is now threatening the roadway. Emergency Permit authorizes emergency development consisting of the placement of 3,000 tons of 8-10 rock on the seaward side of Highway 1 over a 200-foot long area at the toe of the slope (at the ocean interface) as well as temporary staging at post mile 1-MON-7.2, Shale Point, on the Big Sur coast.</p>	<p>Highway 1 (just south of Shale Point)</p>

**REPORT OF EXTENSION - IMMATERIAL**

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
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CENTRAL COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

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<b>3-07-003-E1</b> Robin Martella & George Leage, Attn: Troy Leage, Bayshore Realty	Construct a two-story, seven-unit hotel with related development	1170 Front Street (near the Embarcadero along Morro Bay), Morro Bay (San Luis Obispo County)
<b>3-05-059-E3</b> Pletz Investment Company	Request to extend coastal development permit to construct a new 2,837 sq.ft. one-story single family dwelling with attached two-car garage, driveway and walkway; grading of 289 cubic yards.	1721 Sunset Drive (Asilomar Dunes), Pacific Grove (Monterey County)

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCarl*  
Mike Watson, Coastal Planner *[Signature]*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-008-W  
Applicants: Cathy Bonnici and Nancy Grech Trust, et al.

**Proposed Development**

Improvements to two single family residences located on a single parcel (671 Ocean View Boulevard and 672 Mermaid) in the City of Pacific Grove. Development includes replacement of existing sub-standard foundation, new front and side entry porches, and replacement of deteriorated walkways at 671 Ocean View Boulevard, and construction of a new 3-car garage, two uncovered parking spaces, removal and replacement of existing laundry facilities, new foundation, new front and rear porches, and tree removal at 672 Mermaid.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13250 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed new foundations will be constructed in the same location as existing without expanding the footprint of the existing development. The new garage and parking area replaces a condemned and previously demolished garage and will provide off-street parking for both residences. Storm water and drainage (post-construction) BMPs are proposed to reduce storm water runoff and remove contaminants prior to conveyance off-site. Additional mitigation measures are proposed to ensure archaeological resources will be adequately protected during construction. The proposal was reviewed and received discretionary approval by the City's Planning Commission and Architectural Review Board to ensure conformance with the requirements of the City's Municipal Code and the certified Land Use Plan. The project has no potential for adverse effects on coastal resources, including public access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, February 10, 2010, in Oceanside. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**



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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-062-W  
Applicants: Ehab and Heidi Youssef

### Proposed Development

Demolition of an existing single family residence and construction of a new single family residence located at 1349 Pico Avenue in the Asilomar dunes area of the City of Pacific Grove.

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13250 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed single family residence and access to it would be constructed in the same location and on the same foundation as the existing residence and access to it. The residential development is within the maximum aggregate lot coverage (15%) and immediate outside living space (5%) limits of the certified Land Use Plan (LUP), and the remainder of the site has already been restored and deed restricted as dune preservation area consistent with the Commission's general practice regarding residential development in the Asilomar dunes residential area (pursuant to coastal development permit waiver 3-05-050-W). The development includes construction BMPs to avoid disturbance to adjacent dune habitat, and to prevent sediment, debris, and pollutants from migrating outside the construction area during demolition and re-construction. The development was reviewed and received discretionary approval by the City's Architectural Review Board to ensure conformance with the requirements of the City's Municipal Code and the certified LUP. The project is consistent with the Commission's established approach to residential development in the Asilomar dunes residential area, including with respect to restoring and maintaining the remainder of the site as dune habitat, and can be found consistent with Chapter 3 of the Coastal Act.

### Coastal Commission Review Procedure

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, February 10, 2010, in Oceanside. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Mike Watson, Coastal Planner  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-065-W  
Applicants: Kevin and Stephanie Gersten *TKW*

**Proposed Development**

Demolition of an existing single family residence and construction of a new single family residence located at 176 Sloat Avenue in the City of Pacific Grove.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13250 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed new residence would be compatible with the size, scale, and aesthetics of the residential neighborhood in which it is located. The new site plan includes drainage BMPs to reduce storm water runoff and remove contaminants prior to conveyance off-site. Additional mitigation measures are proposed to ensure archaeological resources will be adequately protected during construction. The proposal was reviewed and received discretionary approval by the City's Architectural Review Board to ensure conformance with the requirements of the City's Municipal Code and the certified Land Use Plan. The project has no potential for adverse effects on coastal resources, including public access to the shoreline, and is consistent with Chapter 3 of the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, February 10, 2010, in Oceanside. If three Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**





3-09-065-W

Holdren+Lietzke  
ARCHITECTURE

225 Cannery Row, Suite A, Monterey, CA 93940  
Ph: (831) 649-6001 Fax: (831) 649-6003

February 4, 2010

Mike Watson  
Central Coast District Office  
California Coastal Commission  
725 Front St., Suite 300  
Santa Cruz, CA 95060

Re: 176 Sloat Ave., Pacific Grove

Dear Mr. Watson;

I am writing this letter in response to a comment from a neighbor wherein it was alleged that the house to be demolished to make room for our proposed house might in fact be historic.

As you know the City of Pacific Grove takes its responsibility to identify and preserve Historic structures very seriously. Because the original house was built in 1952 (over the 50-year marker for CEQA), when we began work on the project we commissioned a phase 1 historic report from Christine Hopper of PMC. Prepared in July of 2008, the report concluded that "on a local, state, and national level the subject property is not a historic resource because it does not meet any of the criteria for listing on the National or the California Registers or the Pacific Grove Historic Resources Inventory."

At our ARB review in April, 2009, there were 2 members of the committee who felt that the initial historic assessment may not have looked deeply enough into the structures historicity and required that we go before the Historic Review Committee to consider whether the project should be added to the City's historic inventory. We had another qualified Historic Consultant, Kent Seavey, do a peer-review of the initial report prepared by PMC. His report of April 2009, and a follow-up in-depth analysis in June 2009 in response to specific concerns brought up by a member of the public, concurred with the original report in finding the house ineligible for listing on the historic inventory.

**RECEIVED**

FEB 08 2010

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

In July of 2009 the original house went before the Historic Review Committee which, after discussion, did NOT add the house to the City's Historic Resources Inventory.

As the above timeline and description attest, the original house has been extensively, and appropriately, examined for the possibility of being listed as historic. It did not meet any of the criteria.

Please let me know if there is any additional information I can add.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig Holdren', with a long horizontal flourish extending to the right.

Craig Holdren  
Holdren-Lietzke Architecture

3-09-065-W

A B E R G

4 February 2010

Mike Watson  
California Coastal Commission / Central Coast Office  
725 Front Street, #300  
Santa Cruz, CA 95060  
Tel. 831-427-4863; Fax 831-427-4877

**RECEIVED**

FEB 08 2010

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

**RE: Proposed Permit Waiver #3-09-065-W  
February 10, 2010 Hearing Agenda, Oceanside Meeting**

Dear Mr. Watson and All California Coastal Commissioners:

It has just come to my attention that this coming Wednesday the California Coastal Commissioners will be voting on whether or not to grant a Coastal Commission waiver for the demolition of the existing house as well as the construction of a new house at 176 Sloat Avenue in Pacific Grove.

After reading the agenda item description, I wish to voice my opposition to the waiver. I do not find the new house plans to be compatible with this site's neighborhood character and coastal vantage. I also do not believe the mitigation measures established for this project could ever balance out the adverse impacts that this new house will have on the residences at this home's end of Sloat Avenue (a collection of small, historic homes bordering one end of Cannery Row that have already had to sustain the injury of three very large new homes rising up at the other end of the block in the past decade).

But I am writing for more than just these two reasons concerning the proposed new construction. I am also writing because I firmly believe that the existing house at 176 Sloat Avenue is unreservedly deserving of an historic designation and should not be demolished. In my opinion this house is among a very small handful of houses in the whole of the City of Pacific Grove that meet multiple standards for protection under all four National and State guidelines, many of the local Pacific Grove Historic Resources Inventory evaluation criteria, and most of the Aspects of Integrity guidelines.

Did the applicants for this project and/or the City of Pacific Grove provide you with a copy of my May 5, 2009 report about this property? In case not, I am attaching it here as a separate Word document, along with low-resolution jpegs of original family photographs of the home taken just after it was constructed in 1952. These pictures were provided to me by the living children of this home's first owner and co-designer.

As my report states, I took on the research about this house over a period of two months last year, at my own cost and on my own time. I did so not as a resident of Sloat Avenue

but because, as an active member of Pacific Grove's Heritage Society, I was shocked to read the Phase One Assessment for this project that characterized the house as a "typical ranch style" unworthy of historic designation—far from accurate as you will read six paragraphs below.

This Phase One Assessment was conducted by a reputable professional who had somehow missed not only the home's truly **unique design program** but also all of the **historical significance of 176 Sloat Avenue—a history that intersects with critical national and international events** (ranging from the Spanish Civil War, McCarthyism and the House Un-American Activities Committee to 1950s cancer research at Hopkins Marine Station and early experiments with psychedelic substances) as well as with the **unique bohemian "intellectual / artistic / political" community stretching from Pacific Grove's Huckleberry Hill to Big Sur** (a community counting among it such notables as Henry Miller, Mark and Barbara Mills, Erica Franke, Gene Flores, Marguerite Singer, Rowan Maiden, Lolly Fassett, Sam Harris, Ephraim Doner, Emil White, Svend Clausen, Eldon Dedini and Richard Yip, to name just a few).

**The historical import symbolized by the design advancements and history-changing events surrounding this unusual home at 176 Sloat Avenue must not be overlooked or forgotten. Wouldn't it be far more edifying for those traveling Pacific Grove's coastal corridor along Ocean View Boulevard to look up for a peek at a home encompassing this wide swath of history rather than at a brand new home without any antecedents, local or otherwise?**

The Phase One assessor also missed discovering the identity of the **inimitable architect** who designed the home: **Nicolai Hetrovo**. Hetrovo was a colleague and close friend of the late and renowned Northern California architect Mark Mills, a student of Frank Lloyd Wright. Hetrovo held a key role in managing the construction of Monterey's Coast Guard pier as well as buildings at Ft. Ord. If you Commissioners allow the Sloat home to be demolished, only one Hetrovo home will be left standing intact, the earlier and less fully-realized house at 25314 Flanders in Carmel.

The Phase One assessor further missed identifying the home's first owner and co-builder, a brilliant "Renaissance-man" scientist conducting research just steps away from Sloat Avenue at Hopkins Marine Station: **William K. Sherwood**. William Sherwood and his wife Barbara had the foresight in 1951 to commission Nicolai Hetrovo to collaboratively design the home for them on what was then an empty lot at 176 Sloat Avenue. Just six years later, William Sherwood's name filled newspaper headlines *around the world* for taking a stand against the long arm of HUAC that had called him up before their television cameras by taking his own life in his Hopkins laboratory. Famed protest poet John Beecher immediately eulogized Sherwood in his poignant poem "Inquest," and playwright Arthur Miller immortalized Sherwood in his 1964 play *After the Fall*. Over fifty years later, Sherwood's name is still synonymous with the horrific impacts of McCarthy-era excesses and was referenced recently to change an important law governing the televising of certain U.S. Congressional hearings.

The Phase One assessor also missed realizing that the Sherwood's eldest child, who spent her formative years living in the house and attending Pacific Grove schools, went on to become a distinguished novelist and illustrious Wallace Stegner award-winner: **Frances Sherwood**.

In addition, the Phase One assessor misidentified the home's unique **modernist style** (today known as Mid-Century Modern) with its innovative use of piers and trusses to create a singular structural and aesthetic design that integrally related the exterior and interior of the home. According to the late Mark Mills, **Nicolai Hetrovo was the first architect to translate and utilize engineering advances developed for railway bridges—the “truss and bent system”—for residential use—a significant contribution to architectural design in the second half of the 20<sup>th</sup> century.**

Finally, both the Phase One assessor and the reviewer of the original Phase One Assessment wrongly concluded that the original house at 176 Sloat Avenue is not intact. I contend that it most certainly does **still retain its original integrity**, with the elimination of elements that have been tacked on underneath and the removal of paint covering the natural wood components.

Please read my report in its entirety and compare my findings and bibliography with the Phase One Assessment and the review of the Phase One Assessment. In my files here at home I have complete documentation for every fact I uncovered in all my resources.

I am placing this report before you and the Coastal Commissioners because I was astounded by the Pacific Grove Historic Resources Committee *non-decision* about this house. On July 8, 2009 they found 176 Sloat Avenue to be “not historic,” but only *by default*, based on an unfortunate 3:3 tie vote. It is important to understand that the “not historic” votes were based largely on the current incomplete status of our City's historic standards (resulting in a misunderstanding: houses newer than 1927 *can indeed qualify* for historic designation in Pacific Grove) rather than on the true historical significance of the home when based on State CEQA standards that are already in place—standards that should have governed (and certainly trump) this local default decision.

**The house at 176 Sloat Avenue deserves a full hearing before your Commission. Its site so near Monterey Bay enhances its historical significance, and vice-versa. Please do not grant this waiver. You are the home's final arbitrators. Please use your authority to do justice by saving this home for Pacific Grove and our coastline.**

Because of immobility due to a chronic illness, I cannot attend your hearing in Oceanside this Wednesday. If I could, I would definitely be there to speak on the home's behalf and to answer any questions the Commissioners might have. I can be reached by phone any time (please see my numbers just below).

Most sincerely yours,

**Sally Jean Aberg**

(signature)

115 Fourteenth Street  
Pacific Grove, CA 93950

# A B E R G

5 May 2009

Lynn Burgess and All Members  
of the Historic Resources Committee  
Community Development Department  
City of Pacific Grove

**RE: 176 Sloat Avenue, Pacific Grove, APN 006-224-011**

Dear Ms. Burgess and the Historic Resources Committee,

The Italians say a house is not just a house, it is a story. And what a story the house standing at 176 Sloat Avenue since 1952 has to tell!

I've taken walks down Sloat Avenue ever since I moved to Pacific Grove in 1996. Whenever I passed #176, I would stop and wonder about this unusual modernist house on the edge of our historic Retreat. Though clearly built in the mid-20<sup>th</sup> century, it wasn't like any other mid-century home I had ever seen on the Monterey Peninsula. Despite the fact that the design of its foundation piers are mostly obscured by green paint, flimsy trellises and a tacky lower level add-on unit, the home's unique angled walls and windows, exposed interior trusses, and free floating qualities set it apart in my mind as the signature work of a mature, creative architect with a very progressive vision. I have never tired of looking at the house with admiration and curiosity.

Imagine my astonishment when I read the Phase 1 Historic Assessment's description of 176 Sloat as a "Ranch style house on a raised foundation (two-stories in the rear) with contemporary detailing." This report gave no details about what sort of fascinating person/s had desired to live in a house of this modern design. It also gave no clue as to the architect. I felt sure this couldn't be all that could be said about the home.

That is when I assigned myself the task of diving as deeply as I could into the history of this property. Starting two weeks ago with just a building permit from the CDD's property file to go on, signed and paid for (\$20!) by one Barbara Sherwood on June 30<sup>th</sup> of 1952, I embarked on an incredible journey dating back over half a century. This research carried me all over Pacific Grove, the Monterey Peninsula, the state, and then across America and beyond to Central and South America, Spain, Norway, Russia and China.

The purpose of this letter is to share with each of you what I have found, in hopes that you will deem 176 Sloat Avenue unreservedly deserving of an historic designation. To my mind, it is among a very small handful of houses in the whole of Pacific Grove that meet multiple standards for protection under all four National and State guidelines,

many of our local Historic Resources Inventory evaluation criteria, and most of the Aspects of Integrity guidelines, chiefly:

- A. The house is associated with events that have made a significant contribution to the broad patterns of our history and cultural heritage;
- B. The house is associated with the lives of significant persons in the past and present;
- C. The house embodies the distinctive characteristics of a type, period and method of construction as well as the signature work of an architect; and
- D. The house yields information important in history.
  - (a) The house has significant character, interest or value as part of the development, heritage or cultural characteristics of the city, state and country;
  - (b) The house is the site of significant historic and cultural events;
  - (d) The house is a unique and distinguished example of a period and style;
  - (e) This house is one of only a few specimens in the city of Pacific Grove possessing all of the significant characteristics of mid-century modernist style;
  - (g) The house embodies elements of architectural design, detail, materials or craftsmanship that represent a significant architectural innovation; and
  - (i) The house retains the complete integrity of its original design; pull away the add-on unit and the inexpensive attempts to hide the external integral structure of the house and the original house is there, intact! Even the Phase 1 Assessment acknowledges that “it has had only minor alterations to its original design.”

Why do I make these claims?

- √ **An inimitable international architect / painter / poet / singer designed 176 Sloat Avenue.** At this point in my research I feel more than confident to state that this house exemplifies the pinnacle of this architect’s residential architectural achievements as well as his engineering innovations that together span four continents and over four decades’ time.
- √ **A brilliant attorney-turned-scientist doing cancer research at Hopkins Marine Station in Pacific Grove, who rose to local, national and international prominence in the 1950s, owned this house at 176 Sloat in its original state.** He and his wife commissioned the architect mentioned above to design a home

for them on their empty lot. The two collaborated on its design with the architect, and they also assisted in constructing their house.

- √ **The owners' eldest child, who spent her formative teenage years living in the house at 176 Sloat and attending Pacific Grove schools, went on to become a distinguished novelist.** Three of her award-winning books are in the Pacific Grove Library's collection. One of these books is set in the 1950s on the Monterey Peninsula.
- √ **176 Sloat has retained its original integrity completely intact, as the 1950s photographs of the house that I've been fortunate enough to borrow from the family's archives and scan will attest.**

Existing homes represent a vast storehouse of history. As such they in a sense belong both to those who built them and to all of us who follow. Pagrovians have admirably embraced the truth that older homes weave an historic tapestry and have vigilantly acted upon this truth where our very oldest houses are concerned. But our "city of homes" is unlike any other in the entire country not only because we have been able to retain *so many* original historic homes but also because our resource is a *collection of homes of diverse styles* unlike anywhere else.

Knowledge of both the structure's history as well as sensitivity to the home's owners' histories when reviewing each and every piece of this collection of homes is critical to make certain that a congruent methodology is being used when making decisions about significance for historic designation.

The irreplaceable sculptural artifact at 176 Sloat Avenue might be the "newest" old house that your Committee has been asked to consider for historic status. If so, you hold a great responsibility in your hands. As stewards of Pacific Grove's unique architectural history, I trust you will carefully weigh the multi-faceted cultural significance of this house.

If we are to learn from the mistakes made in history, we must know and understand history. Preserving this house and the memories of its first family and designer can teach lessons about one of our nation's most shameful eras. The work of an obscure but significant architect can be rescued from a wrecking ball and resuscitated with nuanced design decisions and plenty of tender loving care.

With its architectural structure and character not only unique but also intact, this precious home is much too valuable to discard. Please ensure that it lives on to tell its important stories.

Most sincerely,

Sally Jean Aberg

**Post Office Box 534 Pacific Grove California 93950**  
**tel. 831 / 373-0116 or 224-4416 [forthecolors@redshift.com](mailto:forthecolors@redshift.com)**

## Definitions Used for this Appeal

**Modernist / Contemporary** was the predominant style of houses designed by architects (vs. contractors or home designers) between 1950 and 1970. **Nicolai Hetrovo** preferred the flat-roofed Modernist subtype of this style, which was itself derived from earlier International Style design with some distinctive differences. The Sherwood's home exemplifies this so-called American International Style, or Mid-Century Modern, with its flat roof, unpainted wood materials, and integration into its natural setting.

I do not believe the Sherwood's home has any relation to a "Ranch style" home as it is described in the Phase 1 Assessment. And I would not characterize 176 Sloat as having "some contemporary details" but rather as entirely conceived and designed as a contemporary house, inside and out, by Nicolai Hetrovo.

As mentioned in the Nicolai Hetrovo biography I compiled for this packet, Mr. Hetrovo is credited with originating the **"modular combination bent" construction system of supporting trusses and beams** for residential design. In architecture and engineering, a **truss** is a structure comprising one or more triangular units constructed with straight slender members whose ends are connected at joints referred to as nodes. They are composed of triangles because of the structural stability of that shape and design. Unlike a square whose angles and lengths must all be fixed for it to retain its shape, a triangle is the simplest geometric figure that will not change shape when the lengths of the sides are fixed.

In Hetrovo's truss and bent system, the external and internal structure of his design is integrally related. While the truss itself is not a modern development by any means, it was Nicolai Hetrovo who modified a system commonly used for commercial railroad and bridge construction and applied it to house design, thereby creating a new design aesthetic!

## William Kneeder Sherwood

William K. Sherwood is the homeowner who with his wife, Barbara Bennion Sherwood, commissioned Nicholai Hetrovo to design 176 Sloat Avenue in 1952. The three of them collaborated on every aspect of this modernist house from plans and construction to its interior décor. They lived in the house with their four children, Frances, Peter, Steven and Morris (who ranged in age from 18 years to just-born), until shortly after Mr. Sherwood's untimely death just five years later. The house became a gathering place for intellectuals, artists and bohemians from Hopkins, Huckleberry Hill, Carmel and Big Sur.

A former attorney in Chicago, William Sherwood moved to the Monterey Peninsula in the late 1940s to begin a clothing manufacturing company with Barbara. One day he wandered into Hopkins Marine Station. Less than two years later, doing graduate studies under Dr. Cornelis B. Van Niel (Stanford University professor and pioneer in microbiology and comparative biochemistry), Sherwood had earned himself a PhD with highest honors in biology as well as a research grant from the American Cancer Society to study cancer detection methods using sea urchins as subjects.

Once the Sherwoods moved into their finished home at 176 Sloat Avenue, Mr. Sherwood had only a short stroll down the slope to his research laboratory at Hopkins. There, on the night of June 17, 1957, having completed his grant and written a paper on his findings, William K. Sherwood swallowed poison just two days before he was subpoenaed to testify before the House Un-American Activities Committee.

As reported in the *Chicago Tribune* on June 18, 1957:

Pacific Grove, Cal., [Special] – The suicide here yesterday of a Stanford university graduate student and research scientist under subpoena by the House Committee on Un-American Activities put a spotlight today on a brilliant, erratic man-of-mystery career.

The man who killed himself, apparently choosing death to a scheduled televised appearance tomorrow before a committee hearing in San Francisco on communist "intellectual infiltration," was William K. Sherwood, 40, lawyer, scientist, scholar, and war time employee of government agencies.

The *Washington Post* for June 18, 1957 added:

MONTEREY, Calif.—...Sherwood left a farewell note in which he said: "My life and my livelihood are now threatened by the House committee...I will be in two days assassinated by publicity...I would love to spend the next few years in laboratories and I would hate to spend them in jail...I have a fierce resentment of being televised....The committee is investigating Communist activities among professional men. The Committee's trail is strewn with blasted lives and the wreckage of youthful careers....I resent the intrusion of the House committee because it causes me to lose precious time from work which is of importance to humanity."

In a statement that HUAC did not allow Barbara Sherwood to read at the hearing that was to have been her husband's inquisition (though she did pass out copies to the press), she stated, "Throughout his lifetime, my husband had but one goal: to ease the suffering of mankind. It was this goal that drew him to support the Loyalists in the Spanish Civil War, which inspired his youthful identification with radical causes. It was this goal that led him, when greater maturity had mellowed and deepened his understanding, to abandon politics completely and devote himself single-mindedly to science. Is it a crime for a young man in his twenties to dream of a bright new world?"

After Sherwood's widow filed suit against the House of Representatives for its culpability in leaving her husbandless and her children fatherless, then-Speaker of the House Sam Rayburn (D-Texas) granted subpoenaed witnesses the right to pull the plug on the cameras, eliminating one of the worst excesses of the McCarthy era.

One of the great American protest and radical poets **John Beecher** (descended from famed Abolitionists Henry Ward Beecher, Harriet Beecher Stowe and Lyman Beecher and an artist who was blacklisted from teaching by refusing to sign a state loyalty oath in California in 1950) became best known for poems that concern race relations, labor reform and other social injustices. His writings include the moving poem "Inquest," written in June 1957. It eulogizes **William K. Sherwood**. Beecher, whose strong feelings about McCarthy's tactics were well known, must have spontaneously composed this angry and moving poem, set the type and printed it on the spot with special cover artwork by his wife in order to release it in such a timely fashion—within the same month as Sherwood's suicide. The poem even makes subtle reference to Sherwood's "fierce resentment of being televised." It reads in small part as follows:

"...his sweating face  
on TV screens across the land,  
a kind of super-pillory where all may mock  
and spit at him,  
his wife and children shamed  
in all the circles where they move...  
...And so he took the poison.  
What would you  
have had him do,  
members of the Committee?"

American playwright **Arthur Miller** (1915 to 2005, author of *Death of a Salesman* and *The Crucible*—which threw a heavy and much-needed punch at Senator McCarthy—to name just two of dozens of plays dealing with the themes of judgment, fairness, social injustice, moral dilemmas, sanity, radical self-assertion, fanaticism and selfless sacrifice) wrote a semiautobiographical play called *After the Fall* in 1964. It contains a character named Lou based on the composite biographies of **William K. Sherwood** and Clifford Odets. (American playwright, screenwriter, socialist, and social protester, 1906-1963). Arthur Miller believed that one changes society by sharpening its consciousness of injustice.

**Frances Sherwood**  
**speaks on behalf of 176 Sloat Avenue (excerpts)**

*“Nikki liked to say he was a bridge builder and that our house was built like a bridge.*

*I still have one of Nikki’s pictures in my Indiana house. The P.G. house, which seemed quite spacious when I was growing up, is actually quite small, but it should be saved.*

*My parents had an upright piano, pets, a microscope, jars of pond water, two large tables, those plastic chairs with spindly legs, a television and a studio bed, plus two couches, all in the living room.*

*My mother loved the house. I remember how much it gave her an identity, and then she lost it to taxes. She would just love to have it regarded as an historical site in these days.”*

—Frances Sherwood  
Indiana,  
April 2009

**Important Note:**

The fact that Frances Sherwood did her earliest writing (age 13 to 18) inside her family’s home at 176 Sloat would be reason enough to declare the house historic!

Frances Sherwood has garnered stellar writing credentials and rave reviews over the course of the past two decades. Raised in Pacific Grove, California, Frances Sherwood attended Howard University on an Agnes and Eugene Meyer scholarship, graduated from Brooklyn College, and received her M.A. from Johns Hopkins University where she was a teaching fellow in the Graduate Writing Seminars. She was named a prestigious Stegner Fellow at Stanford University.

Sherwood is the author of a short story collection, *Everything You’ve Heard is True* (Johns Hopkins University Press, 1989), four novels, *Vindication* (Farrar, Straus and Giroux, 1992), *Green* (Farrar, Straus and Giroux, 1995), *The Book of Splendor* (W.W. Norton, 2002) and *Night of Sorrows* (W.W. Norton, 2006). *Vindication*, nominated for The Book Circle Critics Award, was translated into twelve languages and *The Book of Splendor* into five,

Sherwood has had two stories included in *O’Henry Award Collections* (1989, 1992) and one story was published in *Best American Short Stories* (2000). Twenty-four of her short stories have been published in magazines including *The Atlantic Monthly*, *Zoetrope* and *TriQuarterly*.

Frances Sherwood writes in her on-line biography:

“I am a late-bloomer and slow worker. I published my first novel at age 53, my fourth at 65, and I am currently working on my fifth novel. I started writing novels after I had raised a family while going to college (Howard University, Brooklyn College) and graduate school (Johns Hopkins, Stanford)...Prior to my current position as a Visiting Professor in Creative Writing at Notre Dame University, I was a professor of English at Indiana University South Bend, taught high school, had various office, library and retail jobs. Originally from California, I have lived on the East Coast and in the Midwest.

While I could be called a "new historical" or rather postmodern historical novelist, I think of myself as a writer who places contemporary political and psychological issues in different times and exotic places. Jumping into the "skins" of real figures, I make them into fictional characters, mingle them with totally fictional creations, and see how they do within their historical contexts.

Writing my books requires research, travel, and all the usual labors of love.

For me, writing is a process of discovery, an opportunity to live in another world for a while, to make the acquaintance of different times, to literarily make a circle of friends, to fall in love, stay in love.”

**Steven William Sherwood**  
**speaks on behalf of 176 Sloat Avenue (excerpts)**

*"The house was designed by the owners (my parents) in collaboration with an architect named Nikki Hetrovo. Nikki had a heavy Slavic accent. His design was pretty avant-garde for the day. I do not know how formal his design interactions with my parents were, but I do know that the three of them spent a great deal of time together going over things and planning. It was quite a family affair. And the house was a true original for its time. I hope you can do something to preserve it.*

*I don't know if you have any pictures of the house in its original state. I have a few old photos and will certainly scrounge for them for you. The inside was as interesting as the outside with the free-standing wrought iron fireplace, Shoji sliding screen panels, bare wood furniture and the like. I actually have a couple of pieces of original furniture (not in great shape, alas).*

*None of the wood inside or out was ever painted during the Sherwood tenure. The outside was rough redwood that was oiled or something similar, but never painted. And all of the inside wood was unfinished, just sanded smooth.*

*I visited the house many years after we left and asked the occupants if I could go in and look around. A lot of crappy things had been done to the interior (fake brick coverings on the walls and the like). I was taken aback.*

*Another potential source of information about the house is, oddly enough, the BBC. After my father's suicide in response to harassment (and worse) by the House Un-American Activities Committee (HUAC), a BBC film crew made a documentary about the story and filmed inside the house.*

*I have just found the photographs and will Fed Ex them to you. The interior photos are especially evocative. I actually remember every detail of the house, perhaps because I was just the right age to know every nook and cranny, having spent much time in, on and under the house. I also remember quite well the geography and anthropology of the neighborhood.*

***It was a house that saw and held a lot of life.** There was a constant stream of people from everywhere (in the world) and from every human community.*

*I support your efforts to try and preserve the house. I confess that the house and all it was still occupy a substantial piece of my memory and form elements of my world view."*

—Steven Sherwood  
Los Altos,  
April 2009

**Morris Sherwood**  
**speaks on behalf of 176 Sloat Avenue (excerpts)**

*"Its unobstructed view of the ocean at that time makes up some of my fondest memories. However, I'm afraid I am the weakest link in the tribal legend of my family's home. Due to the intense nature of my father's death, a lot was kept from me so I am just eating up information about my personal history now.*

*That house is imprinted on my being. I cannot tell you how spectacular it was when it was not totally surrounded by development.*

***Our home on Sloat Avenue was not just a dwelling. It was a combination of philosophy and physics, a combination of nature and manmade materials, and a combination of dreaming forward and daring to be both as dramatic and as simple as the Monterey Coast itself.***

*If Pacific Grove loses this home, it is one less piece of the history of a town that has a charm built on history, not on condominiums or the type of dwellings that one can find in Los Angeles or any suburban neighborhood."*

**—Morris Sherwood**  
**Santa Barbara,**  
**April 2009**

## **Nicolai Sergie Hetrovo, 1892 – 1956**

(also called Nicholai, Nick, Nicholas S., Nicoli, Nick and Nikki; Hetrovo is sometimes found spelled Hetrova)

- 1892            Born November 1<sup>st</sup> in Petrograd, Russia
- Pupil of Lukomsky; set decorator for the Imperial Theatre
- 1910            While a young officer in the Russian Imperial Navy serving as a ship commander at Murmansk, his vessel was seized by Bolsheviks at the start of the Russian Revolution
- 1915            Married Helen (maiden name unknown, born October 5, 1896, in Nladeriston, Russia and died December 5, 1974 in San Francisco)
- 1917            Daughter Helen Hetrovo born September 28<sup>th</sup>
- After brief imprisonment in Russia, he fled to the Far East where he began his career as a builder, architectural designer, and construction specialist. He served as a building construction supervisor and designed many industrial and public buildings in Shanghai, China, including what was once the world's largest nightclub.
- Fled via White Rock, British Columbia to the United States where he requested refugee status in Seattle and became a naturalized citizen in Portland, Oregon
- Early 1930s    With his wife Helen he established the Isba Inn, an international restaurant in Portland that was very well known in its day
- 1937            Moved to San Francisco where he worked as an architectural draftsman and was active in the local music, painting and poetry scene. He became close friends and colleagues with the soon-to-be-renowned California Modernist architect Mark Mills
- 1938-1941    Moved back and forth between San Francisco and the Monterey Peninsula. He first came to the Monterey Peninsula in 1939 to supervise the construction of the Coast Guard Station and breakwater (now the Coast Guard pier at San Carlos Beach and Park). He stayed on to oversee house construction at Camp Ord (later Ft. Ord, and today site of California State University at Monterey Bay).

1941-1945 During World War II he worked on the construction of desert ammunition dumps in Nevada where he contracted a chest ailment from which he never fully recovered.

1950s **“Hetrovo is credited with originating the “modular combination bent” construction system of supporting trusses and beams in his residential designs. His unique engineering and design principle was increasingly adopted by other designers and architects in the decades to follow.”—*Monterey Peninsula Herald* obituary, May 21, 1956**

He was commissioned to design at least three houses and possibly more (research still in progress) during this same time period:

19?? **25314 Flanders** for the Ushakoff's

1952 **176 Sloat Avenue** for William K. and Barbara B. Sherwood and Family

1953 **Address as yet to be determined on Yankee Point** for the David Wornow's (Box 173a, Rural Route 1), described as “acclaimed by architects...and beautifully diagonaled between a brook and its broad ocean view.”

19?? San Francisco Bay Area residence; no record of who commissioned this project. The plans were probably never completed.

1956 Hetrovo's last residence address was Pacific Grove. After a mental breakdown and suicide attempt in March, he was taken to Natividad Hospital in Salinas. The hospital was overcrowded so he was relegated to a bed in a hallway. Mark and Barbara Mills visited him several times there. Then he was moved to Agnew State Mental Hospital in Santa Clara, California, where he spent his final two months. He died on May 19<sup>th</sup> at age 63 on his second escape attempt from Agnew, falling from a second story window onto the concrete below, leaving behind a daughter and two grandchildren. Services for Hetrovo were held at N. Gray Mortuary in San Francisco a few days later.

Nicolai Hetrovo's artwork includes architectural renderings, non-objective paintings, portraits and landscapes of the San Francisco Bay Area.

His credentials as an abstract artist are noteworthy. He had one-man exhibitions at:

Portland Museum of Art (1934)  
J.K. Gill's Gallery in Portland, Oregon.

Paul Elder Gallery, San Francisco (1937)  
M.H. deYoung Museum, San Francisco (1949, a retrospective show that included his most recent abstract paintings)  
City of Paris Art Gallery, San Francisco  
Lucien Labaudt Gallery, San Francisco

New Group Gallery, Pacific Grove  
Kurland Gallery, Pacific Grove  
Pat Wall's Gallery, Pacific Grove  
Monterey County Fair (where he took first prize for a watercolor)

Stanley Rose Gallery, Hollywood

To complete his resume, Nicolai Hetrovo was also a poet. His book *milk rhythm flame* was published in 1937 by fine art book publisher Paul Elder & Co., San Francisco.

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In addition I received invaluable information and shared in amazing memories through conversations and electronic mail correspondence with the following generous people:

Betty Aickelin, Heritage Society of Pacific Grove Board Member and researcher

Stephanie Boris, ACES Art Consultation & Estate Services, Berkeley

Sherelyn Campbell, professional genealogist, Mt. Hermon, California

Inge Daumer, Sloat Avenue resident, Pacific Grove

Community Development Department, City of Pacific Grove

Ramón da Pena Jr., Sloat Avenue resident, Pacific Grove

Gene Flores, artist and metal sculptor, Plainfield, Massachusetts

Erica (nee Simpson Franke Barton) Haba, artist, Hillsborough, New Jersey

Dr. Tim Hunt, British Nobel Prize winner in 1991 for his cancer research using sea urchin embryos

Lois Luce, age 94 today, a former school teacher, bookkeeper and secretary and a resident of 174 Sloat Avenue from 1944 to this day (except during the years she was married, from late 1960 to late 1980)

Judy McClelland, Association of Monterey Area Preservationists Board Member and former Senior Planner for the Pacific Grove Community Development Department

Barbara Mills, widow of architect Mark Mills, Carmel

Frances Sherwood, renowned writer and eldest child of William and Barbara Sherwood, South Bend, Indiana; lived at 176 Sloat Avenue from age 12 to 18

Morris Sherwood, principal of an international consulting group in Santa Barbara and youngest child of William and Barbara Sherwood; lived at 176 Sloat Avenue from age 0 to 6 years old

Steven William Sherwood of Los Altos and second-born son of William and Barbara Sherwood; lived at 176 Sloat Avenue from age 5 to 14; provided all historic photos of the house (both under construction and completed)

Romney Steele, daughter of Lolly Fassett (founder of Nepenthe in Big Sur), Oakland



176 Sloat  
Front Facade

176 Sloat  
Front Façade Today

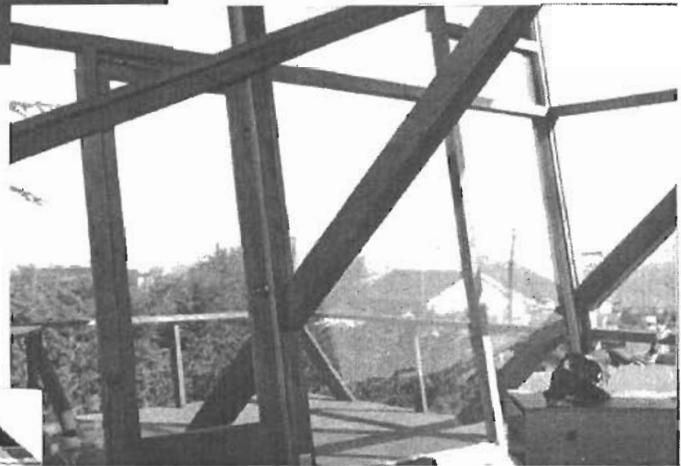


23514 Flanders



Dining Room

Window and Beams



Fireplace

Kitchen and Birdcage



3-09-065-W

Inge Lorentzen Daumer (Interested Party)  
180 Sloat Avenue  
Pacific Grove, CA 93950  
(831) 649-1363

4 February 2010

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060 - 4508

**RECEIVED**

FEB 08 2010

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

ATTN: Mike Watson  
RE: Proposed Permit Waiver 3-09-065-W  
Demolition of 176 Sloat Avenue, Pacific Grove, CA

Dear Sir,

When something is demolished, there is no getting it back.

These are my concerns, regarding demolition of the present structure at 176 Sloat Avenue, built in 1952. I do not believe the historicity of this structure was fully addressed at the local level, as our City Codes and Ordinances and Guidelines, and Plans have been, *and are, even now*, undergoing much review and change. Our Historical Review Commission has not had a full complement of seven (7) members for quite awhile, and at least one member has resigned over frustration with ambiguities of policy. This was the Commission that voted on this project in a 3-3 Tie-Vote, on July 8, 2009. Each of the nay voters stating what a difficult decision this was, wanting more direction as to policy, and asking our very new Planning Staff members, what exactly a tie-vote meant. It meant: Not listing in the Historic Inventory, for lack of another decisive vote. Unfortunately, once the motion was made, and seconded, and quickly voted upon, there was no ability to retract a vote.....and members seemed stunned at the outcome.

The Architectural Review Board, on April 14, 2009 had looked at the project submitted by Dr. and Mrs. Gersten, to demolish the present structure, and build a 30' high, 3421 sq. ft. single family home, and unanimously voted to refer the project to the HRC for consideration of inclusion in the City of Pacific Grove Historic Resources Inventory. The Gerstein's Phase 1 Historic Assessment had dismissed the present home as a "single-story Ranch style house". Further research presented to HRC gave a completely different description. The Gersten's had a lawyer speak on their behalf at the HRC meeting, who emphasized how much money they had spent on buying the property a year ago, and how

they always meant to demolish, and gave” not-so-thinly-veiled” threats about suing the City.

I am asking you, the CCC, to consider Not granting a permit waiver for this project, and instead, grant a full hearing on this project so that all interested parties may participate, and fully review the processes and information that encompass our cities more recent history (50+ years) before demolition, and loss, of another resource.

Thank you for your consideration,

Sincerely,

Inge Lorentzen Daumer  
180 Sloat Avenue  
Pacific Grove, CA 93950  
(831) 649-1363.



## CITY OF PACIFIC GROVE

300 FOREST AVENUE  
PACIFIC GROVE, CALIFORNIA 93950  
TELEPHONE (831) 648-3190 • FAX (831) 648-3184

### MINUTES OF REGULAR MEETING

#### HISTORIC RESOURCES COMMITTEE

DATE & TIME: WEDNESDAY, JULY 8, 2009 – 4:00 P.M.  
LOCATION: CITY HALL, COUNCIL CHAMBERS – 300 FOREST AVENUE

#### MEETING AGENDA:

1. **CALL TO ORDER**

The meeting was called to order at 4:03 p.m.

2. **ROLL CALL**

Committee members present:

- Ken Hinshaw (Chair)
- Jeff Becom (Vice-Chair)
- Steve Honegger
- James McCord
- Randy McKendry
- Rebecca Riddell

Staff present:

- Chief Planner Lynn Burgess
- Senior Planner Karen Vaughn
- Associate Planner Valerie Tallerico

3. **APPROVAL OF MINUTES**

Consider Draft Minutes of the May 13, 2009, HRC Site Review and Regular Meeting.

**On a motion by Riddell, seconded by McKendry, the Committee voted 6-0 to approve the minutes as presented.**

4. **ORAL COMMUNICATIONS**

None

**RECEIVED**

FEB 08 2010

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

## 5. WRITTEN CORRESPONDENCE

Letter from Jeanne Byrne, dated June 18, 2009 and staff response.

Committee member McCord asked for clarification regarding the process by which Phase 1 Assessments are brought before the HRC. Chief Planner Lynn Burgess clarified that Phase 1 Assessments are submitted as part of proposed development projects which require discretionary permits. She noted that the City does not have a process or fee in place for property owners to go directly to the HRC to determine the historic status of a particular property. Mr. McCord stated that a mechanism should be put in place by which a property owner could go to the HRC without applying for a discretionary permit.

## 6. REGULAR AGENDA

Chair Hinshaw suggested moving Regular Agenda Items 6B, Project address 635 Spazier Avenue and 6C, Project Address 142 19<sup>th</sup> Street to the beginning of the agenda. No opposition was expressed from the audience.

**On a motion by Hinshaw, seconded by Becom, the Regular Agenda was reordered; placing project address 635 Spazier Avenue and project address 142 19<sup>th</sup> Street at the beginning of the agenda.**

### a. **Project Address: 635 Spazier Avenue (Previously Item 6B)**

Review the findings of a Phase 1 Historic Assessment and determine whether the property at 635 Spazier Avenue should be added to the City's Historic Resources Inventory in accordance with Municipal Code Section 23.76.030.

Applicant: Jon and Patricia Giffen, owners

CEQA status: Class 1 Categorical Exemption

Staff reference: Valerie Tallerico, Associate Planner

Associate Planner Valerie Tallerico introduced the project.

Eric Miller, architect, spoke on behalf of the project.

Public comment period was opened. No public comment was received.

**On a motion by Honegger, seconded by Becom, the Committee voted 6-0 to add the structure to the Historic Resources Inventory, in accordance with the findings of the Phase 1 Historic Assessment, and pursuant to the recommended staff findings.**

### b. **Project Address: 142 19<sup>th</sup> Street (Previously Item 6C)**

Review the findings of a Phase 1 Historic Assessment and determine whether the property at 142 19<sup>th</sup> Street should be added to the City's Historic Resources Inventory in accordance with Municipal Code Section 23.76.030.

Applicant: Dana Motley Zausch, on behalf of Elizabeth Gordon

CEQA status: Class 1 Categorical Exemption

Staff reference: Karen Vaughn, Senior Planner

Senior Planner Karen Vaughn introduced the project.

Craig Bua, contractor, spoke on behalf of the project.

Public comment period was opened. No public comment was received.

**On a motion by McCord, seconded by Becom, the Committee voted 6-0 not to add the structure to the Historic Resources Inventory due to a loss of integrity, change of siding materials, and change of architectural features.**

**c. Project Address: 176 Sloat Avenue (Previously Item 6A)**

Review the findings of a Phase 1 Historic Assessment and determine whether the property at 176 Sloat Avenue should be added to the City's Historic Resources Inventory in accordance with Municipal Code Section 23.76.030.

Applicant: Craig Holdren on behalf of Kevin and Stephanie Gersten

CEQA status: Class I Categorical Exemption

Staff reference: Senior Planner, Sarah Hardgrave

Chief Planner Lynn Burgess introduced the project.

Todd Bessire, attorney, Craig Holdren, architect, Kent Seavey, Historian, and Kevin Gersten, owner, spoke in opposition to the addition of the subject property to the HRI.

Public comment period was opened.

Sally Aberg spoke in support of adding the subject property to the HRI.

Gary Sprader noted his concern that neither of the two Historic Assessments included the information that Ms. Aberg was able to find.

Maryanne Spradling spoke in support of adding the subject property to the HRI.

Mr. Bessire, attorney offered a rebuttal to the public comment.

The public comment period was closed.

Committee member Becom noted for the record that he was married to Sally Aberg. He noted that Ms. Aberg had performed all of her research on her own without his input. He also noted that he had spoken with the City Attorney and that there was no conflict of interest with his participation in the HRC deliberations on this project.

**A motion was made by Hinshaw, seconded by Becom, to add the structure to the HRI, based on it meeting Criteria (a), (d) and (i) because the structure is important locally, it is the only example within Pacific Grove of its unique truss design, and it has retained its integrity by way of the truss system, interesting shapes and feel of the structure. The Committee voted 3-3 and the motion failed.**

Due to the failed motion, the structure was not added to the Historic Resources Inventory.

**d. Formation of Sub-committees**

At the May 13, 2009 HRC meeting, Committee members requested that a discussion regarding the formation of sub-committees to review various relevant tasks be agendaized.

CEQA status: Not a project under CEQA

Staff reference: Karen Vaughn, Senior Planner

Committee member McCord suggested the formation of a subcommittee to facilitate the preparation of a historic context statement.

A Historic Context Statement subcommittee was formed, with Hinshaw, McCord and Riddell as members. The subcommittee will discuss funding options for moving forward with development of a Historic Context Statement and take those suggestions to staff.

**7. REPORTS OF HRC MEMBERS**

Committee member Honegger said he would like to have the HRC consider adding the City Boat House at Lover's Point Park to the HRI. Chief Planner Burgess stated that a Phase 1 Historic Assessment would need to be prepared since it is not currently on the state or national historic registers. Chair Hinshaw asked if he or Committee member Honegger could prepare a DPR 523a form for the Boat House and have it peer reviewed by a historic consultant on the City's approved list. Ms. Burgess agreed that that would be sufficient.

The Committee asked to have a discussion agendaized for the Committee members to address how best to apply the Historic Preservation Ordinance criteria in the review of projects.

Chair Hinshaw asked Ms. Burgess to invite John Kuehl, the Interim Building Official, to an upcoming meeting to discuss the Historic Building Code.

**8. REPORTS FROM STAFF**

None

**9. ADJOURNMENT**

The meeting was adjourned at 6:18 pm.

Hidden History

The house at 176 Sloat Avenue

By Catherine Dunlap

What makes a house historic? Age? Design? Or is it something deeper, such as events connected to it?

A neighbor recently brought this writer's attention to a Pacific Grove home built in the 1950's, a house which he felt could have some historical significance. In the weeks that followed, a story unfolded that grew more and more intriguing.

The 50's formed a significant period in American history. On the one hand, we had prosperity, drive-ins with fringe, stylish automobiles and the birth of rock n'roll.

On the other, we had the Cold War, McCarthyism and the vilification of anyone suspected of being a Communist, even in quiet towns like Pacific Grove. This is the story of two men — one American, one Russian — who built a house in PG and both died shortly afterwards. The circumstances are disturbing.

Portrait of a "white" Russian

Nicholas Sergeev Hetrovo was born November 1, 1892 in Penzance. While a young officer in the Russian Imperial Navy serving as a ship commander in Murmansk, Hetrovo was seized by the vessel at the start of the Russian Revolution in 1918. After a brief imprisonment in Rostov, he fled to the Far East and started a career as a broker, architectural designer and construction specialist. Trouble seemed to follow Hetrovo. He fled again through Hawaii, Columbia and became a naturalized citizen in Portland, Oregon.

Moving to San Francisco with his wife in 1937, Hetrovo became active in the local music, painting and poetry scene. He associated closely with Modernist architect Mark Mills. Hetrovo began moving back and forth between San Francisco and Monterey. He supervised construction of the Coast Guard Station and breakwater, then stayed on to oversee home construction at Camp (Fort) Ord. During World War II, Hetrovo worked on construction of ammunition dumps in Nevada, where he developed a close relation that stayed with him for life.

Hetrovo is credited with originating the "modular combination bent" system of supporting trusses and beams in residential design. Besides his architectural accomplishments, Nicholas's artwork was exhibited in the Portland Museum, the Paul Elmer Gallery in San Francisco and took first prize at the Moscone County Fair. Hetrovo's last residence address was in Pacific Grove.

The scholar

Ever a man named William Knechtel Sherwood, born November 19, 1916 in Milwaukee. According to a 1957 article in the Chicago Tribune, Sherwood studied botany at the University of Chicago in the 1930's and served as an agent of the Los Alamos government during the Spanish civil war. Returning to the U.S., Sherwood earned a law degree and worked in wartime for government agencies — the national labor relations board and the board of economic warfare — until 1945. He then moved to the Monterey Peninsula in the late 1940's to start a clothing manufacturing business with his wife, Barbara Bennett Sherwood.

Two years later, he found himself doing graduate studies at the Hopkins Marine Laboratory under Dr. Cornelius D. Van Niel, a Stanford University professor and pioneer in microbiology and comparative biochemistry. Sherwood himself earned a Ph. D. with highest honors in biology, plus a research grant from the American Cancer Society to do the phytochemical study of early cancer detection.

In 1952, the Sherwoods commissioned Nicholas Hetrovo to design a house at 176 Sloat Avenue in Pacific Grove. The Modernist design featured a floating fireplace, exposed structural beams and walls of books. The house's location just above Ocean View Boulevard afforded Dr. Sherwood a short stroll to his lab at Hopkins. According to local lore, the house became a gathering place for intellectuals, artists and Bohemians from Hopkins Marine Station, Huckleberry Hill, Carmel and Big Sur.

So the story goes:

A different view

A telephone interview with Sherwood's daughter, Frances paints a different picture. Frances, who was in



An excerpt from William Sherwood's, "Experience with WGE, a naturally occurring Indole compound".

*"The first symptom which I mentioned of including the house was a sudden, severe headache. This lasted but a short time and was followed by a feeling of deep tiredness. I began to walk unsteadily. I did not speak. Successively I merely sat and stared at my laboratory notes. The simplest physical manipulations became progressively difficult. I thought the same thought over and over repeatedly. I felt unable to communicate with others. When forced to speak to others, including members of my own family, I felt anger in my throat. When I did speak I felt that another person, whom I called to myself, "the Outside Talker" was speaking, rather than I. I never felt that anything was wrong with me, but that I was different from all others. I could not recognize that anything was wrong with me, but others, of course, did. My wife finally concluded that I was, upon these occasions, and even at other times for several days, insane, and she blamed it directly upon my work at the laboratory.*

*It was with a feeling of intense relief that I changed to read a paper of Dr. Fabing (2) in which the subjective symptoms of some volunteers who had been given LSD (another member of the indole family of compounds) were described. The statements of these volunteers read very much as I had felt. I wrote Dr. Fabing and, through his kind interest in the matter, received a supply of a suspended compound, Triopal. This drug, taken with 100 mg. tablets, never did or blocked the symptoms of BGE intoxication within half an hour or so.*

her late teens at the time, said, "My parents had a few friends, but not many. It [the house] wasn't a gathering place that I could see. In fact, we felt pretty isolated." As for the nature of her father's research at the time, Ms. Sherwood said she was unaware of any cancer research. "I never knew about that. I know he was doing research on schizophrenia. He was interested in a metabolic cause of that disease."

The Tribune article described William Sherwood as a "man of mystery," who was researching a possible link between cancer, heart disease and schizophrenia.

Two deaths in 15 months

Four years after designing the Sherwood house, Nicholas Hetrovo reportedly had a mental breakdown and attempted suicide in March 1956. He was taken first to Navalid Hospital in Salinas, where Mark and Barbara Mills paid several visits. Hetrovo was then moved to Agnew State Mental Hospital in Santa Clara. He died there on May 19, 1956 in the course of his second escape attempt, falling from a second story window onto the concrete below.

A year later, on the night of June 10, 1957, William Sherwood swallowed poison in his lab, two days before he was to give televised testimony before the House

Un-American Activities Committee in San Francisco regarding Communist intellectual infiltration. Sherwood was 40 years of age.

The Last Words

One of William Sherwood's friends was attorney Herman Edises, a Berkeley labor attorney. During the 1954 HUAC hearings of Edward Rattledge, Bert Edises was named among a group of men alleged to have had ties with the Communist Party in San Francisco in 1945. Eventually, Edises himself testified before the House Un-American Activities Committee on May 14, 1960.

It was Edises who publicized a 1957 statement that Sherwood had prepared to read for the House Committee. The words were printed in many publications, including the Washington Post. "The committee is investigating Communist activities among professional men. The committee's trail is strewn with distorted lives and the sacrifice of youthful careers. I cannot see the intrusion of the House Committee because it causes me to lose precious time from work which is of importance to humanity."

A separate communication issued by Sherwood to a colleague added the following remarks: "My life and livelihood are now threatened by the House Committee... I will in two days be examined by publicity. I would love to spend the next few years in laboratorics and would hate to spend them in jail. I have a fierce resentment of being subpoenaed."

A June 19, 1957 article in a publication called, "The Age," printed the news of Sherwood's death. In the article, Edises stated that Sherwood was prepared to appear before the House Committee, but became very upset when he learned the proceedings would be televised.

Ironically, a research paper written by Sherwood titled, "Experience with 'Bark,' a Naturally Occurring Indole Compound," appeared in the July-September 1957 edition of the Journal of Nervous and Mental Disease, about a month after he died. In it, Sherwood chronicles his last work, which involved an accidental exposure to toxic fumes that placed him in a "temporarily psychotic" state. These conditions lasted several days. He contacted a Dr. Fabing, who wrote about similar behavior observed in volunteers that had been given LSD. Fabing sent Sherwood a drug called Triopal that, according to Sherwood's notes, "reversed or blocked the symptoms of BGE intoxication within half an hour or so."

Sherwood's necropsy at Hopkin, Dr. Van Niel, told the Tribune it was "extremely doubtful" if Sherwood's research was of unique importance.

After Sherwood's widow sued the House Un-American Activities Committee, then-Speaker Sam Rayburn, D-Texas, granted subpoenaed witnesses the right to pull the plug on TV cameras and all media microphones. In a statement that the HUAC did not allow her to read, Barbara Sherwood wrote:

*"Throughout his lifetime, my husband had but one goal: to ease the suffering of mankind. It was this goal that drove him to support the Levitts in the Spanish Civil War; that inspired his scientific identification with radical causes. It was this goal that led him, when greater maturity had matured and deepened his understanding, to abandon politics completely and devote himself single-mindedly to science. It is a crime for a young man in his last years to dream of a higher aim world." (The complete statement is available in Eric Bentley's Three Years of Treason: Excerpts from the Hearings Before the House Committee on Un-American Activities 1948-1956, (Harvard's Month Press Nelson Books, NY 1971, 2002.)*

Questions

Frances Sherwood has found recollections of her mother and Hetrovo — Nikki, she calls her — designing the house on Sloat Avenue. Frances was unaware that Nicholas Hetrovo had died within a year of her father, or the circumstances. On the phone, she passed a note to process the information. "I didn't know that," she said. "That's very sad."

The whole story raises more questions than it answers. What was Sherwood on? What questioned did the HUAC plan to ask him? And what of poor Hetrovo, a man of many accomplishments, reported to have suddenly gone insane, dead at the age of 63? Might that have caused Sherwood, after learning of his friend's tragic end, to expand his research into metabolic causes of mental illness — or what presents itself as mental illness? And if so, could his discoveries have been of interest to the House Committee?

As for the house at 176 Sloat, the current owners plan to tear it down and replace it with a larger structure of a different design. When that happens, the last physical evidence of Barbara and William Sherwood will be gone from Pacific Grove.

**CALIFORNIA COASTAL COMMISSION**

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Jonathan Bishop, Coastal Planner *JB*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-005-W  
Applicant: California Polytechnic State University (Cal Poly)

**Proposed Development**

Construct a new two-lane bridge to replace an existing two-lane 4-span timber bridge crossing over Walters Creek. The project is located east of Highway One on Cal Poly State University property in San Luis Obispo County.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed project involves the replacement of a damaged existing timber bridge, with a new single-span prefabricated concrete bridge. The condition of the existing bridge has deteriorated, and Caltrans has determined that the existing bridge is no longer structurally secure. Construction measures are included in the project description to avoid disturbances to Walters Creek. The existing wooden support piers will be removed from the streambed channel to improve creek flows. The project includes biological monitoring during construction and no vegetation removal will occur. Agricultural soils that may be impacted around the bridge approaches will be stockpiled and replaced on the top layer of the new approach slopes and revegetated with an appropriate native grass seed mix to avoid the loss of these soils. In sum, the project will allow for safe passage of traffic across Walters Creek, will improve stream function in the longer term, and has no potential for adverse effects on coastal resources, including public access. Thus, the proposed project can be found consistent with the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, February 10, 2010, in Oceanside. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Jonathan Bishop in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-037-W  
Applicant: City of Pacific Grove and Enea Properties Company, LLC

**Proposed Development**

Remodel and addition to the existing Pacific Grove Bathhouse building located at Lover's Point Park, 620 Ocean View Boulevard in the City of Pacific Grove. Development includes demolishing and relocating detached public restrooms in Lover's Point Park to the Bathhouse building, and a 675 square foot second floor restaurant addition with an additional 570 square foot outdoor seating deck. Proposal also includes ADA accessibility improvements to the Bathhouse building and to Lover's Point Park grounds. Additionally, the proposal includes two new outdoor showers, public changing areas in the new restrooms, new wrought iron fencing to replace chain-link fencing around the children's pool, landscaping improvements at site of demolished restrooms, CCT and interpretive signing, and improved pedestrian and bicycle access through/around Lover's Point Park.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The proposed renovations and additions to the Bathhouse building will be constructed within the footprint of the existing structure, and maintain the existing and traditional uses of the site including for low-cost recreational, visitor serving, and commercial uses. First floor uses would be reserved exclusively for public recreation-oriented uses and public recreation amenities. The second floor would be reserved for a commercial/visitor serving restaurant use. The proposed development would be compatible in size, scale, and aesthetics with the open space and developed character of Lover's Point Park. The proposed building renovation and addition would add 675 square feet to the second story and increase restaurant seating by a modest 12 additional seats (i.e., 92 existing, 104 proposed). The restaurant use would be restricted solely to evening service avoiding competition for area parking between park and restaurant users during prime daylight hours. Other related park improvements include improving pedestrian circulation and ADA accessibility through Lover's Point Park, designating area paths as segments of the California Coastal Trail, interpretive signing, relocating the existing detached restroom to the primary Bathhouse building and expanding park landscaping, construction of two new outdoor showers and public changing area in the new restrooms, a dive locker, and replacement of chain link fencing with more aesthetically pleasing wrought iron fencing and railings.



## **NOTICE OF PROPOSED PERMIT WAIVER**

**CDP Waiver 3-09-037-W (PG Bathhouse Remodel and Lover's Point Park Improvements)**

**Page 2**

The project further includes construction BMPs designed to protect the marine environment during construction. Disruptions to public access during construction will be minimized by maintaining access to Lover's Point beach and park, and restricting access only in the immediate area of construction. Accordingly, the project will not have any significant adverse impacts on coastal resources, including public access to the shoreline.

### **Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, February 10, 2010, in Oceanside. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Watson in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCM*  
Jonathan Bishop, Coastal Planner *JB*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-048-W  
Applicants: San Luis Obispo County Department of Public Works

**Proposed Development**

Restore a 4,400 foot segment of the Arroyo Grande Creek levee by adding soil layers, compacting each new layer, and hydro-seeding the new slopes for stabilization, in the community of Oceano.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The purpose of the proposed project is to restore an eroded section of the northern Arroyo Grande Creek levee. The levee was constructed in the late 1950's and has experienced significant erosion and settlement during the intervening years and is currently 0.5 feet to 3.7 feet below the original design height. Construction measures are included in the project description to avoid disturbances to Arroyo Grande Creek. The proposed work will be limited to the existing levee top and will not involve placement of fill within the channel or increase the footprint of the levee. No vegetation trimming/cutting will occur and post-construction hydro-seeding will utilize a native non-invasive seed mix appropriate to the site. Equipment staging will be done on the adjacent County airport property within an existing maintained parking lot. In sum, the project will improve flood protection in the area and has no potential for adverse effects on coastal resources, including public access. Thus, the proposed project can be found consistent with the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, February 10, 2010, in Oceanside. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Jonathan Bishop in the Central Coast District office.**



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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCarl*  
Susan Craig, Coastal Planner *S. Craig*  
**Subject:** Coastal Development Permit (CDP) Waiver 3-09-066-W  
Applicant: Santa Cruz Seaside Company

**Proposed Development**

The proposed project includes construction of seven cantilevered decks (totaling 588 square feet) at the Santa Cruz Beach Boardwalk (Boardwalk). Each deck would extend about four feet out from the existing edge of the Boardwalk over the beach, be of varying widths (14 feet to 30 feet), and would be situated in various locations along the Boardwalk. The decks will be constructed from 2' x 6' decking materials with a cement finish and will include 42" high railing panels painted to match the existing Boardwalk railing panels. Existing portable food stands and game booths will be relocated to these cantilevered decks to provide more walkway access along the Boardwalk proper.

The proposed project also includes construction of two new seating decks, one 68' wide and one 148' wide, which will extend 16' over the beach and be at Boardwalk level. A new 11' wide staircase will lead down to the beach from the center of the larger seating deck. The new seating decks will be supported by fiberglass pilings. The decks of the seating areas will be made from 2' x 6' decking materials with a hardwood finish and will include 42" high railings made of metal cables and posts. Six tables with umbrellas and fourteen park-style benches will be placed on the larger deck. Five tables with umbrellas and eight park-style benches will be placed on the smaller deck. Several interpretive signs describing the ecology of the Monterey Bay National Marine Sanctuary will be placed on each seating deck.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The Boardwalk is a prime visitor attraction in Santa Cruz that is visited by over three million people annually who come from far and wide to enjoy its rides and games. The Boardwalk is situated adjacent to the City of Santa Cruz's Main Beach. Access to the Boardwalk (including the proposed deck amenities) is free and open to the general public, who can stroll along the Boardwalk and access the Main Beach without any charge. The proposed cantilevered decks will allow for food stands and game booths to be offset from the main Boardwalk walkway, which will provide more walkway space for Boardwalk visitors that is especially needed during the busy summer season. The proposed seating



# **NOTICE OF PROPOSED PERMIT WAIVER**

**CDP Waiver 3-09-066-W (Boardwalk Decks)**

**Page 2**

decks will provide areas located off of the busy Boardwalk walkway for visitors to sit and relax and enjoy ocean views (the use of cable railing will allow for virtually unobstructed views from the seating decks). The new stairway from the larger seating deck will provide additional access to the City's Main Beach. The proposed pilings will be constructed from fiberglass composite materials, which will not leach any chemicals into the beach environment at any environmentally significant level. Although the new cantilevered decks and seating decks will extend slightly over the beach, the portions of the beach that will be shaded by the decks is located directly adjacent to the Boardwalk's existing seawall, and these beach areas are generally not heavily used, even during the summer months. In any event, these beach areas, although covered by the decks, will remain open to public use. For all the above reasons, the proposed project has no potential for adverse impacts on coastal resources and will, in fact, enhance public access to the shoreline at this prime visitor-serving location.

### **Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on February 10, 2010 in Oceanside. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

**If you have any questions about the proposal or wish to register an objection, please contact Susan Craig in the Central Coast District office.**



**California Coastal Commission**

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**NOTICE OF PROPOSED PERMIT WAIVER**

**Date:** January 27, 2010

**To:** All Interested Parties

**From:** Dan Carl, Central Coast District Manager *DCM*  
Katie Morange, Coastal Planner *Km*

**Subject:** Coastal Development Permit (CDP) Waiver 3-10-004-W  
Applicants: Big Sur Land Trust, Attn: Donna Meyers; and California Department of Parks and Recreation, Attn: Ken Gray

**Proposed Development**

Construct a quarter-mile long multi-use public recreational trail from Rio Road to 140 feet north of the Carmel River, aligned ranging 25 to 125 feet east of, and parallel to, Highway 1 in the Carmel area of unincorporated Monterey County.

**Executive Director's Waiver Determination**

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the applicant(s) regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The trail would be located over a disturbed lot, comprised of weedy exotic plants, in an alignment that the Commission has long envisioned and supported for a recreational trail such as this. (Note: the trail would be located within one segment of the area of the once proposed but since abandoned Hatton Canyon freeway.) The project would connect to the existing Hatton Canyon trail (at the northern end of the project), including the recently approved Carmel Hill and River trail segment (3-09-057-W) between just north of Carmel Valley Road and Rio Road, and provide enhanced pedestrian and bicycle connectivity and facilities along this route. Ultimately, future planned trail segments are expected to extend this recreational trail over the Carmel River and beyond. The project includes native plant landscaping, interpretive signage, and construction measures to protect against erosion and sedimentation and potential impacts to special status species. In sum, the proposed project will enhance public access and recreational opportunities and protect sensitive habitats consistent with the Coastal Act.

**Coastal Commission Review Procedure**

This waiver is not valid until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission on Wednesday, February 10, 2010 in Oceanside. If four Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application. **If you have any questions about the proposal or wish to register an objection, please contact Katie Morange in the Central Coast District office.**





California Coastal Commission

# EMERGENCY COASTAL DEVELOPMENT PERMIT

**Emergency CDP 3-10-005-G (Caltrans PM 1-MON-7.2 Shale Point)**

**Issue Date: January 28, 2010**

**Page 1 of 5**

This emergency coastal development permit (ECDP) authorizes emergency development consisting of the placement of 3,000 tons of 8-10 ton rock on the seaward side of Highway One over a 200-foot long area at the toe of the slope (at the ocean interface) as well as temporary staging at post mile 1-MON-7.2, Shale Point, on the Big Sur coast (all as more specifically described in the Commission's ECDP file).

Based on the materials presented by the Permittee (Caltrans), severe winter storms (most recently beginning January 15, 2010) caused a slip out immediately below Highway One just north of Shale Point. Specifically, the existing rock revetment at the base of the bluffs at this location failed due to a combination of high tides and large surf associated with this series of storm events, and Caltrans was forced to close Highway One in one direction. The proposed emergency development is necessary to prevent the imminent loss of and/or damage to Highway One. Therefore, the Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this ECDP; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

The emergency development is hereby approved, subject to the conditions listed on the attached pages.

*DAN CARL* 1/28/2010

Dan Carl, Central Coastal District Manager for Peter M. Douglas, Executive Director

Enclosures: (1) Emergency Coastal Development Permit Acceptance Form; (2) Regular Permit Application Form

cc: Laura Lawrence, Monterey County RMA - Planning Department  
Deirdre Whalen, Monterey Bay National Marine Sanctuary

# **Emergency CDP 3-10-005-G (Caltrans PM 1-MON-7.2 Shale Point)**

**Issue Date: January 28, 2010**

**Page 2 of 5**

## **Conditions of Approval**

1. The enclosed ECDP acceptance form must be signed by the applicant and returned to the California Coastal Commission's Central Coast District Office within 15 days of the date of this permit (i.e., by February 12, 2010). This ECDP is not valid unless and until the acceptance form has been received in the Central Coast District Office.
2. Only that emergency development specifically described in this ECDP is authorized. Any additional and/or different emergency and/or other development requires separate authorization from the Executive Director and/or the Coastal Commission.
3. The emergency development authorized by this ECDP must be completed within 30 days of the date of this permit (i.e., by February 27, 2010) unless extended for good cause by the Executive Director.
4. The emergency development authorized by this ECDP is only temporary, and shall be removed if it is not authorized by a regular CDP. Within 60 days of the date of this permit (i.e., by March 29, 2010), the Permittee shall submit a complete application for a regular CDP to have the emergency development be considered permanent or for a different project designed to protect Highway One at the project site. The Permittee is encouraged to submit an application that also requests regular CDP authorization to provide for future maintenance of any authorized protection project. The application shall include photos showing the project site before the emergency (if available), during emergency project construction activities, and after the work authorized by this ECDP is complete. The emergency development shall be removed in its entirety within 150 days of the date of this permit (i.e., by June 27, 2010) and all areas affected by it restored to their original pre-emergency development condition unless before that time the California Coastal Commission has issued a regular CDP for the development authorized by this ECDP. The deadlines in this condition may be extended for good cause by the Executive Director.
5. In exercising this ECDP, the Permittee agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This ECDP does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g., Monterey County, U.S. Forest Service, Monterey Bay National Marine Sanctuary, California State Lands Commission, etc.). The Permittee shall submit to the Executive Director copies of all such authorizations and/or permits upon their issuance.
7. All emergency development shall be limited in scale and scope to that specifically identified in the Caltrans Emergency Notification Form dated January 21, 2010 (dated received in the Coastal Commission's Central Coast District Office on same day), and in supplemental project information provided by Caltrans and received in the Coastal Commission's Central Coast District Office January 26, 2010.
8. A licensed civil engineer with experience in coastal structures and processes shall oversee all construction activities and shall ensure that all emergency development is limited to the least amount necessary to abate the emergency.



**Emergency CDP 3-10-005-G (Caltrans PM 1-MON-7.2 Shale Point)**

**Issue Date: January 28, 2010**

**Page 3 of 5**

9. All emergency construction activities shall limit impacts to coastal resources (including public recreational access, habitat areas, and the Pacific Ocean) to the maximum extent feasible including by, at a minimum, adhering to the following construction requirements (which may be adjusted by the Executive Director if such adjustments: (1) are deemed necessary due to extenuating circumstances; and (2) will not adversely impact coastal resources):
- a. All construction areas shall be minimized and shall allow through public access and protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
  - b. Construction work and equipment operations shall not be conducted seaward of the mean high water line unless tidal waters have receded from the authorized work areas.
  - c. Grading of intertidal waters is prohibited.
  - d. Any construction vehicles operating on the beach area shall be rubber-tired construction vehicles. When transiting on the beach, all such vehicles shall remain as high on the upper beach as possible and avoid contact with ocean waters and intertidal areas.
  - e. Any construction materials and equipment placed on the beach during daylight construction hours shall be stored beyond the reach of tidal waters. All construction materials and equipment shall be removed in their entirety from the beach area by sunset each day that work occurs. The only exceptions will be for: (1) erosion and sediment controls (e.g., a silt fence at the base of the construction area) as necessary to contain rock and/or sediments in the construction area, where such controls are placed as close to the toe of the bluff as possible, and are minimized in their extent; (2) storage of larger materials beyond the reach of tidal waters for which moving the materials each day would be extremely difficult. Any larger materials intended to be left on the beach overnight must be approved in advance by the Executive Director, and shall be subject to a contingency plan for moving said materials in the event of tidal/wave surge reaching them.
  - f. All construction areas shall be minimized and demarked by temporary fencing designed to allow through public access and protect public safety to the maximum extent feasible. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside of the defined construction, staging, and storage areas.
  - g. The construction site shall maintain good construction site housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep equipment covered and out of the rain (including covering exposed piles of soil and wastes); dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the beach; etc.).
  - h. All construction activities that result in discharge of materials, polluted runoff, or wastes to the beach or the adjacent marine environment are prohibited. Equipment washing, refueling, and/or servicing shall not take place on the beach. Any erosion and sediment controls used shall be in place prior to the commencement of construction as well as at the end of each work day.



## **Emergency CDP 3-10-005-G (Caltrans PM 1-MON-7.2 Shale Point)**

**Issue Date: January 28, 2010**

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- i. All accessways impacted by construction activities shall be restored to their pre-construction condition or better within three days of completion of construction. Any beach sand in the area that is impacted by construction shall be filtered as necessary to remove any construction debris.
  - j. All exposed slopes and soil surfaces in and/or adjacent to the construction area shall be stabilized with erosion control native seed mix, jute netting, straw mulch, or other applicable best management practices (for example, those identified in the California Storm Water Best Management Practice Handbooks (March, 1993)). The use of non-native invasive species (such as ice-plant) is prohibited.
  - k. All contractors shall ensure that work crews are carefully briefed on the importance of observing the construction precautions given the sensitive work environment. Construction contracts shall contain appropriate penalty provisions sufficient to offset the cost of retrieval/clean up of foreign materials not properly contained and/or remediation to ensure compliance with this ECDP otherwise.
  - l. The Permittee shall notify planning staff of the Coastal Commission's Central Coast District Office immediately upon completion of construction and required restoration activities. If planning staff should identify additional reasonable restoration measures, such measures shall be implemented immediately.
10. Copies of this ECDP shall be maintained in a conspicuous location at the construction job site at all times, and such copies shall be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of this ECDP, and the public review requirements applicable to it, prior to commencement of construction.
11. A construction coordinator shall be designated to be contacted during construction should questions arise regarding the construction (in case of both regular inquiries and emergencies), and their contact information (i.e., address, phone numbers, etc.) including, at a minimum, a telephone number that will be made available 24 hours a day for the duration of construction, shall be conspicuously posted at the job site where such contact information is readily visible from public viewing areas, along with indication that the construction coordinator should be contacted in the case of questions regarding the construction (in case of both regular inquiries and emergencies). The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.
12. Within 30 days of completion of construction authorized by this ECDP, the Permittee shall submit site plans and cross sections prepared by a licensed civil engineer with experience in coastal structures and processes clearly identifying all development completed under this emergency authorization (comparing any previously permitted condition to both the emergency condition and to the post-work condition), and a narrative description of all emergency development activities undertaken pursuant to this emergency authorization.
13. This ECDP shall not constitute a waiver of any public rights which may exist on the property. The permittee shall not use this ECDP as evidence of a waiver of any public rights which may exist on



**Emergency CDP 3-10-005-G (Caltrans PM 1-MON-7.2 Shale Point)**

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the property.

14. Failure to comply with the conditions of this approval may result in enforcement action under the provisions of Chapter 9 of the Coastal Act.
15. The issuance of this ECDP does not constitute admission as to the legality of any development undertaken on the subject site without a CDP and shall be without prejudice to the California Coastal Commission's ability to pursue any remedy under Chapter 9 of the Coastal Act.

As noted in Condition 4 above, the emergency development carried out under this ECDP is at the Permittee's risk and is considered to be temporary work done in an emergency situation to abate an emergency. If Caltrans wishes to have the emergency development become permanent development, a regular CDP must be obtained. A regular CDP is subject to all of the provisions of the California Coastal Act and may be conditioned or denied accordingly.

If you have any questions about the provisions of this ECDP, please contact the Commission's Central Coast District Office at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.



**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
PHONE: (831) 427-4863  
FAX: (831) 427-4877  
WEB: WWW.COASTAL.CA.GOV

**NOTICE OF PROPOSED PERMIT EXTENSION**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DGC*  
Mike Watson, Coastal Planner  
**Subject:** Proposed Extension to Coastal Development Permit (CDP) 3-07-003  
Applicants: Robin Martella and George Leage *RL*

**Original CDP Approval**

CDP 3-07-003 was approved by the Coastal Commission on December 13, 2007, and provided for the construction of a seven unit hotel and related development at 1170 Front Street along the Embarcadero in the City of Morro Bay.

**Proposed CDP Extension**

The expiration date of CDP 3-07-003 would be extended by one year to December 13, 2010. The Commission's reference number for this proposed extension is 3-05-059-E1.

**Executive Director's Changed Circumstances Determination**

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the Coastal Act.

**Coastal Commission Review Procedure**

The Executive Director's determination and any written objections to it will be reported to the Commission on February 10, 2010, in Oceanside. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Waston in the Central Coast District office.**



**CALIFORNIA COASTAL COMMISSION**

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**NOTICE OF PROPOSED PERMIT EXTENSION**

**Date:** January 27, 2010  
**To:** All Interested Parties  
**From:** Dan Carl, Central Coast District Manager *DCarl*  
Mike Watson, Coastal Planner *MW*  
**Subject:** Proposed Extension to Coastal Development Permit (CDP) 3-05-059  
Applicants: Pletz Investment Company

**Original CDP Approval**

CDP 3-05-059 was approved by the Coastal Commission on January 11, 2006, and provided for the construction of a single-family residence at 1721 Sunset Drive in the Asilomar Dunes planning area of the City of Pacific Grove.

**Proposed CDP Extension**

The expiration date of CDP 3-05-059 would be extended by one year to January 11, 2011. The Commission's reference number for this proposed extension is 3-05-059-E3.

**Executive Director's Changed Circumstances Determination**

Pursuant to Title 14, Section 13169 of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that there are no changed circumstances affecting the approved development's consistency with the Coastal Act.

**Coastal Commission Review Procedure**

The Executive Director's determination and any written objections to it will be reported to the Commission on February 10, 2010, in Oceanside. If three Commissioners object to the Executive Director's changed circumstances determination at that time, then the extension shall be denied and the development shall be set for a full hearing of the Commission.

**If you have any questions about the proposal or wish to register an objection, please contact Mike Waston in the Central Coast District office.**

