

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT ST, SUITE 2000
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W12

**NORTH CENTRAL COAST DISTRICT
(SAN FRANCISCO)
DEPUTY DIRECTOR'S REPORT**

For the

March Meeting of the California Coastal Commission

MEMORANDUM

March 9, 2015

TO: Commissioners and Interested Parties
FROM: Dan Carl, North Central Coast District Deputy Director
SUBJECT: Deputy Director's Report

There were no waivers, emergency permits, immaterial amendments or extensions issued by the North Central Coast District Office for the March 11, 2015 Coastal Commission hearing.

This report contains additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the North Central Coast Area.

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**Memorandum****March 9, 2015**

To: Commissioners and Interested Parties

FROM: Dan Carl, North Central Coast District Deputy Director
 North Central Coast District

Re: ***Additional Information for Commission Meeting***
Wednesday March 11, 2015

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W15a

Prepared March 4 for March 11, 2015 Hearing

To: Commissioners and Interested Persons

From: Nancy Cave, District Manager
Shannon Fiala, Coastal Planner

Subject: STAFF REPORT ADDENDUM for W15a
Appeal Number A-2-MAR-12-008 (Kirschman/Trivelpiece)

The purpose of this addendum is to modify the important hearing procedural note for the above-referenced item. This change is minor and does not modify the staff recommendation, which is still substantial issue. Thus, the staff report is modified as shown below (where applicable, text in underline format indicates text to be added, and text in ~~striketrough~~ format indicates text to be deleted):

1. Important Hearing Procedure Note

a. Modify text on staff report page 1 as follows:

Important Hearing Procedure Note: ~~This is a substantial issue only hearing. Public testimony will be taken only on the question whether the appeal raises a substantial issue. Generally and at the discretion of the Chair, testimony is limited to 3 minutes total per side. Please plan your testimony accordingly.~~ The Commission will not take public testimony during the “substantial issue” phase of the appeal hearing unless at least three (3) Commissioners request it. If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will follow at a subsequent Commission meeting, during which it will take public testimony. Written comments may be submitted to the Commission during either phase of the hearing.

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W16a

Prepared March 6, 2015 for March 11, 2015 Hearing

To: Commissioners and Interested Persons
From: Nancy Cave, District Manager
Ethan Lavine, Coastal Planner
Subject: **STAFF REPORT ADDENDUM for W16a**
CDP Application Number 2-14-0673 (Lundberg)

The purpose of this addendum is to make minor changes to the staff report for the above-referenced item (dated prepared February 27, 2015). These changes do not modify the basic staff recommendation, which is still approval with conditions. These changes include: 1) modifications to condition language to better define allowable development activities within the required Open Space Area (allowing for repair and maintenance activities authorized by a CDP or CDP amendment); 2) new condition language to clarify that Standard Condition 2 (Expiration) excludes development carried out prior to approval of this permit (so as to ensure that prior development is not used to support an argument that the CDP has been exercised); 3) refinements to the conflict resolution analysis (staff report Section K) to clarify the Coastal Act conflicts and their resolution; 4) corrections to CEQA findings based on clarifying information received from Sonoma County; 5) clarifications regarding the applicable LCP policies at issue in the conclusions to staff report Sections F (Water Quality and Marine Resources) and G (Hazards); and 6) the correction of a typo. The Applicant and staff are in agreement on the staff recommendation, including as modified by this addendum, and staff is unaware of any opposition to the project. Thus, the staff report is modified as shown below (where applicable, text in underline format indicates text to be added, and text in ~~strikethrough~~ format indicates text to be deleted):

1. Open Space Restriction

- a. Modify Special Condition 4(a) on staff report page 6 as follows:

*No development, as defined in Section 30106 of the Coastal Act, shall occur in the Open Space Area as described and depicted in **Special Condition 3(a)** except for the approved project as shown on the approved final plans (**Special Condition 3**), repair and maintenance activities authorized by a CDP or CDP amendment pursuant to **Special Condition 5**, and restoration and associated maintenance and monitoring activities conducted in accordance with the approved Habitat Restoration Plan (**Special Condition 2**).*

2. CDP Expiration

- a. Insert Special Condition 12 on staff report page 10 as follows:

12. New Development Expiration. *For purposes of complying with **Standard Condition 2, Expiration**, development that has not commenced consists of development that has not taken place as of the date of the Commission's approval of this CDP, and specifically excludes development carried out prior to approval of this CDP (consisting of grading, deck removal, demolition of previous support pilings and elevation of the original home, demolition and remodeling of the original residence, construction of a new deck, constructing staging, trenching, excavation, materials storage, debris removal, and placement of construction debris).*

3. Conflict Resolution Analysis

- a. Modify text on staff report page 2 as follows:

The proposed project raises issues related to ESHA, water quality and marine resources, hazards, visual resources, archaeological resources, and public access and recreation. The existing residence is located partially within ESHA, and also partially within an ESHA wetland buffer. The proposed project would relocate the foundation of the existing residence to an area outside of the ESHA, although a portion of the redeveloped residence and its attached deck would continue to be cantilevered above a sensitive northern coastal salt marsh habitat area. Because the proposed project would be cantilevered in part above wetland ESHA, and also partially located within a wetland ESHA buffer, it conflicts with Coastal Act Section 30240. However, denial of the proposed project would also create conflicts with multiple Coastal Act policies: Section 30230 (protection and restoration of marine resources); and Section 30231 (water quality); ~~and Section 30253 (minimizing risk to life and property).~~ The Applicant has proposed to relocate the redeveloped residence as far landward as possible while retaining the existing residence at approximately its original size, which is a modestly-sized residence. As there are no less impactful feasible alternatives, the Commission, utilizing conflict resolution, can make the finding that on balance, approval of the CDP as conditioned would result in the greatest protection of coastal resources while allowing redevelopment of the existing residence.

- b. Modify text on staff report page 29 as follows:

As noted previously in this report, the proposed project is inconsistent with Section 30240 (ESHA) of the Coastal Act. However, as explained below, denying or modifying the proposed project to eliminate these inconsistencies would lead to nonconformity with other Coastal Act policies, namely Sections 30230 and 30231 (marine resources and biological productivity) ~~and Section 30253 (hazards).~~ In such a situation, when a proposed project is inconsistent with a Chapter 3 policy, and denial or modification of the project would cause inconsistency with another policy, Section 30007.5 of the Coastal Act provides for resolution of such a policy conflict.

- c. Modify text on staff report page 31 as follows:

~~Coastal Act Section 30253 affirmatively requires the Commission to minimize risks to life and property for new development in areas of high geologic and flood hazard. Without the proposed modifications to the structure, including rebuilding the pier foundation and raising~~

~~the floor elevation of the residence by 5.5 feet, the structure would remain vulnerable to coastal hazards including flooding, wave run-up, sea level rise, and tsunami inconsistent with Section 30253.~~

In most cases, denying a proposed project will not cause adverse effects on coastal resources for which Coastal Act mandates protection or enhancement, but will simply maintain the status quo. However, in this case, denial of the proposed project would result in continued significant impacts to wetlands, as the existing structure would remain in its present location, with its foundation sited partially within sensitive wetland habitat. ~~Nor would denial minimize risks to life and property for new development.~~ Thus, a conflict between or among two or more Coastal Act policies is presented.

- d. Modify text on staff report page 33 as follows:

No Project Alternative

A no project alternative would maintain the status quo, leaving the existing structure at its present location on the site. A no project alternative would not result in restoration of 1,365 square feet of wetland habitat along Bodega Harbor, nor would it result in the creation of an additional 530 square feet of wetland habitat in the current parking area, and would thus be inconsistent with the mandates of Sections 30230 and 30231 to maintain and restore marine resources and wetlands. In its existing location the residence is also vulnerable to coastal hazards, and risks to life and property would not be minimized ~~as required by Section 30253.~~ The current placement of the residence and its poor condition would potentially have further impacts on the wetlands habitat and the water. Therefore, the no project alternative is not a feasible alternative that is consistent with all relevant Chapter 3 policies.

- e. Modify text on staff report page 34 and 35 as follows:

*Another alternative would be to reconstruct the residence within a smaller or reconfigured footprint that entirely avoids the need to cantilever the structure above the wetland habitat area. If the structure were rebuilt to eliminate the portions of the residence and attached deck that cantilever above the wetland habitat area, the residence would have a floor area of approximately 800 square feet and an attached deck of approximately 400 square feet (see Concept (c), **Exhibit 11**). However, at 1,060 square feet the existing residence is modest in size, even in comparison with other existing residences located on constrained lots fronting onto Bodega Harbor. The average size of 10 comparable Bodega Harbor-fronting homes within 0.75 miles of the subject site is 1,568 square feet, including living space, garages, and basements.¹ If the residence was reconstructed in this manner but with the deck areas enclosed, it would be possible to create a building envelope containing the same interior floor space area as in the existing residence, though without a deck (see Concept (d), **Exhibit 11**). However, a smaller or reconfigured structure would require the demolition of the existing residence, and a new structure would have to be designed, increasing impacts compared to the proposal. Additionally, the house is already of modest size and it is not feasible to reduce the square footage for its purpose of residency-redesigning the house would increase costs significantly.⁵ ~~Under this alternative, the cost of the proposed project would increase, making such an option infeasible to the Applicant, and leading to a “no project” alternative that is worse than the proposed project.~~⁵ ~~Thus, an alternative involving the reconstruction of the residence within a smaller or reconfigured footprint may be~~*

~~infeasible.~~ Nor would such an alternative significantly reduce impacts or achieve consistency with the Coastal Act's ESHA policies in Section 30240, as a residential use would still be located in a wetland buffer area directly adjacent to the sensitive wetland habitat area.

- f. Modify text on staff report page 35 as follows:

Based on the above, the Commission finds that the proposed project presents a conflict between Section 30240, on the one hand, and Sections 30230, and 30231, ~~and 30253~~, on the other, which must be resolved through application of Section 30007.5, as described below...

...In this case, the Commission finds that the impacts on coastal resources from not constructing the project, as conditioned, would be more significant than the project's potential adverse effects to sensitive wetland habitat. Denying the proposed project because of its inconsistency with Section 30240 would result in the continued presence of the existing residence in its present location, with its pier foundation located partially within sensitive wetland habitat and with approximately 1,365 square feet of the structure cantilevered directly above sensitive wetland habitat. In contrast, approving the development as proposed would remove the pier foundation from the sensitive wetland habitat area, reduce the amount of structure cantilevered directly above sensitive wetland habitat to approximately 650 square feet, restore 1,365 square feet of disturbed wetland habitat, and recreate 530 square feet of wetland habitat, ~~and minimize the risk to life and property in an area of high geologic and flood hazard.~~

4. CEQA

- a. Modify text on staff report page 36 as follows:

~~*Sonoma County is the lead agency responsible for CEQA review. The County found the project categorically exempt from CEQA as a Class 1; Section 15301 exemption. The Coastal ...*~~

5. Applicable LCP Policies

- a. Modify text on staff report page 22 as follows:

As conditioned, the project can be considered to have a restorative effect on the biological productivity and quality of the wetland habitat and marine resources as compared to the existing conditions of the site, consistent with the provisions of Coastal Act Sections 30230 and 30231 and ~~the~~ wetlands policies 16 and 19 of the LCP. Feasible mitigation measures would be provided to minimize the adverse environmental effects associated with potential construction and post construction-related impacts to water quality. Thus, as conditioned, the proposed project is consistent with Coastal Act Sections 30230 and 30231 and the relevant wetland policies of the Sonoma County LCP.

- b. Modify text on staff report page 25 as follows:

Thus, as conditioned, the project is consistent with Coastal Act Section 30253, which requires that new development minimize risks to life and property in areas of high geologic,

flood, and fire hazard, and the hazard policies of the Sonoma County LCP.

6. Typo

- a. Modify text on staff report page 2 as follows:

While the proposed project entails work to an existing pre-Coastal Act structure, it cannot be considered to be repair and maintenance of an existing structure. The proposed project is a replacement project as more than 50 percent demolition (per Title 14 of the California Code of Regulations (CCR) ~~Public Resources Code~~ Section 13252) is proposed and has already been undertaken. Typically, when the Commission issues a CDP for the replacement of a project with a non-conforming feature, if at all possible the entire project is brought into conformance with the policies of the Coastal Act and/or the relevant certified Local Coastal Program (LCP). As proposed, the project is not consistent with the Chapter 3 resource protection policies of the Coastal Act or the policies of the certified Sonoma County LCP.



W15a

March 3, 2015

California Coastal Commission
Dr. Charles Lester, Executive Director
Via email: Charles.lester@coastal.ca.gov

Re: Appeal [W15a-3-2015](#)

Dear Dr. Lester,

The Environmental Action Committee of West Marin (EAC) writes to support the importance of finding Substantial Issue in the appeal of a coastal development permit issued to Richard Kirschman after-the-fact by Marin County for development of a domestic water well in an environmentally sensitive habitat area.

This Commission has consistently acted to protect coastal resources in the vicinity of ESHA and it must do so again in this instance when the County has completely disregarded established ESHA protection standards. Among the myriad reasons for finding a substantial issue noted in your staff's thorough analysis, we emphasize these:

- Marin County did not properly identify the extent and nature of the ESHA on the site.
- Marin County wrongly used the unpermitted, as-built condition of the site as the baseline for determining the environmental impacts of permitting the well.
- Marin County did not properly analyze the alternatives to leaving the well in the location where it had already been developed.

It is vital that the Commission proceed to hear this appeal *de novo*. Not to do so would serve to reinforce Marin County's failure to carry out Coastal Act requirements to protect sensitive resources in issuing this permit. It would likely be taken by other local governments as license to similarly issue coastal development permits without carrying out the appropriate analysis. And, it could spur developers to construct unpermitted development in ESHAs if they realize

that there is no consequence from the authority vested with protecting these sensitive resources.

In fact, the precedent set by this permit, if upheld, would make unpermitted development the rational choice by holding after-the-fact permit applications to a much lower and inadequate standard of review. These substantial issues strike at the heart of the Coastal Act's resource protection provisions.

We thank you for your consideration of our concerns.

Sincerely yours,



Bridger Mitchell, President

EAC Board of Directors



Amy Trainer, Executive Director

EAC of West Marin

Fiala, Shannon@Coastal

W15a

From: Richard Kirschman <kirschman@marincounty.net>
Sent: Thursday, March 05, 2015 3:22 PM
To: Lester, Charles@Coastal; Fiala, Shannon@Coastal
Cc: SKinsey@marincounty.org; wayne.trivelpiece@noaa.gov
Subject: Dogtown Well

Dear Mr. Lester and Ms. Fiala,

I write to support Marin County's 3 year old approval of the well at 5959 State Route #1 in Dogtown — the home I sold to the Trivelpieces in 2012.

This fine well served my home as well as 5963 State Route #1 — which I also owned at the time — for over 30 years. It did so without harm to either the environment or any neighbor.

After much back and forth and great expense to me and my wife, the County of Marin approved the well in 2012.

I was shocked and dismayed to learn today that a disgruntled ex-neighbor is attempting resurrect this matter and that a hearing before the Coastal Commission is scheduled in 6 days.

I hope that the commission will recognize the unfairness and needlessness of revisiting this 3 year old decision by Marin County.

Sincerely,

Richard Kirschman
(415) 663-0800

March 5, 2015

Cela O'Connor
PO Box 1617
5955 Shoreline Hwy.
Bollinas, Ca 94924
Phone 415-888-3085
email jfoconnor@att.net

RECEIVED

MAR 06 2015

W15a

CALIFORNIA
COASTAL COMMISSION
NORTH CENTRAL COAST

California Coastal Commission
Dr. Charles Lester, Executive Director

Re: Appeal W15A-3-2015

Dear Commissioners,

I support the importance of finding "substantial issue".

My husband, John O'Connor, and I own the property adjacent to the wetland where the unpermitted well is located. The easement to access the Trivelpiece property from Shoreline Highway crosses our land.

The well is 25' from our property line and directly affects our aquifer. Then 100' setback required by California State law would do the same.

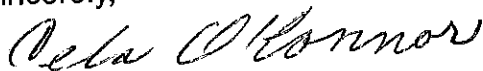
Marin County did not require Mr. Kirschman to permit the well at the time the well was installed by Weeks Welldrilling Co. The well is located in an ESHA of international significance on a tributary of Pine Gulch Creek, spawning and rearing habitat of both the endangered salmon and the steelhead salmonids.

It was the duty of Marin County to notify the CDFG, GFNMS, US Fish and Wildlife and SWRCB among others when a permit is applied for in this location.

FYI, Trivelpiece is in the process of building a two story building on site. The coastal zoning code does not allow this.

It is my hope that the Commission will find "substantial issue" and deny any well to be located in or within 100' of this unique and precious wetland.

Sincerely,



Cela O'Connor

To: California Coastal Commission
Dr. Charles Lester, Executive Director

W15a

Subject: Appeal Number A-2-MAR-12-008 (Kirschman/Trivelpiece)

Dear Dr. Lester and Commissioners:

In 1985, Marin County issued a “Permit to Operate Mutual Water Supply System” for a domestic water supply well to serve two single-family residences on adjacent parcels at 5959 and 5963 State Route One, Bolinas, Marin County. The Permit to Operate included a provision that it was valid only after approval of a coastal development permit (CDP) for the installation of the well. However, the well was subsequently constructed in 1987 without the benefit of a CDP.

On March 29, 2012, under resolution 12-106, the Marin County Deputy Zoning Administrator approved an after-the-fact CDP 2009-0377 permit for the well and associated underground piping that distributed water from the new well (Well 2 in the report) to a pre-Coastal Act well site that was constructed in 1974. The new well was located as far as possible away from the main stream (Coppermine Creek) that traverses the property, and the existing supply pipes were used for water transport to the storage tank adjacent to our home.

In this 2012 Report, the County Zoning Administrator noted that:

1. The well project was “categorically exempt” from the requirements of the CA Environmental Quality Act because this project entailed only the legalization of an existing well that would not result in depletion of water supply, grading, vegetation or tree removal, physical changes in any identified sensitive habitat area, or other potentially adverse impacts on the environment; and
2. The proposed well project was consistent with the mandatory finding for Coastal Permit approval pursuant to the requirements and objectives of the local Coastal Program. The staff determined that a common water supply system can be approved for the as-built well (Well 2) and distribution system with minor upgrades for treatment facilities at the storage tank; and
3. The existing well and 4200-gallon tank would be adequate to supply water to two single-family residences. Testing for Well 2 documented a pumping rate of 21 gallons/minute without drawdown of the water table.

This well was constructed 30 years ago. It was largely this fact, and the lack of any evidence documenting impacts of this change in location, that led to Marin County’s favorable decision to approve, after the fact, the well and water system installed and operating for the last 3 decades. They correctly pointed out that the well was not an increased use issue and that any disturbance associated with the new well was long since mitigated by time. It was their opinion that any alternative to relocate the well would be more disruptive than supporting the status quo. Moreover, the original 1974 well was located less than 30’ from Coppermine Creek, the main tributary of Pine Creek, and we suggest that relocating the well over 300’ from this stream was a substantial environmental improvement.

Coppermine Creek runs completely through the property from south to north and the stream hugs the western side of the valley. The terrain on the west side of Coppermine Creek goes sharply up hill within 50' of the creek; however, the eastern side slopes gently uphill away from the creek. Well 2 was placed along the eastern boundary of the property, over 300 feet from the creek.

In Mr. Carroll's appeal, the County is chastised for not doing a thorough study of possible alternative sites for the well. However, it only takes a few minutes of time at the property to see that the well must be located in the valley and that the present site of the well greatly reduced the environmental impact of the old well. In addition Mr. Carroll claims, and the CC staff report reiterates, that this appeal is valid because this project is located between the nearest public road and the sea. This is completely false. The property is more than 3 miles from the Ocean and approximately a mile from Bolinas Lagoon. There are two main roads between the property and the Lagoon; Horseshoe Hill Road and the Olema-Bolinas Road. He further states that the well is less than 100' from Cronin Creek, when in fact the well is over 100' from this stream. Clearly neither Mr. Carroll nor the CC staff are familiar with the property nor did they actually visit the site. The newly appointed CC staff seems to have relied on Mr. Carroll's erroneous statements in supporting his appeal.

The Marin County staff members are the experts in this matter and are the only persons to have taken the time to actually visit the site before recommending approval of the existing well as the best option. The well has been in operation for 30 years and this case has been pending before the Coastal Commission for nearly 3 years. We ask the Commission to support the recommendation of the Marin County Staff that a permit for the existing well be approved and the matter resolved. Two families rely on this well. We both purchased separate parcels from Mr. Kirschman in 2012, nearly 3 decades after the well was constructed. The new location is a vast improvement over the old 1974 creek-side location of the first well. Every property in Dogtown has a well for domestic use located in this valley. Regardless of where our individual wells are located, it is clear we all use water from the same watershed.

We implore you to end this controversy and approve the well. Enough time and money has been wasted on this issue, which common sense says should be resolved in favor of the Marin County decision to permit the well and lay this 30 year old issue to rest.

Sincerely,

Wayne and Sue Trivelpiece
5959 State Route 1
Bolinas, CA 94924

From: Wayne Trivelplece - NOAA Federal
To: Flala, Shannon@Coastal
Subject: FYI - background info, regarding the well issue.
Date: Friday, March 06, 2015 3:58:39 PM

Dear Shannon,

A copy of our response to the appeal regarding the well permit has been sent to you and Dr. Lester for consideration at the upcoming CC meeting. As noted in the letter, your staff recommendation to the Commissioners in support of Mr. Carroll's arguments relied on several faulty claims made in his letter; most notably that the appeal is valid because the property is located between the sea and the first road and second, that the well site is within 100' of Cronin Creek. Both statements are untrue, as detailed in our response. It would be appreciated if you could add a clarifying comment for the commission meeting as to the truth of our statement, which can be easily verified by simply looking at a map of Bolinas.

We might also mention a little history about this well issue as background for you as we fear we have not seen the last of this issue. All of this opposition is orchestrated by Cela O'Connor, our immediate neighbor and a long-time, extremely venomous foe of Mr. Richard Kirschman, the previous owner of our property. Prior to selling his Dogtown properties to us and the Waterman's, Richard was in the process of applying to split his 10 acres into two parcels, a legal right under current zoning regulations for Marin County. Cela opposed this split and used every possible delaying tactic available to her to thwart Richard's application. From discussions with Richard, he spent well over \$100,000 and more than 2 years before finally giving up on the land split and selling. The final roadblock was the permit for the well. Cela knows that Richard is still financially responsible for providing us and the Waterman's a clean well permit and she is determined to make this process as drawn out and expensive as possible.

We also find her concerns extremely disingenuous, especially the environmental objections she raises. The O'Connor property well is located a mere 35 feet from the bank of Cronin Creek, which has been diked to prevent flooding of her well site during high water. Furthermore, the storage tank to which the water is pumped before distribution to her 2 homes is located entirely within the 40' right-of-way road to our property. Everyone in this neighborhood has experienced Cela's harassment and we have heard from all of her immediate neighbors wanting to form a united front to counter this behavior. Her letter to the Commission states our well is within 25 feet of her property. This is totally untrue and we would wager that she has not seen our well site in years, except perhaps on a map. She expresses grave concern for the effect of our well on her aquifer, yet our well site is down grade from her well, which as we stated above is within 35 feet of Cronin Creek. The diked stream bank along her property line has no doubt caused increased erosion of sediment into the stream. In addition, her septic leach field is well within the 100' boundary of the

wetlands she so adamantly claims to care about.

Finally, the mother-in-law structure that we spoke of and that she mentions in her letter to the Commissioners is currently being handled by us with the help of Mr. Robert Harris of the Marin County Planning Department. The structure is only 600 sq ft and just stud walls, with a partial roof covered in plastic. The County is awaiting our decision about the options we have going forward with this small second unit.

Thank you for your assistance and our apologies for ranting a bit, but we have never experienced such poor behavior from a neighbor.

Cheers, Wayne and Sue

--
Dr. Wayne Z. Trivelpiece
Leader - Seabird Research
Antarctic Ecosystem Research Division
NOAA-NMFS
3333 N. Torrey Pines Court
La Jolla, CA 92037

From: Jacqueline Waterman
To: Lester, Charles@Coastal; Fiala, Shannon@Coastal
Subject: Comment on Appeal Number A-2-12-008
Date: Saturday, March 07, 2015 2:11:45 PM

Dear Mr Lester and Ms. Fiala,

I am writing this to first ask the question why as the owner at 5963 Shoreline Hwy.(Hwy 1) was I not inform regarding this pending appeal. This was brought to my attention by my neighbors.

The established well that is being reviewed here is my family's water source for our home which we purchase almost three years ago. As the current property owner I would like to be included in any further notifications affecting my family only water source.

I just wanted to clearly state that all the information provided by my neighbors Wayne and Sue Trivelpiece is true and correct.

It goes without saying that to establish a new well would be obviously more damaging to the environment.

Thank you,

Jacqueline and Evan Waterman
5963 Shoreline Hwy (Hwy 1)
Bollinas, CA 94924
415-868-9659

From: Anne Blemker [<mailto:ablemker@mccabeandcompany.net>]
Sent: Monday, March 02, 2015 9:09 PM
To: Ducklow, Kelsey@Coastal
Cc: Rexing, Stephanie@Coastal
Subject: Briefing Book--Schiller

W15b

Hi Kelsey,

Here's a link to a copy of the briefing book we'll be sharing with Commissioners:

Schiller (W15b) link: <https://www.dropbox.com/s/40q8qa80m5o9iul/Schiller%20Briefing%20Book%20Final.pdf?dl=0>.

Please let me know if you'd like a hard copy for the file.

Thanks,
Anne

Anne Blemker
McCabe & Company
310-463-9888

A-2-HMB-15-0006

170 Correias Street, Half Moon Bay

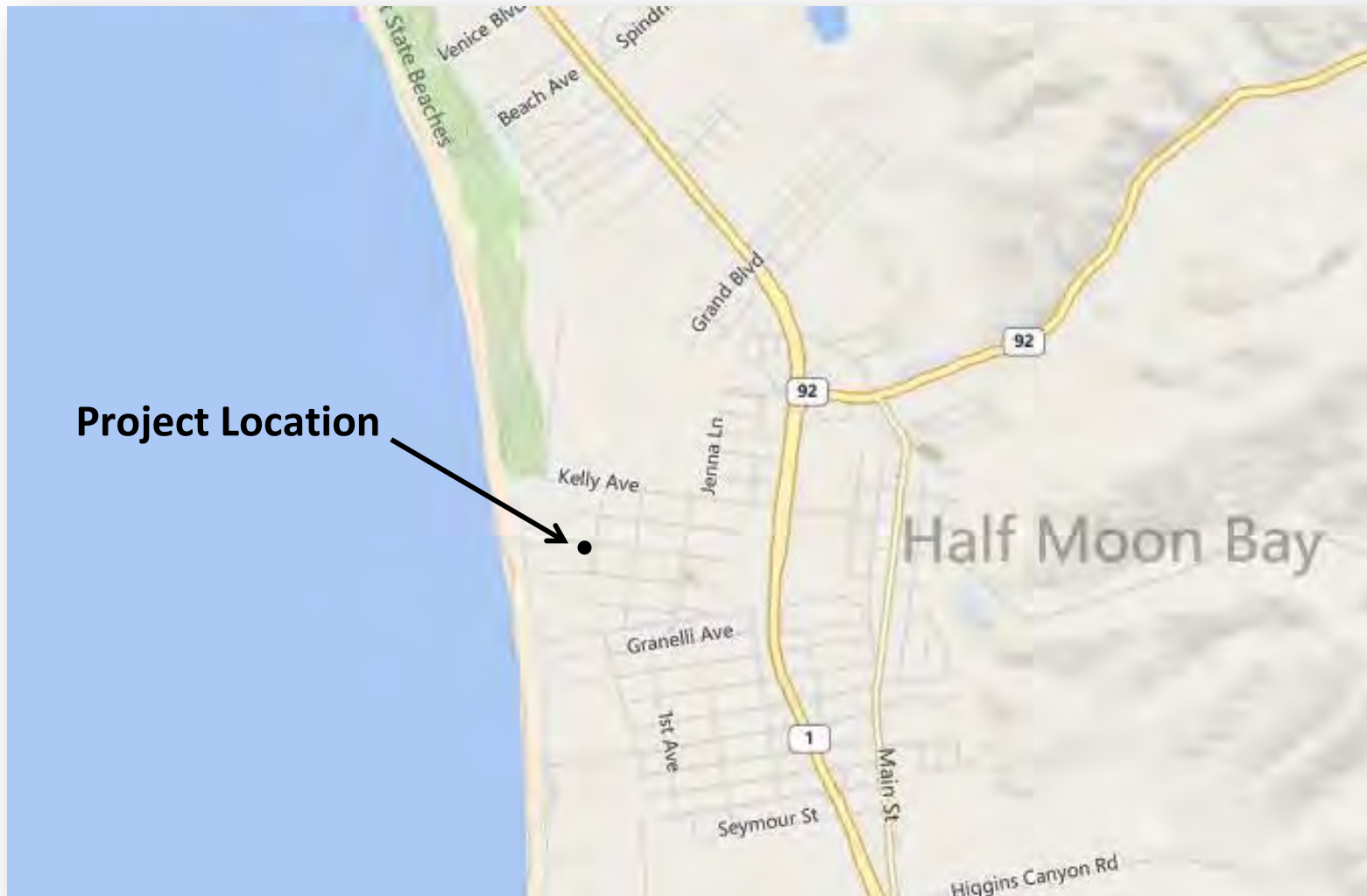
CCC Hearing

Item W15b

March 11, 2015

A copy of these briefing materials has been provided to CCC Staff.

Vicinity



Location

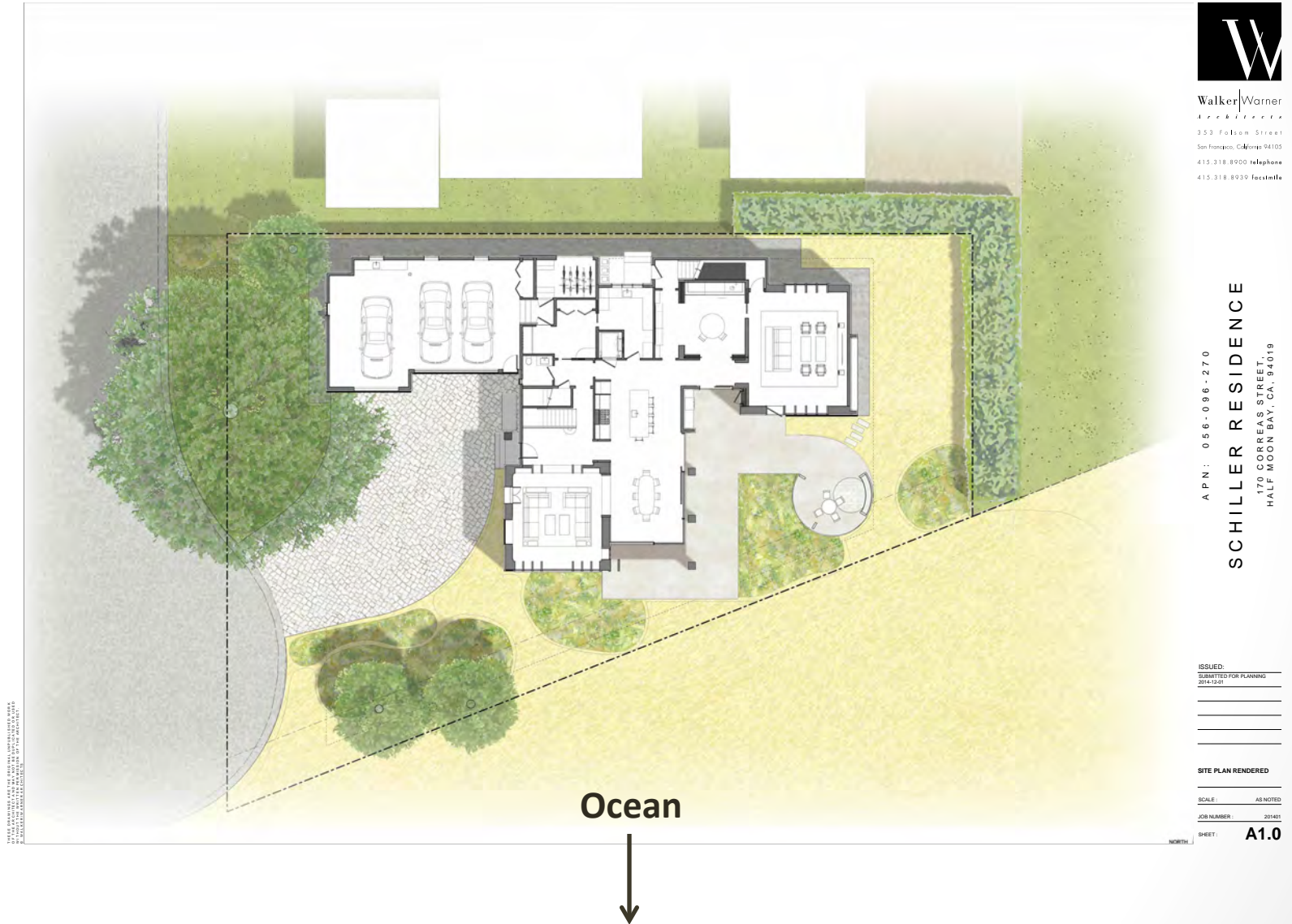


California Records Project, Image 201306722

Project Description

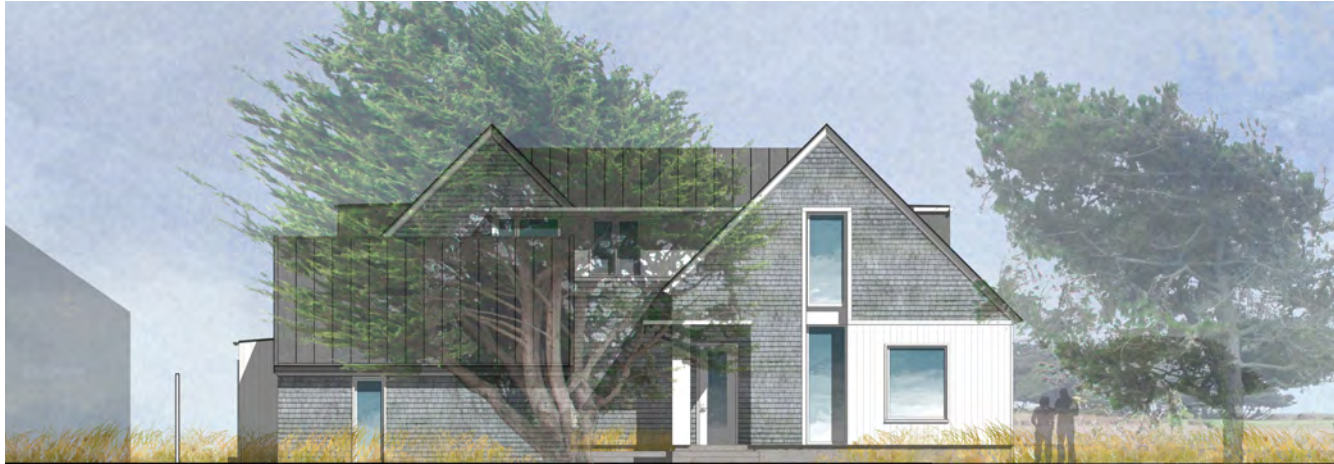
Demolition of existing 3,100 square-foot, two-story, single-family residence and construction of new 6,523 square-foot, two-story, single-family residence with associated landscaping on double lot, including removal of a portion of a Cypress hedge and removal and replacement of two diseased Monterey Pine trees

Site Plan



Elevations

Looking North (upcoast)



1
A-E PROPOSED NORTH ELEVATION
SCALE = 1/4" = 1'-0"



2
A-E PROPOSED EAST ELEVATION
SCALE = 1/4" = 1'-0"

Looking East (inland)



Walker Warner
architects
353 Folsom Street
San Francisco, California 94105
415.318.8900 telephone
415.318.8939 facsimile

APN: 056-096-270
SCHILLER RESIDENCE
170 CORREAS STREET
HALF MOON BAY, CA, 94019

ISSUED:
SUBMITTED FOR PLANNING
2014-12-01

ELEVATIONS

SCALE: AS SHOWN

NUMBER: 16

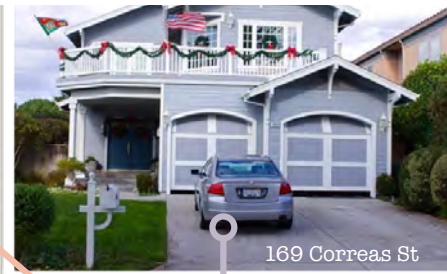
DATE: 2014

BY: A-E

Protection of Scenic Resources

- Proposed residence consistent with character of surrounding development
 - Architectural style and form similar to nearby residential structures
 - Materials consistent with coastal Northern California - weathered wood shingles, white wood siding and white trim; dark grey roof blends into skyline/landscape
 - City's analysis considered consistency with variety of architecture in surrounding area
 - Homes in area *"...are fairly visually diverse, with a mix of architectural styles, features, and color palettes."*

Surrounding Development



Protection of Scenic Resources

- Proposed residence will not obstruct existing public views or encroach into adjacent open space
 - Views inland not impacted by proposed structure
 - Project consistent with pattern of residential development adjacent to trail and open space area seaward of site

View Inland



Compatibility with Neighborhood

- Project compatible with height, size, and bulk of homes in neighborhood
 - Massing of proposed residence designed to be unimposing towards adjacent open space
 - Proposed two-story residence conforms to height limit and applicable development standards
 - City's analysis compared square footage of proposed residence to nearby development; found project to be compatible

Cypress Hedge Removal

- Only western portion of hedge proposed for removal; southern portion to remain
- Subject site is only property along open space with hedge
- Landscaping proposed to replace hedge will be mix of local native plants and grasses, which will integrate with surrounding open space habitat

Lot Merger

- Lot merger already completed; house to be constructed on single lot
- No change in intensity of use - merger does not allow for greater site coverage than if two lots were treated separately
- City CDP for new residence required recordation of lot merger prior to issuance of building permit; no demolition or construction activity would have occurred prior to lot merger

Staff Report

“In relation to the neighborhood character contentions, the development meets the size, layout, and design standards of the LCP. The additional comparative size of the structure is proportional to its larger lot, and the perceived bulk of the house will be similar to or less than the existing house when viewed from Correias Street. The architectural design, materials, and color of the house are visually pleasing and compatible with the diversity of nearby houses.”

Staff Report, pages 9-10

Conclusion

- Project as approved by City of Half Moon Bay is consistent with scenic resource policies of the LCP and public access and recreation policies of the Coastal Act
- Applicant is in agreement with staff recommendation of *No Substantial Issue*

Thank you

W15b

February 17, 2015

Kim and Phillip Schiller
234 Miramontes Avenue
Half Moon Bay, CA 94019

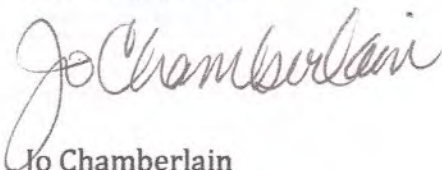
Dear Kim and Phillip,

Thank you for taking the time to meet with me on January 25th to discuss our mission and strategic plans for the bluff tops. I am grateful that we share the same passion for the open spaces of the Coastside and this unique habitat. I attempted to email you a copy of the map that we used in our discussion. I'm not sure if you received it so I've enclosed a copy.

I understand that your home construction project was appealed to the Coastal Commission. This appeal is not supported by CLT and does not represent our position on your proposed home. Our position has not changed from what I stated at the Planning Directors' meeting: as long as the construction crew does not adversely impact the Railroad Right of Way we have no objection. This was affirmed at our Board meeting on Monday, February 9th.

We are planning to open our next show at the gallery on April 10th and would be delighted if you could attend.

Sincerely yours,



Jo Chamberlain
Executive Director

Enclosure: Map Focus Area South Half Moon Bay



Schiller
234 Miramontes Ave
Half Moon Bay, CA 94019
650-726-1696

W15b

March 5, 2015

California Coastal Commission
Subject: Item Number W15b

Chair Kinsey and Honorable Commissioners,

We have lived and raised our sons in Half Moon Bay on the California coastside, in the same house, for the last 22 years. We love it here and plan to continue to live here for the remainder of our lives (hopefully that is a very long time).

Last year the property at 170 Correas Street in Half Moon Bay, two blocks from our current residence, became available. We jumped at the opportunity to purchase this home as we have admired it for all of the two decades that we have lived here. We couldn't imagine living anywhere else except in our current neighborhood in Half Moon Bay and decided to make this new spot our home for the rest of our days. After purchasing the property we came to realize that the current home was not built to the highest design, environmental, and quality standards, and likely would not last for the decades we hope to inhabit it.

We have hired a highly-respected architectural firm from San Francisco, Walker Warner Architects, to help us design our dream house for this location. Our goals are simple - to create our "Home by the Sea"; it should be a new home in place of the current home, one that respects the coastal views, that fits into the neighborhood and feels unassuming, that adheres to all local regulations and requirements, that will be built to the highest quality standards, and that is sensitive to environmental concerns now and in the future.

We love our new "Home by the Sea" design for 170 Correas Street in Half Moon Bay. We believe that it is the perfect style and size for it's location in our neighborhood. We are happy that the City of Half Moon Bay has reviewed our project and provided strong words of support for it. We are proud to have the support and encouragement from many of our neighbors and friends for the home we plan to build. And we are honored that the California Coastal Commission is reviewing our project and respect your experience and authority in this matter.

We thank you for your time and hope that you agree that our proposed home at 170 Correas Street in Half Moon Bay presents no significant issues and should be approved to proceed as recommended by the City of Half Moon Bay and the staff of the California Coastal Commission without delay.

Sincerely,


Philip Schiller and Kim Gassett-Schiller

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Wendy Mitchell

- 1) Name or description of project: A-2-HMB-15-0006 (Camponico)
- 2) Date and time of receipt of communication: March 3, 2015 at 12:30pm
- 3) Location of communication: Studio City
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
- 4) Identity of person(s) initiating communication:
Anne Blemker
- 5) Identity of person(s) on whose behalf communication was made:
Phillip Schiller and Kim Gassett-Schiller
- 6) Identity of persons(s) receiving communication:
Wendy Mitchell
- 7) Identity of all person(s) present during the communication:
Susan McCabe

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

I received a briefing from a representative of the Schiller Family in which she described the proposed project, provided background on the current appeal, and went through a briefing booklet that was previously provided to staff. As described, the project involves a proposal to reconstruct a single-family residence on a double lot in Half Moon Bay. According to the representative, the project is compatible with the size and scale of surrounding development and consistent with the visual resource policies of the certified LCP. The applicant is in agreement with the staff recommendation of *No Substantial Issue* and requests concurrence by the Commission.

3/6/15
Date

[Signature]
Signature of Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.

EX PARTE COMMUNICATION DISCLOSURE FORM

Filed by Commissioner: Greg Cox

- 1) Name or description of project: A-2-HMB-15-0006 (Camponico)
- 2) Date and time of receipt of communication: March 4, 2015 at 4:30pm
- 3) Location of communication: Telephone
(If not in person, include the means of communication, e.g., telephone, e-mail, etc.)
- 4) Identity of person(s) initiating communication:
Anne Blemker
- 5) Identity of person(s) on whose behalf communication was made:
Phillip Schiller and Kim Gassett-Schiller
- 6) Identity of persons(s) receiving communication:
Greg Murphy for Greg Cox
- 7) Identity of all person(s) present during the communication:
Susan McCabe, Anne Blemker

Complete, comprehensive description of communication content (attach complete set of any text or graphic material presented):

Greg Murphy on my staff received a briefing from a representative of the Schiller Family in which she described the proposed project, provided background on the current appeal, and went through a briefing booklet that was previously provided to staff. As described, the project involves a proposal to reconstruct a single-family residence on a double lot in Half Moon Bay. According to the representative, the project is compatible with the size and scale of surrounding development and consistent with the visual resource policies of the certified LCP. The applicant is in agreement with the staff recommendation of **No Substantial Issue** and requests concurrence by the Commission.

3/9/15
Date

Greg Cox
Signature of Commissioner

TIMING FOR FILING OF DISCLOSURE FORM: File this form with the Executive Director within seven (7) days of the ex parte communication, if the communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication. If the communication occurred within seven (7) days of the hearing, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication. This form may be filed with the Executive Director in addition to the oral disclosure.