

Date: June 5, 2019

**NOTICE TO PROPERTY OWNERS OF PROPERTY
WITHIN 200-FEET OF PLANNED CONSTRUCTION
AND OTHER INTERESTED PARTIES**

Applicant: Ticonderoga Partners, LLC
Addresses: 2184 Cobblehill Place; 2185 Cobblehill Place; and 88 Cowpens Way.
Permit Nos: BLD2016-00158, BLD2016-00159, BLD2016-00160
Project Description: Construction of Three Single-Family Residences, one on each of Lots 9, 10, and 11 of The Highlands Estates Subdivision

As required by the conditions of approval of the Highlands Estates Major Subdivision (PLN2006-00357), this notice is being provided to inform residential property owners within 200 feet of planned construction areas, as well as other interested parties, that the construction of new homes on Lots 9, 10, and 11 of The Highlands Estates Subdivision will commence no sooner than ten days after the date of this notice.

This notice also responds to concerns raised by interested members of the community regarding the adequacy of the Environmental Impact Report previously certified for the project.

Additional Environmental Analysis

In January 2018, the County contracted with SWCA Environmental Consultants (SWCA) to perform mitigation monitoring services for the project. The County subsequently requested that SWCA provide assistance in reviewing proposed changes to the design of the houses to be constructed on Lots 9 and 11, evaluating the grading required to construct residences on Lots 5 through 8, and responding to assertions by concerned residents that additional environmental analysis is needed. Results of the additional analysis performed are included in the sections below.



Status of Request for Minor Modification

In August 2017, the County mailed a notice to neighboring property owners and interested parties regarding the County's consideration of a proposed Minor Modification to an approved Resource Management (RM) Permit (PLN2006-00357) for the development of Lot 9 (2185 Cobblehill Place; BLD2016-00160) and Lot 11 (88 Cowpens Way; BLD2016-00159), in the San Mateo Highlands Area. There were no proposed modifications on Lot 10. As described by that notice, the applicant has reduced the footprint of the house to be constructed on Lot 9 by 91 sq. ft. This modification also involves slight changes to the architectural design of the house and minor changes to setbacks, which remain consistent with the setbacks required by the project's underlying zoning.

For the proposed house on Lot 11, the notice described a shift in the location of the house to the left by 6.2 feet in order to provide a larger setback from the drainage on the lot. After the notice was sent, the applicant has proposed to further increase the setback by an additional 5 feet, to 11.2 feet, in order to further increase the house setback from the drainage. The modifications to the setbacks also remain consistent with the setbacks required by the project's underlying zoning.

The County received correspondence from several interested members of the public in response to the notice, contending that the proposed modifications should be reviewed by the Planning Commission. These comments did not, however, provide a substantive basis for the Community Development Director to reverse his initial determination that the proposed modifications are minor in nature, and would result in reduced impacts to environmental resources, and thereby can and are approved as minor modifications to the approved plans, in accordance with the discretion given to the Community Development Director to approve such changes by Condition 1 of the project approval.

California Environmental Quality Act (CEQA) Compliance

The County has also received correspondence from community members that raise a number of environmental concerns and questions regarding the adequacy of the certified Environmental Impact Report (EIR). After consulting with SWCA regarding these concerns, the Planning and Building Department has determined that the construction of homes on Lots 9, 10, and 11 do not require additional environmental review. Development of Lots 9, 10, and 11 was fully analyzed in the certified EIR, and the minor modifications discussed above and approved by the Community Development Director do not constitute any further discretionary approval such that additional CEQA review would be required. CEQA does not require ongoing environmental analysis, but

rather, permits additional environmental review only where a subsequent discretionary action is required.

Notwithstanding the foregoing, staff provides the information below to respond to the questions and concerns regarding specific issues raised by community members.

- Dusky-footed woodrat nests/habitats – A commenter asserts that the applicant has violated the mitigation measures established by the EIR. Past mitigation efforts for dusky-footed woodrats (i.e., surveys and relocation) were conducted in coordination and with approval from the appropriate state regulatory agency (i.e., California Department of Fish and Wildlife). SWCA has reviewed the 2018/2019 biological survey reports submitted by the applicant’s biologist (MIG) and has determined that proposed mitigation efforts by the applicant are in conformance with Mitigation Measure BIO-2a. Impacts to this species would be minimized through the implementation of Mitigation Measure BIO-2a.
- White tailed kite – A commenter states that these large white raptors are present in the neighborhood and asserts that additional environmental review is necessary to determine any potential negative impact of the project on this protected species, whether any impacts can be mitigated, and require any necessary mitigation measures. Impacts to raptors would be minimized through the implementation of Mitigation Measure BIO-2b.
- Sinking of Ticonderoga Drive – The applicant has submitted a construction management plan, as required by Mitigation Measure TRANS-1, to the Department of Public Works (DPW). DPW has approved the construction management plan which limits construction traffic on Ticonderoga Road to the hours of 9:00 a.m. to 2:00 p.m. during weekdays. Pursuant to project conditions, any damage to Ticonderoga Drive caused by these trips must be repaired by the applicant, and are therefore not significant.
- Floor area of the project –The proposed modifications to Lots 9 and 11 do not require a change to the approved maximum floor area limits or a change in the base elevations of the structures, and, thus, do not present new aesthetic impacts, which are minimized through the implementation of Mitigation Measure AES-1a. These changes do not introduce new environmental impacts that were not previously considered in the EIR.
- Heritage trees to be removed – No trees meeting the definition of “heritage tree” will be removed. The number of significant trees that will be removed as a result of the construction of houses on Lots 9 and 11 has increased by two

(one for each lot) since the publication of the EIR. No trees will be removed on Lot 10. These two trees were located within development footprints discussed in the EIR, but were not considered significant trees because of their size at the time the EIR was published; since that time, the two trees have grown sufficiently such that they now qualify as significant trees. However, the removal of these two trees was anticipated and would not introduce new impacts that were not previously considered in the EIR. Biological impacts would be minimized through the implementation of Mitigation Measure AES-1b.

- Sea-level rise – The lots are not located in proximity of the San Francisco Bay or the coast.
- Extreme weather events (e.g., atmospheric rivers) - CEQA generally requires an evaluation of a project's impacts on the environment, rather than the impacts of the environment on the project. The proposed modifications are minor adjustments that would not result in new significant effects or a substantial increase in the severity of previously identified environmental effects related to water use, drainage, or wildfire based on current weather conditions and mitigation and improvement measures would continue to apply to the proposed project to reduce impacts to a less than significant level.
- Geologic hazards - The analysis of impacts related to geology and soils provided in the EIR focuses on the locations of the proposed houses and subdivision improvements relative to landslides, unstable geologic units, and other potential geologic hazards. The proposed modifications to Lots 9 and 11 would not significantly alter the locations of houses or subdivision improvements. Although the house and the outfall would be relocated within Lot 11, the geologic hazards of the new locations are similar to those analyzed in the EIR. Therefore, Impacts GEO-1 through GEO-6 remain unchanged and the same mitigation measures continue to apply.
- Fire – The proposed modifications to Lots 9 and 11 would not result in a substantial increase in wildfires (Impact HAZMAT-1) as Mitigation Measure HAZMAT-2 would continue to apply, requiring the maintenance of fuel breaks and access to the open space parcel for vegetation clearance. Therefore, Impact HAZMAT-2 remains unchanged and the same mitigation measures continue to apply.

Lots 5 through 8

SWCA has reviewed the applicant's proposal to increase the grading volumes for the purpose of slope remediation and house construction on Lots 5 through 8. The County is working with SWCA to determine whether grading changes would require additional environmental analysis, specifically in the areas of noise and air quality impacts. The County has not yet reached a conclusion with respect to Lots 5 through 8.

Construction Schedule

Permitted tree removal, grading, and construction of Lots 9, 10, and 11 is anticipated to start in June/July 2019, with landscaping to be installed after construction of houses, prior to final approval of permits.

Contacts

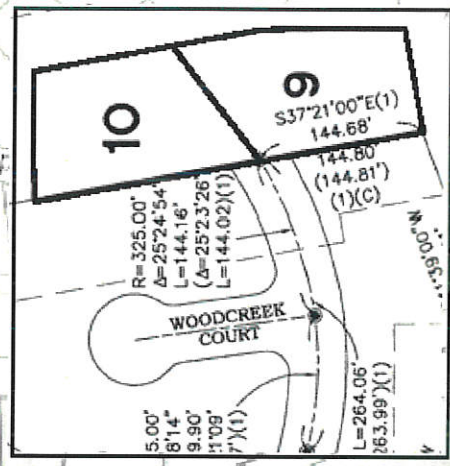
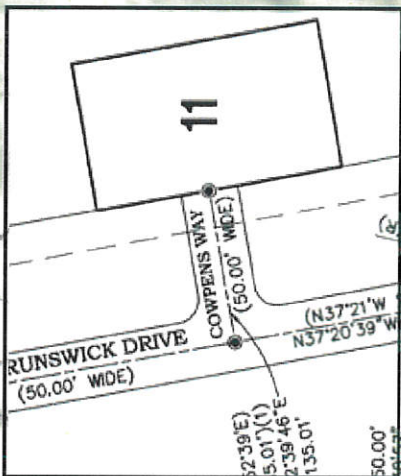
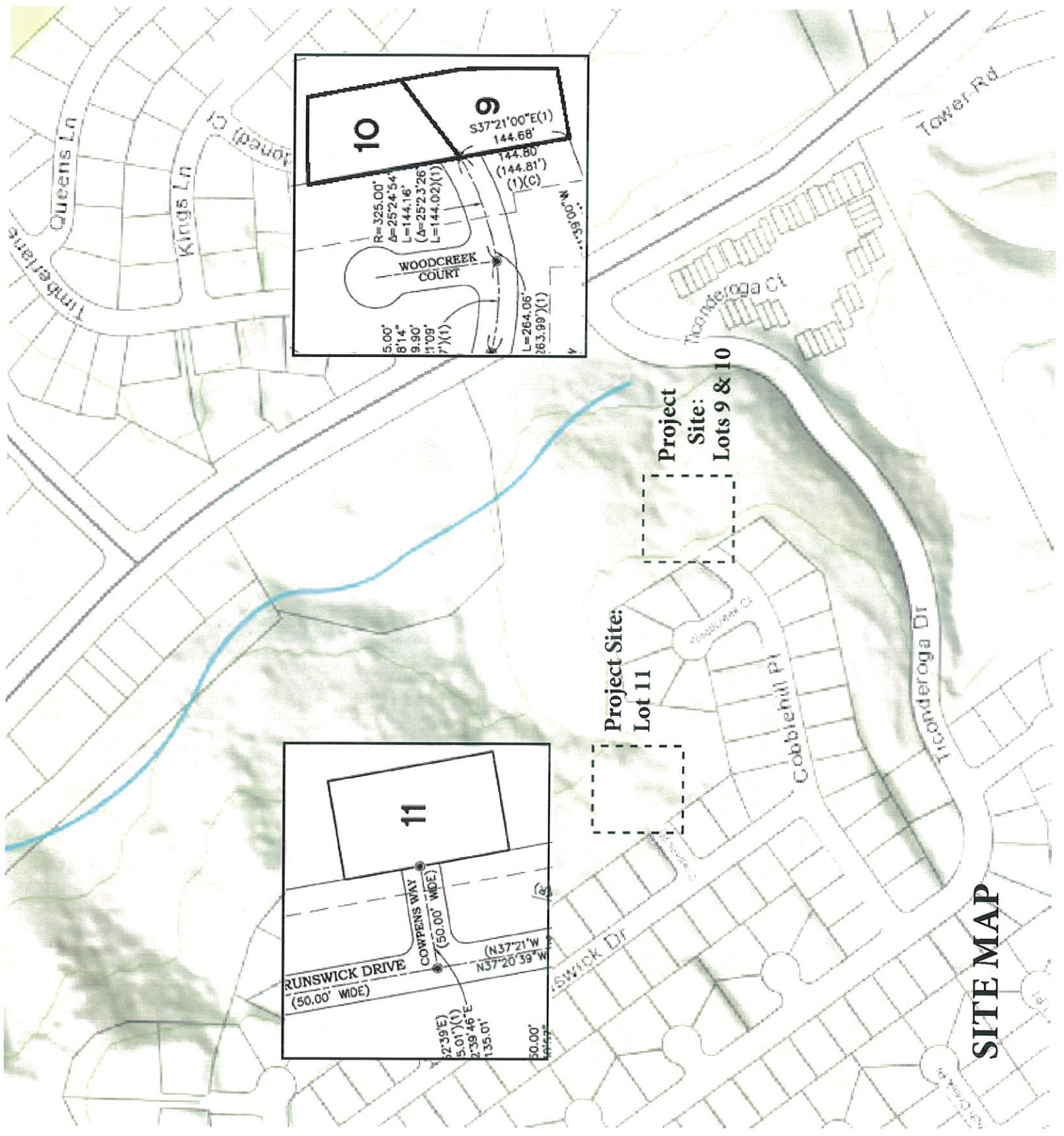
The applicant is required to designate a "disturbance coordinator" who is responsible for responding to any local complaints regarding construction noise. The coordinator (who may be employed by the applicant) shall determine the cause of the complaint and shall require the implementation of reasonable measures to correct the problem. The telephone number of the disturbance coordinator is required to be conspicuously posted at the construction site fence.

Disturbance Coordinator: Ralph Osterling, Registered Professional Forester
1650 Borel Place #204
San Mateo, CA 94402
Office: (650) 573-8733/ Cell: (415) 860-1557
Email: ralph@ralphosterling.com

County-Contracted
Mitigation Monitor: Kristen Outten, Project Manager/Senior Biologist
SWCA Environmental Consultants
(650) 440-4160 x 6404
Email: koutten@swca.com

County Contact: Camille Leung, Senior Planner
(650) 363-1826
Email: cleung@smcgov.org

Enclosure: Site Map



Project Site:
Lot 11

Project Site:
Lots 9 & 10

SITE MAP