

Amy Ow

From: RNewman@ResolutionStrategiesInc.com
Sent: Tuesday, January 4, 2022 8:55 AM
To: Camille Leung; RNewman@ResolutionStrategiesInc.com; Steve Monowitz
Cc: jtuttlec@aol.com (jtuttlec@aol.com); 'Larry Jacobson (laj@cohenandjacobson.com)'; Amy Ow; Jonathan Tang; David Jungmann
Subject: RE: Comments on O&M Agreements for Lots 9-11

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Hi,

While I am not yet 100% certain, it does appear that the plan will be to submit a LLA application via BKF to simply remove the area of the neighbor's encroachment from lot 11, by adjusting the line to exclude the area of the access easement from lot 11 and adding it to the open space retained by Jack in his Ticonderoga Partners, LLC, entity. That way, the new owner of lot 11 does not have to deal with the encroaching neighbor. As it happens, the 20 foot rectangle on the parcel map easily encompasses the wall which encroaches about 7 feet or so into lot 11.

I have spoken with Steve (about two months ago) about this problem, and while I have not confirmed to him that this is the plan (because it is not yet solid – but likely will be in the next 10 days). I am generally aware of the LLA adjustment process. Because this adjustment will be between two very closely related entities (where Jack has interests in both), we believe the process should be somewhat easier than otherwise what one might expect.

You can help a bit with some information, if you happen to know the answer to this question: Do you know how the access easement (in which the neighbor property encroached) on lot 11 as currently depicted on the map, came to be? So far, nobody seems to know the origins of the easement area, which I can't find a granted easement for, except on the map itself. It would be helpful to get our hands on the source documents for that easement.

I will be in-touch as the decision is firmed and we can coordinate the plan for submission.

Thanks,
Rich

From: Camille Leung <cleung@smcgov.org>
Sent: Tuesday, January 4, 2022 8:20 AM
To: RNewman@ResolutionStrategiesInc.com
Cc: jtuttlec@aol.com (jtuttlec@aol.com) <jtuttlec@aol.com>; 'Larry Jacobson (laj@cohenandjacobson.com)' <laj@cohenandjacobson.com>; Amy Ow <aow@smcgov.org>
Subject: RE: Comments on O&M Agreements for Lots 9-11

Hi Rich,

A lot line adjustment likely needs Planning Commission approval. I thought the plan was to grant the neighbor an easement?

5. This project will be implemented as proposed, mitigated, conditioned, and approved by the Board of Supervisors, regarding parcel size and configuration, home sizes, home locations, architectural design, style and color, materials,

height and foundation design. Prior to the issuance of a Certificate of Occupancy for any residence, the applicant shall provide photographs to the Current Planning Section staff to demonstrate utilization of the approved colors and materials. Materials and colors shall not be highly reflective.

1. This approval applies only to the proposal, documents and plans described in this report and submitted to and approved by the Board of Supervisors on April 27, 2010. Minor revisions or modifications to these projects in compliance with Condition No. 5 may be made subject to the review and approval of the Community Development Director. The Community Development Director determined that request to reduce the home sizes on Lots 1 through 4 by approximately 1,000 sq. ft. to 2,679 sq. ft. for Lots 1 and 2 and 2,726 sq. ft. for Lots 3 and 4 is a minor modification and approved the request on February 18, 2011. Additionally, the Community Development Director determined that the request to increase the size of the home on Lot 3 from 2, 726 sq. ft. to 3,306 sq. ft., where the floor area requested is less than that approved by the Board of Supervisors in 2010, is a minor modification and approved the request on April 30, 2014. Revisions or modifications not in compliance with Condition No. 5 shall be deemed a major modification and shall be subject to review and approval by the Planning Commission at a public hearing.

If a lot line adjustment is the plan, we will need to discuss it with the Steve (Director). Please send me documents showing how you want to change the parcels involved and we can set up a meeting to discuss.

Thanks

From: RNewman@ResolutionStrategiesInc.com <rnewman@resolutionstrategiesinc.com>
Sent: Monday, January 3, 2022 1:40 PM
To: Camille Leung <cleung@smcgov.org>
Subject: RE: Comments on O&M Agreements for Lots 9-11

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Thanks Camille.

I have not talked to Jack since mid-December. He was away.

I am concentrating on the lot line adjustment on lot 11 that we will need before we can close a sale. I am monitoring these payment, planning issues, so it is good for me to see these.

Happy New Year,

Rich

From: Camille Leung <cleung@smcgov.org>
Sent: Monday, January 03, 2022 1:22 PM
To: Jonathan Tang <jtang@bkf.com>; 'Jack Chamberlain (jtuttlec@aol.com)' <jtuttlec@aol.com>
Cc: 'robertpellegrine@yahoo.com' <robertpellegrine@yahoo.com>; Melody Eldridge <meldridge@smcgov.org>; 'Larry Jacobson (laj@cohenandjacobson.com)' <laj@cohenandjacobson.com>; RNewman@ResolutionStrategiesInc.com; Amy Ow <aow@smcgov.org>
Subject: FW: Comments on O&M Agreements for Lots 9-11
Importance: High

Re-sending this email as Bob estimates he is 2-3 weeks from a final on Lots 9-11 and I have not heard back.

Thanks

From: Camille Leung

Sent: Wednesday, December 1, 2021 7:44 PM

To: Jonathan Tang (jtang@BKF.com) <jtang@bkf.com>; Jack Chamberlain (jtuttlec@aol.com) <jtuttlec@aol.com>

Cc: robertpellegrine@yahoo.com; Melody Eldridge <meldridge@smcgov.org>; 'Larry Jacobson (laj@cohenandjacobson.com)' <laj@cohenandjacobson.com>; RNewman@ResolutionStrategiesInc.com

Subject: Comments on O&M Agreements for Lots 9-11

Importance: High

Hi Jack and Jonathan,

I'm not sure who put together the O&M Agreements for Lots 9-11 of Highlands Estates, was it Jonathan?

Please see attached comments from Melody (Drainage Section). Please apply these changes to all 3 lots – please track changes and send soft copies back. We will need these to be recorded prior to Building Permit Final on each lot.

The following are the corresponding NOM cases for each property:

- BLD2016-00160 (2185 Cobblehill) – Lot 9, NOM2021-00007
- BLD2016-00158 (2184 Cobblehill) – Lot 10, NOM2021-00008
- BLD2016-00159 (88 Cowpens) – Lot 11, NOM2021-00009

Please contact Melody with any questions.

Thanks!