

# Late Correspondence

- Letters from neighbors of 2245 Liberata Drive, Morgan Hill (APN 728-24-008), on proposed development.

**From:** [REDACTED]  
**To:** [Tran, Lara](#)  
**Cc:** [Hoem, Christopher](#); [Eastwood, Rob](#)  
**Subject:** [EXTERNAL] Continuation of PLN17-10080  
**Date:** Saturday, January 30, 2021 8:48:18 PM

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Hi Lara,

I provided a few more comments tonight spread across two e-mails (I couldn't mail all the pictures in a single message). If you have received both e-mails and they will be provided to the Zoning Commisioners, I will not need a continuation. The Staff Package was very informative and well organized so it didn't take as long as I thought it would.

Please let me know if you did not receive the two-part message I sent earlier (sorry for all the confirmation requests, I'm still worried about my internet connection).

Thank you,

[REDACTED]

**From:** [REDACTED]  
**To:** [Tran, Lara](#)  
**Cc:** [Eastwood, Rob](#); [Hoem, Christopher](#)  
**Subject:** [EXTERNAL] Staff Report  
**Date:** Saturday, January 30, 2021 6:22:28 PM

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Hi Lara,

I was able to access the staff report and it contains a lot of the information I was requesting. I do have a couple comments and follow on details I'd like to provide. Note - I am sending this e-mail in pieces, as the attachments are too large otherwise.

**Concerns:**

**1 - Ridgeline:**

Regarding your statement that the property is no on the ridgeline, in the Staff report on page 26 under bullet point 34, I found the following text:

*"The project straddles the boundary between the San Francisco Bay Watershed and the Central Coast Watershed."*

The definition I find for 'Ridgeline' (from dictionary.com) says:

"noun. a line formed along the highest points of a mountain ridge. an area of higher ground separating two adjacent streams or watersheds."

**On Plan Sheet 2, it also appears to show the dashed line that separate watersheds proceeding directly through the primary residence.**

I still fail to understand how a project that "straddles the watersheds" is not considered to be on a ridgeline. The story poles are clearly visible from the valley in Morgan Hill:



I have other photos from along Main Avenue, Condit Road, Diana Road, and Hill Road with the poles clearly visible. It is visible from a large swath of Morgan Hill.

On the other side of the ridgeline, the home also clearly protrudes well over the ridgeline. It is visible between homes on Holiday Lakes Drive, and from Anderson/Rosendin park to the north:



There are several places in the Staff planning package where it says the property is not on a ridgeline including:

- Page 3, under the "Compatible Use Determination and Enhanced Design Review Findings for Open Space Easement Contracts", bullet B.1.

- Page 5, under the CUD point 7, it says "The development is designed to minimize any viewshed impact by locating the residence behind a ridgeline and behind a natural knoll located to the northern portion of the property."

- Page 9, under point 3, 'Conformance with the "Design Review Guidelines," adopted by the Board of Supervisors;' it says "The development is also not located on or above any ridgeline."

- Page 13, under point 5, it says "Grading is minimized and limited to the establishment the primary use (residential) of the lot, and will not disturb any ridgeline or create any visual scar."

It appears, from the plans, that the driveway follows the ridgeline, and the raised portion near Barnard Road is elevated above the original ridgeline grade. This raised portion will likely be visible from the valley, and is visible from my front door and yard. The impact of this 'land bridge' would likely be much lower if the driveway could be a bit steeper.

### **Concern 2: Raised Driveway near Barnard Road**

I'm worried that by elevating the driveway near Barnard Road, it will create a significant scar on the nice hillside we usually see from our front door. I'm also concerned that headlights will shine in my front windows more, as opposed to shining down toward the ground as they do now with the current dirt path that is used. This hillside is the primary view from our front yard. It would be more 'in the character of the land' if the driveway could be at or near the existing ground level. An additional concern is that where the driveway connects up to Barnard Road, it flares very widely, and it looks like it will likely impact a couple Oleanders planted there. Additionally, the place where my neighbor's garbage cans will block the other wide portion. Is it possible for this to not flare so widely?

### **Concern 3: Drainage of Water from Barnard Road:**

I previously mentioned my concerns about the flooding through my front yard. The water from Barnard Road used to, before the soil addition and regrading, flow into the field and spread out. After the grading, a drain was added, but the current drain was installed too high, so any debris/leaves/sticks blocks the drain and the water backs up into my front yard and some goes into the field. **I don't see any provisions on the plan for the water flow from Barnard.**

In addition, today I noticed that my previous fears about the previous grading became a reality. While I can't see it well, it appears **there was a slide in the previous swale location that was previously filled in during these last rains** (this is why I was raising concerns about the previous grading).

Picture and remainder will be in the next e-mail, my mail program won't let me add all

the images in a single note.....

To Be Continued....



**From:** [REDACTED]  
**To:** [Tran, Lara](#)  
**Cc:** [Eastwood, Rob](#); [Hoem, Christopher](#)  
**Subject:** [EXTERNAL] Staff Report - Continued - PLN 17-10080  
**Date:** Saturday, January 30, 2021 7:39:26 PM

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Hi Lara,

This is the second part of my response. Here is the photo of the new slide:



And here are a couple photos of the previous grading. There were multiple times the bulldozer came:





I am very concerned that this problem will get worse. As I said in previous notes, the impacts from the previous grading should be mitigated. The previously existing swale

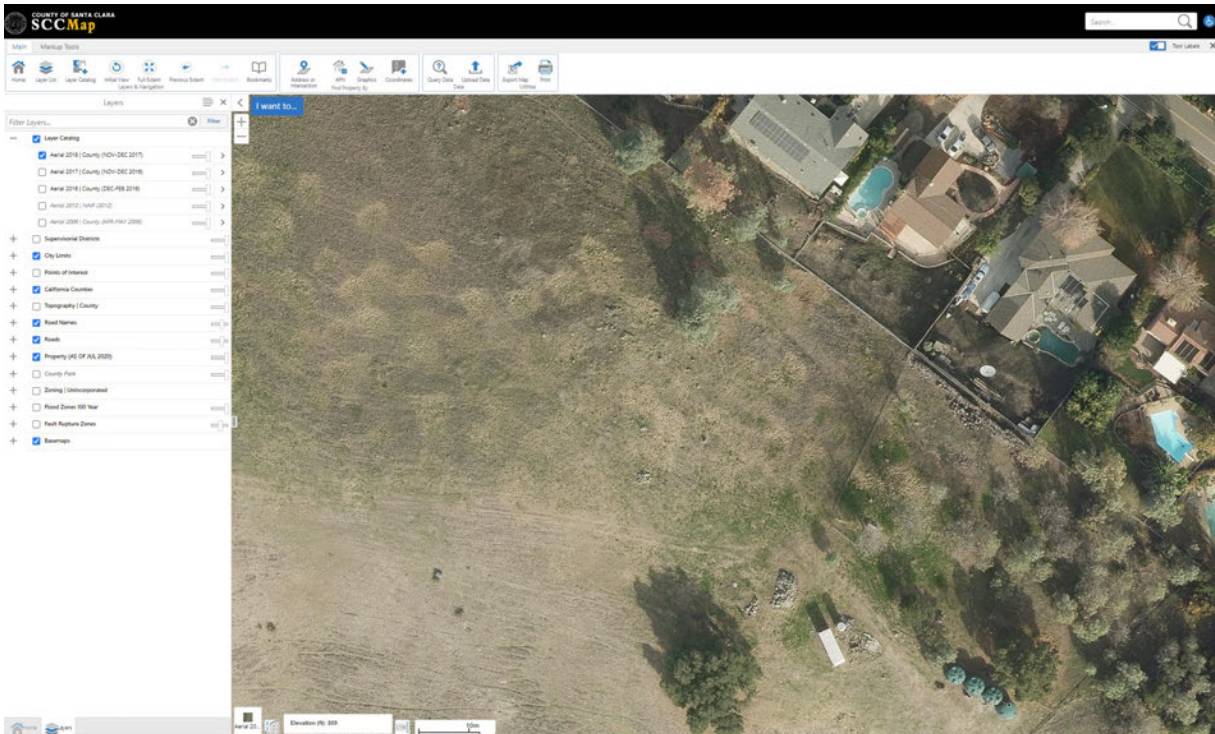


should be restored so the water can drain. There used to be rock and concrete chunks down this swale to avoid erosion, but it was all buried.

#### **Concern #4: Previously removed trees**

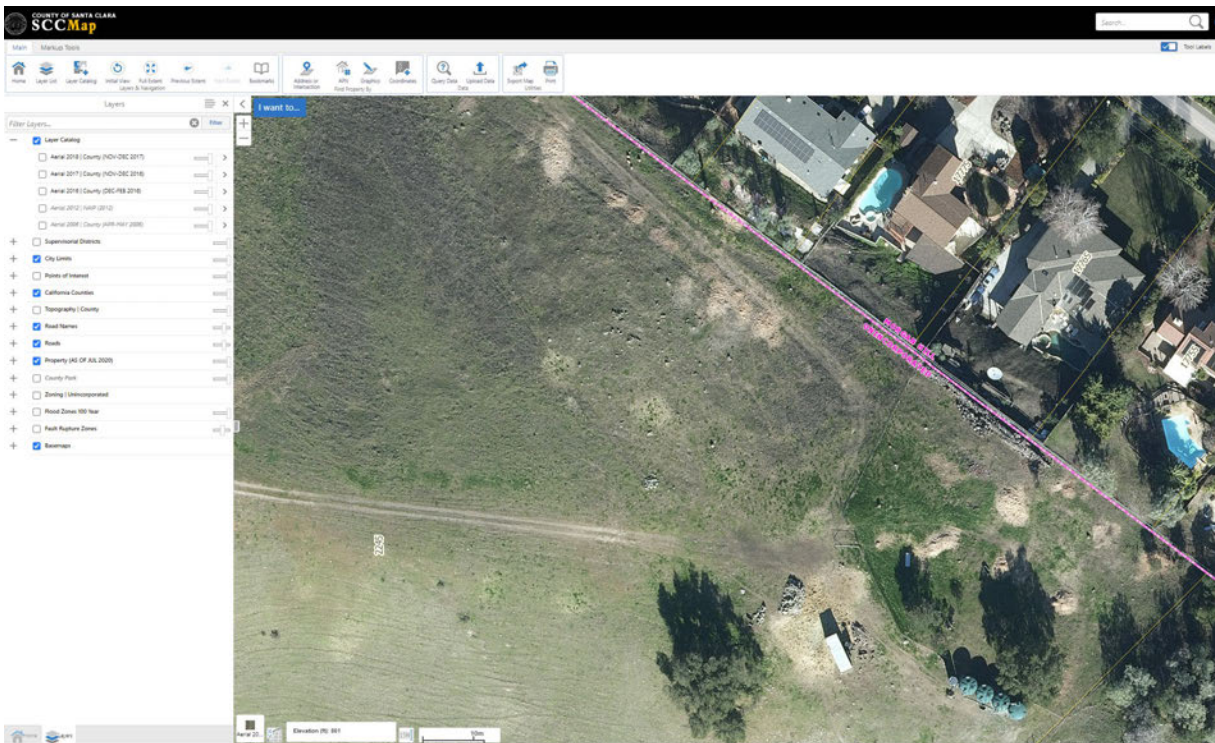
In attachment A, it says there is no proposal to remove any trees, but many trees were previously removed. When comparing the County's own aerial surveys from Nov-Dec 2017 and July 2020, it appears that many trees have been removed.

Nov-Dec 2017



Notice all the trees in the corner of the lot near the water tanks, and a few trees behind the house with solar panels.

July 2020



It appears many trees have already been removed. This has likely had an environmental impact. Is this compatible with an open space easement, particularly right near a ridgeline. If you go back to the 2006 survey, there are even more. Is it fair to claim no trees are being removed, when they were removed before the process started? I looked for this because I heard the chainsaws.

Those are my primary concerns. I haven't made it through everything, but I want to get this in today. I'm hoping this and the first part of this e-mail can be included.

Thank you for your time,

[REDACTED]

**From:** [REDACTED]  
**To:** [Tran, Lara](#)  
**Subject:** [EXTERNAL] Comments on APN 728-24-008  
**Date:** Tuesday, February 2, 2021 1:01:59 PM

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Hi Lara,

I am the owner of [REDACTED]. I have been dealing with water coming down the hill and getting under our house ever since I bought the house. I object to having a retention pond in front of my house on the neighbors property at APN 728-24-008. Water should not be retained upstream from my property. This means more water coming onto my property. We have installed a french drain and that has not stopped all the water from coming but has helped. Our basement has flooded in the past. The surface water that is generated from the driveway and building on 728-24-008 should be piped and removed to the back corner of the where the county park, my house, and 728-24-008 meet. That is the low point where water naturally wants to go. We also have a retention pond in the back of our property at the low point of the property where we pipe the water from the driveway, the hillside, and from Barnard Road.

Secondly, it is an eye-sore for this retention pond to be right in front of our house and I don't want all the frogs croaking and other insects and bugs that this retention pond will invite in front of our house which is what happens in our pond.

I also object to the driveway opening being built on the plans onto my section of the property. I also object to the driveway itself being built here. This property's driveway entrance needs to be from Liberata Drive.

Thank you,

[REDACTED]