

**Encore SB 330 Application - Responses to Comments  
(Hanna-Brunetti December 5, 2024)**

<b>Planning Comment #</b>	<b>Comment</b>	<b>Response</b>
1	<p>The County’s SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a “Project Description for non-residential uses/operations.” A project description provided for the hotel does not match the submitted plans in terms of dining offered on site. It is also unclear from the proposal if the club house shown on plans is an amenity for residents or part of a commercial operation (related to or separate from the hotel). Additionally, the plans submitted show proposed improvements to the existing concert venue and buildings, which are not detailed in the project description. The applicant must provide a full description of commercial uses included in the project. If existing structures are not part of this project, then plan sheets E1 through E16 must be removed.</p>	<p>Submitted a revised project description to match the uses in the hotel. Including hotel, restaurants, recreation facilities, bar, and spa. Each use has number of employees and if it is open to the public or restricted.</p> <p>Updated plan set to eliminate sheet E1-E16.</p>
2	<p>The County’s SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a “Project Plans in an electronic format,” which includes the “Cover sheet with a detailed project description/scope of work.” A number of key items are either listed in the project description but not shown on plans or shown on plans and not listed in the project description. Please update the description and/or plans for consistency related to the following items:</p> <p>a. A large water tank is proposed on some sheets but not shown on all relevant sheets or the project description.</p>	<p>a.Submitted updated plan set with and updated project description on SheetA.2 to add water tanks and leachfield. The site plan for the project will be sheet 3a – Site Development Plan which includes the existing and proposed development, site information, as well as the water tanks, leachfield. To avoid confusion and the title of sheet A.4 was changed building layout plan.</p>

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	<p>b. The project description notes that “additional guest spaces will be strategically located along the residential street network to serve multiple homes while still minimizing the visual impact of paved areas.” However, these parking areas on not depicted the plans.</p> <p>c. A series of red dotted liens are shown crossing Pierce Road on Landscape Plans, but no description is provided in the project description or plan sheets. Identify or remove on future plan sets.</p>	<p>b. The project description was updated on sheet A.2 to delete this sentence. All guest parking will be in the common parking lot shared with the concert and hotel.</p> <p>c. Submitted revised landscape plan which removes the red dashed lines.</p>
<p>3.</p>	<p>The County’s SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a “Project Plans in an electronic format,” which includes the “Elevation drawings illustrating height. Finished grade elevation call outs shall also be indicated at each corner of all proposed structures.” The elevations provided do not appear to show the accurate height of structures. It is also unclear from the elevations whether there is any excavation involved with the proposed structures. Please update to show the height of the proposed structures from finished grade.</p>	<p>Elevation drawings have been updated to show the height of the proposed structures from finished grade and dashed line for basement/excavation. See sheets A.6, A.9-A.10, A.18-A.21, A.27-A.28, A.35-A.36, A.38-A.39, A.42-A.43, A.45, A.47, A.49.</p>
<p>4</p>	<p>The County’s SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a “Project Plans in an electronic format,” which includes “grading quantities in tabular format.” Plans show over 50,000 cubic yards of fill for landscaping, please clarify the purpose of this large quantity of fill.</p>	<p>The 50,000 CY is the dirt required to eliminate off haul. We are putting the dirt in the SFR area, to balance the site and reduce trucks off hauling dirt. The grading table was revised to changed name of this grading quantity to “common area” instead of “landscape” for clarification.</p>

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5	<p>The County’s SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a “Project Plans in an electronic format,” which includes “Parking plan showing the proposed number of parking spaces.” The plan set shows the removal of 933 surface parking spaces to be replaced with 1,094 new surface parking spaces but does not show details on parking design (aisle widths, angles, etc.). Additionally, the project description references visitor parking for the uphill single-family residences, but these spaces are not shown on the project plans. Please clarify the proposed location of the visitor parking and the proposed parking design.</p>	<p>The project description was updated on sheet A.2 to delete this sentence regarding guest parking through out the site. All guest parking will be in the common parking lot shared with the concert and hotel. Per discussion with Robert Cain, sheet 3b is ok as submitted.</p>
LDE Comment #	Comment	Response
6	<p>The County’s SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a “Tentative Map.” The map shall contain the following information, which are not clearly shown on the documents provided:</p> <ol style="list-style-type: none"> <li>a. The approximate grades of all roads in the subdivision demonstrating the lengths/stretches of access road which exceed 15% in longitudinal slope. The plans shall clearly show that the stretches of access road and driveway between 15% and 20% in slope do not exceed 300’ and any stretches that do so are separated by stretches of 15% or less for a minimum of 100’ or more.</li> <li>b. The locations and approximate widths of all easements through other properties for maintaining the slopes along the proposed access roads to serve the property. The proposed slopes and walls to support the access roads must either</li> </ol>	<ol style="list-style-type: none"> <li>a. Submitted revised plans to show hatching on areas above 15% (see civil sheet 13 and 14). All other access roads are at 15% or less, see profiles on sheet 15-16.</li> <li>b. Revised sheets 6a-d to add slope easements on APN 403-46-005 where necessary to support the road/access.</li> </ol>

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	<p>be located within the access easement or within a slope easement.</p> <p>c. Show and clearly label the locations of the pertinent easements on the grading and utility plans for ease of reference. For instance, show all utility easements on the utility plans and show all access easements on plans where the grading supporting the access roads are shown.</p> <p>d. Proposed uses of the property and an outline of proposed restrictions, if any. The restrictions or uses for each of the exceptions to the public service easement (PSE) shall be stated on the tentative map.</p> <p>e. Adequate cross-sections and profiles are required depending on the extent of proposed grading. Cross sections shall be provided in the locations of the bioretention ponds, the new parking areas, the proposed structures that are not single-family homes or smaller, the areas of maximum grading through the tiered retaining walls.</p> <p>f. Show where a parcel is traversed by a watercourse (primarily blue line creeks) and within 25' of the proposed development, contours describing the watercourse shall be drawn to intervals as follows:</p> <table style="margin-left: 40px;"> <thead> <tr> <th style="text-align: left;">Average Slope of Channel Bottom</th> <th style="text-align: left;">Contour Interval (feet)</th> </tr> </thead> <tbody> <tr> <td>0.00%--1.00%</td> <td>1</td> </tr> <tr> <td>1.00%--15.00%</td> <td>2</td> </tr> <tr> <td>15.00% and over</td> <td>5</td> </tr> </tbody> </table>	Average Slope of Channel Bottom	Contour Interval (feet)	0.00%--1.00%	1	1.00%--15.00%	2	15.00% and over	5	<p>c. Revised sheets 12-14 and 17f to show easements on the offsite portions of the project.</p> <p>d. Per meeting with Darrell Wong, information shown on sheet 5 is adequate.</p> <p>e. Added sheets 10a-10b and for cross sections requested.</p> <p>f. Added ravines to the plan set. Ravines 1-8 are shown on the site plan. There is more detailed information of the ravines on the grading sheets including 5 ft contours, flow line, and top of bank.</p>
Average Slope of Channel Bottom	Contour Interval (feet)									
0.00%--1.00%	1									
1.00%--15.00%	2									
15.00% and over	5									

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	<p>g. Provide accurate topographic information to show exact center line of watercourses including all blue line creeks, at a minimum, top of low and high banks, direction of flow and existing obstructions within and adjacent to the watercourse. Where a watercourse lies outside of a parcel, but the top of bank lies within 25 feet of the property line, show exact location of the top of bank relative to property line. The location of these creeks shall be shown on the site development plan(3a) and the grading plans, as necessary, for reference at the minimum. This may impact the emergency and primary access roads.</p> <p>h. Statement of the dedications and improvements proposed to be made or installed. Provide text/notes for the proposed dedications and easements proposed for the development. This may be provided on the Site Development Plan or perhaps a separate sheet.</p> <p>i. Typical cross-sections of all streets showing any existing road widths and surfacing, proposed road widths and maximum cuts and fills at intervals not exceeding 500 feet. They shall accurately depict topographic conditions not less than 100 feet outside the future rights-of-way. The vertical dimensions of cuts and fills on each section shall be shown. Additional sections may be required to clearly demonstrate the areas of maximum grading cuts and fills.</p>	<p>g. There are two creeks to which the project is upstream. Calabazas and Saratoga. There are eight ravine flowlines upstream of Calabazas and Saratoga considered in the stormwater management calculations. These eight ravine flowlines do not have identifiable high and low banks, even with detailed topography. An average section width of 40 feet was assumed to determine top of bank, as shown on the stormwater management plan figures and grading plans.</p> <p>h. Per meeting with Darrell Wong, information shown on the first submittal of the Tentative Map is sufficient</p> <p>i. Added profile and sections of Encore Estates Way on sheets 15a-15c. Masson Estates Way and emergency access road on sheet 16a-16e</p>
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	<p>j. The approximate known soil or geologic hazard areas. The hazard areas may be documented in reports, but the zones must be indicated on the Tentative Map, perhaps on sheet 2 of 31 might be a good location.</p>	<p>j. Revised sheet 2 of plan set to add shade hatching the areas landslide hazard zone to the existing conditions map</p>
7	<p>The plans do not show a required turnaround at the upper end of the development for the single-family homes near the existing water tank. Please revise plans to include a turnaround, which is to conform to County Standard Detail SD16 or as required by the County Fire Marshal's Office or CalFire, whichever is greater. This information is likely to impact the project's grading quantities, please ensure quantities are updated to include changes.</p>	<p>Revised site plan and grading plan to include 80'x20' hammer head at the end of the road near the existing tank.</p>
8	<p>On plans, please demonstrate shoulders or other structure to support the access road widening and construction locations where the pavement is in a fill condition. If applicable, please update grading quantities.</p>	<p>Revised grading plan sheets for Mt Winery Way and Encore Estates Way to add a 2 ft shoulder to areas of the road supported by fill. Please see letter from Geotechnical Engineer for more information.</p>
9	<p>Please include a driveway approach for the single-family homes. Approach should be designed per County Roads and Airports Standard or Standards and Policies Manual SD4</p>	<p>Revised plans to add 2 ft wing on driveway approaches per Santa Clara County Roads and Airports Standard B/2, but modified to not have a sidewalk.</p>

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<p style="text-align: center;">10</p>	<p>The County’s SB330 – Housing Crisis Act Planning Submittal Checklist requires an applicant to supply a “Project Plans in an electronic format,” which includes “All proposed development plans demonstrate that the proposed development will conform with all applicable requirements of the Land Development Standards and Policies Manual and the Regional Water Quality Control Board requirements when applicable.” Plans show slope heights exceeding 30 feet which therefore require drainage terraces. The County’s standards can be found in County Standard Detail SD6 and Section C12-543 and C12-553 of the County Grading Ordinance with regard to slope height and probable use of drainage terraces. There appear to be graded slopes along a portion of the proposed access road at approximate station 48+00 and areas between and within the single-family home development area. Please update grading quantities to include any changes related to these improvements.</p>	<p>The site will be graded at a 3:1 slope or flatter, and will not need terracing. See letter from soils engineer. All 2:1 slopes will be less than 30 ft or will have a drainage terrace, see cross sections on Sheet 10a-10b.</p>
<p style="text-align: center;">11</p>	<p>The quantities for the table of the estimated earthwork quantities per C12-424(g) should be separated into the different bodies of work for the project. The quantities for the different access roads, structures, ponds, and parking lots need to be separated to clearly demonstrate what quantity of grading is a result of which improvement.</p>	<p>Grading quantities further broken down and shown on cover sheet.</p>
<p style="text-align: center;">12</p>	<p>The table of the estimated impervious areas provided shall be itemized into the different bodies of work and at a minimum separated into the different phases of the development. The total net change in impervious areas shall be clearly stated on the plans.</p>	<p>Proposed impervious is tabulated by DMA in the stormwater management calculations, sheet 19a-19g, and on coversheet.</p>

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13	<p>Show all of the grading required for the proposed water tank shown on the utility plans, sheet 15 of 31. The impervious area for the proposed water tank and associated pad grading and access to the facility shall be included in the impervious area and quantities for the Clean Water Questionnaire and the drainage runoff shall be collected and routed for treatment prior to discharge. The grading and cross section details for the grading shall be shown on the plans, including whether the pad be cut down or built up</p>	<p>Revised sheet 15 (new sheet 17a) and grading quantities on cover sheet to add grading for the two proposed tanks on site shown on sheet 7.</p> <p>Impervious area associated with the proposed water tanks is included in DMA 4 of the stormwater management calculations.</p> <p>The cross section of the tank site is shown on sheet 10b</p>
14	<p>There are call outs on the middle of sheet 15, please clarify what these call out are and remove them if they are just extraneous.</p>	<p>These call outs show a typical section to depict the locations of the utilities in the access road. We move them to the side of the sheet on new sheet number 17a.</p>
15	<p>Please show the limits of the disturbed area as a result of the proposed development. Include the disturbed areas of the septic field and any stockpile areas as well.</p>	<p>Disturbed area shown on sheet 4c</p>
16	<p>Please provide cross sections of the grading, including the proposed walls in the location of maximum grading for walls and tiered wall systems, per Section C12-424 (j) and (k) of the County Grading &amp; Drainage Ordinance. Additional cross sections should be provided in the areas of significant grading for parking areas and each multi-unit structure.</p>	<p>Same as 6e</p>



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17	<p>Submit a revised San Francisco Bay Watershed Questionnaire (MRP 3.0) adjusted for any changes to the proposed development as necessary. Based on the results of the Questionnaire, incorporate the applicable stormwater treatment measures in the plans</p>	<p>The San Francisco Bay Watershed Questionnaire (C.3 Form) is revised to reflect the changes to proposed development. Applicable stormwater treatment measures are incorporated in the stormwater management calculations.</p>
18	<p>Show the improvements to the primary access road to the site including new roads. There is an understanding that some road improvements may be constructed as a part of a separate project within the City of Saratoga, but in the event of that project not moving forward, the improvements do need to be shown as a part of this project or perhaps a separate phase of work-Phase 0, for example. The grading and impervious area for the improvements in these locations should be identified, and clearly shown on the plans which improvements would be necessary in the case they are not constructed as a part of that separate project. The connections/conformance of this project's improvements to the separate project should be clearly delineated.</p>	<p>Added Masson Estates Way and emergency access road on sheet 16a-16e, a separate SWCP for the Masson Estates subdivision is submitted as well.</p> <p>Masson Estates way and the emergency access road will be permitted by the City of Saratoga and is included in this set for reference and CEQA purposes if Masson Estates is not built prior to construction of Encore Estates.</p>
19	<p>Include an additional utility sheet to the west of sheet 19 to show the locations and preliminary design of the bioretention area and the preliminary design and location of the storm drainage.</p>	<p>Added sheet 17e to utility plan to show the proposed utilities in this area.</p>
20	<p>Verify whether there are accessible stalls provided for the common access areas such as the pool, club house, and the hotel.</p>	<p>Added accessible stalls to the area of the hotel and club house.</p>

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21	Provide cross sections for the storm chambers located in the parking lot. The rock/infiltration section shall be shown on the typical section. Please note that the ground water elevation shall be 10' below the bottom of the rock section for the infiltration chambers. Provide a preliminary groundwater elevation for the area of the storm chambers.	Cross sections for the storm chambers in the parking lot are included, see sheet 19g. Ground water elevation is significantly deeper than 10' below the bottom of the rock section for the infiltration chambers. Also see letter from project Geologist on ground water depth.
22	Show how the runoff for the drainage and stormwater treatment will be captured and routed for treatment plant facilities. Clearly indicate the surface improvements for the treatment area enclosure and associated access path.	Figures are provided with the stormwater management calculations that show drainage management area impervious surfaces, storm drain routing, and treatment measure locations.
23	Because the proposed development is more than 50% of the total site, the C3 regulations requires treatment for both the proposed and the existing development. In the preliminary plans, clarify how run-off from all regulated impervious areas (existing and proposed) will be collected, contained, and conveyed to proposed stormwater treatment and HM (hydromodification management) improvements. The plans do not show treatment for the existing access road(s) or the concert venue and associated facilities.	Treatment for the existing access roads, concert venue, and associated facilities are included in the revised stormwater management calculations and also reflected on the utility sheets.
24	Provide a stormwater management plan that details the following: a. the existing regulated and unregulated impervious areas on site and existing stormwater treatment BMPs on-site, b. revised drainage management areas (DMA) and their respective treatment, c. self-treating and self-retaining areas, and d. HM improvements	The revised stormwater quality management figures: (a) existing impervious to remain (b) existing treatment BMPs (c) proposed impervious (d) drainage management areas (e) respective treatments, sized for treatment volume and hydromodification

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25	<p>Though the SWMP Exhibits and Stormwater Control Plan (Sheets 24a and 24b) provide some treatment information, the details are lacking, and it seems the exhibits are associated more with HM mitigation than treatment. For example, Exhibit 07 for DMA 03 shows several mitigated areas for “03A” with stormwater chambers provided for treatment; however, “03A” appears to be generally disconnected from the stormwater chambers. Provide additional details in either the civil plans or the stormwater control plans, conceptually showing how all regulated run-off is being collected and conveyed to the assigned treatment BMP. For treatment, DMAs should generally be broken down by tributary area being routed to treatment (i.e., each treatment BMP has its own DMA), self-retaining, and self-treating.</p>	<p>The revised stormwater quality management figures have additional detail, including viewports dedicated to each treatment BMP and associated DMA.</p>
26	<p>In the civil plans, provide typical details for the treatment BMPs (flow through planters, bioretention basin, subsurface infiltration trenches, pervious paving, etc.). Conceptually show whether the BMPs conform to NPDES Municipal Regional Permit requirements (e.g., the flow through planter/bioretention basins have the correct BSM thickness and ponding depth, pre-treatment is provided for the subsurface infiltration, the subdrain for the pervious pavers is set to provide sufficient storage/infiltration for the C.3.d volume of run-off, etc.).</p>	<p>The revised stormwater management plan includes typical sections for the treatment BMPs which conform to the NPDES Municipal Regional Permit requirements.</p>

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27	<p>An existing bioretention pond provides treatment for the existing use. This treatment needs to be maintained during continued use of the facilities. Demonstrate on the plans how this treatment will be maintained during construction. Coordinate the treatment strategy with the project phasing to ensure that the existing treatment is maintained through the course of construction, as the existing use continues operations. If additional (new) bioretention ponds are required, update grading quantities.</p>	<p>There revised stormwater management figures include the existing treatment pond. The existing treatment pond and the associated impervious area will be removed and replaced with new impervious area and an appropriately sized treatment BMP per the revised calculations. The existing treatment BMP will not be removed until the associated phase of work.</p>
28	<p>Demonstrate that the storm drainage runoff is drained, treated and mitigated, and discharged to remain within the original subwatershed. Currently the development is drained within just three separate drainage management areas along the ridge of the primary development and the entry road, where there are currently approximately 7 separate smaller tributary watersheds along the southwestern side of the development and approximately 5 separate smaller tributaries along the northeastern side of the development.</p>	<p>The revised stormwater management calculations include analysis of the 25-year peak flow for eight ravine flowlines that are downstream of the proposed project. The mitigated 25-year peak flows, which consider proposed drainage areas and proposed treatment/hydromodification facilities, are less than pre-project 25-year peak flows for all ravines.</p>

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DEH Comment #	Comment	Response
29a & b	<p>Provide a supplemental geotechnical report or letter which addresses the following:</p> <ul style="list-style-type: none"> <li>a. the use of a subsurface dispersal system will not permit sewage effluent to surface, degrade water quality, create a nuisance, affect soil stability, or present a threat to the public health or safety.</li> <li>b. unstable landmasses and County and State Landslide hazard zones, including (numerical) horizontal set back recommendation to use of an onsite wastewater treatment system on a steep slope and to unstable landmasses.</li> </ul>	<ul style="list-style-type: none"> <li>a. Please see attached letter from Quantum Geotechnical, Inc. titled Geotechnical Evaluation of Septic System, dated September 10, 2024, which addresses comment 29a.</li> <li>b. The proposed leachfields (primary and reserve) are situated to maintain greater than 100-ft horizontal setback to unstable land masses identified on the site. Leachfield setbacks from steep slopes range from 30 to 50 feet based on recommendations of the Geotechnical consultant as described in the attached September 10, 2024, letter from Quantum Geotechnical, Inc.</li> </ul>
29-Note	<p>Santa Clara County DEH does not currently allow the combined use of infiltrator chambers and drain rock for leachfield design as shown in the proposed wastewater plans for the project.</p>	<p>Comment noted. The proposed trench design has been amended to also include the DEH preference for the “drain rock only” option. The design infiltrative surface for drain rock only is the same (7.33 square feet per lineal foot) as for the proposed leachfield design using infiltrators, as are all other aspects of the leachfield design. The project will continue to advocate (with DEH and Regional Water Board) for approval of the chamber design, which has been proposed for several reasons: (a) to improve the constructability of the leachfield, (b) reduce costs and the amount of drain rock that will have to be hauled to the site, (c) increase the internal storage volume and passive soil aeration within leaching trenches, and (d) enhance the long-term service life of the system.</p>
30	<p>Please align the wastewater design flow with the domestic water demand estimates contained in the “Water Demand Memo” provided by Schaff and Wheeler, including redesign of the wastewater system as necessary.</p>	<p>As explained below, the water demand and wastewater flow estimates are consistent and aligned with one another as is.</p> <ul style="list-style-type: none"> <li>1. Residential. The Schaff &amp; Wheeler Water Demand Memo cites (from San Jose Water) a residential water demand of 75 gpd per person and a projected maximum occupancy of 4 persons per</li> </ul>

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		<p>dwelling unit. Per SJ Water, the 75 gpd unit factor includes the combined indoor and outdoor water uses. SJ Water further estimates the percentage split between indoor/outdoor water use as 70%/30% (See attachment DEH-1, excerpt from SJ Water “2020 Urban Water Management Plan”). At 70%, the indoor water use, which is most representative of sewage generation, would be 52.5 gpd per person, and the total indoor use for an average occupancy of 4 people per dwelling would be 210 gpd. This matches the residential unit flow for the proposed wastewater system.</p> <p>Note also that for new/future construction, SJ Water anticipates indoor water demand to decline toward the State indoor residential water use standard of 42 gpd per capita. This would equate to a projected unit wastewater flow of 168 gpd for 4-person occupancies, well below the proposed allowance of 210 gpd/residence for the project.</p> <p>2. Hotel and Clubhouse. The Water Demand Memorandum uses an estimate of 400 gpd per hotel room as an all-inclusive estimate of total water uses that can occur at a hotel. This includes both indoor water uses plus a variety of outdoor uses such as landscape irrigation, swimming pool, cleaning, etc. at the proposed Hotel-Clubhouse complex. It is not a valid indicator of sewage flow. Instead, wastewater flows from the hotel and clubhouse were derived from unit wastewater flow criteria contained in the Santa Clara County Onsite Systems Manual, namely 120 gpd per hotel room and 25 gpd per clubhouse guest.</p> <p>Language has been added to the Wastewater Facilities Plan pointing out the consistency between the indoor water demand estimates and wastewater design flow projections.</p>
31	Provide documentation from San Francisco Bay Regional Water Quality Control Board addressing OWTS feasibility approval or	The Wastewater Facilities Plan submitted as part of the project application was prepared specifically to comply with the Santa Clara County SB330 Submittal Checklist instructions pertaining to “State

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	<p>alternatively submit a feasibility study that complies with state requirements for wastewater and provides adequate access to wastewater under state law. Refer to SB330- Housing Crisis Act Planning Submittal Checklist.</p>	<p>Wastewater Clearance”. The checklist states that an approved permit from the applicable Regional Water Board must be submitted or: <i>“Alternatively, the applicant may submit a feasibility study that complies with state requirements for wastewater and provides adequate access to wastewater under state law.”</i></p> <p>The Wastewater Facilities Plan submitted for Encore project satisfies the above requirement. It was prepared in accordance with the outline and specified content provided in “Attachment B1- Information Sheet - Recommended Report of Waste Discharge Format”, which is part of State Water Board Order WQ 2014-0153-DWQ that applies to Small Domestic Wastewater Treatment Systems such as the Encore project. The scope of the report was discussed and agreed upon with Regional Water Board staff at a joint site meeting attended by DEH staff on July 18, 2024. A formal Report of Waste Discharge application, including the Wastewater Facilities Plan, has been prepared submitted to the S.F. Bay Regional Water Board for the project.</p>
<p>31a</p>	<p>As the domestic water demand and onsite wastewater treatment system design flow differ, the cumulative impact analysis may require an amendment, as the OWTS dispersal field may be altered.</p>	<p>As noted above in response to Comment 30, the indoor water demand estimates and wastewater design flow are consistent with one another and no change in wastewater treatment and disposal system sizing or cumulative impact analysis is necessary.</p>
<p>31b</p>	<p>Wastewater flow assumption of 50,000 GPD used for nitrate loading analysis is not consistent with 63,000 GPD design flow for OWTS. Please update so that all application materials are internally consistent.</p>	<p>As requested, the nitrate loading analysis presented in the Wastewater Facilities Plan has been revised to substitute the 30-day average design wastewater flow of 63,000 gpd for the long-term average flow of 50,000 gpd used in the initial analysis. This modification produces a 10% to 11% increase in the calculated nitrate-nitrogen resultant; but this does not change the conclusions from the analysis or any related system design recommendations.</p>

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<p style="text-align: center;">32</p>	<p>Obtain clearance from the Department of Environmental Health for verification of setback requirements.</p>	<p>Comment noted. As part of the consistency review the appropriate form(s) will be completed and submitted for DEH review/clearance of wastewater facility setback requirements. All pertinent information needed for verification of applicable wastewater system setbacks are contained in the Wastewater Facilities Plan and in these responses to comments.</p> <p>Note: The requirement for DEH clearance/verification of setback requirements is not listed in the County’s SB 330 Planning Submittal Checklist and, therefore, is not a “completeness” item.</p>
<p style="text-align: center;">Other Note 1</p>	<p>Proposed development area encroaches upon existing onsite wastewater treatment system serving existing uses.</p>	<p>The portions of the existing leachfield system that serves the Mountain Winery events center that are shown to be impacted by the proposed development will be abandoned and relocated in adjacent suitable areas to preserve the total existing system capacity. See letter from Biosphere Consulting providing clarifications on the impacted trenches and the proposed plans for their relocation.</p>
<p style="text-align: center;">Other Note 2</p>	<p>Proposed treatment plant for community OWTS is located on the designated expansion area for the existing dispersal field serving Mountain Winery</p>	<p>The existing dispersal field for the Mountain Winery is an approved dual, 200% leachfield with no required/dedicated expansion area. The proposed treatment plant is located 100-feet laterally from the nearest existing leaching trenches. This setback notation has been added to the wastewater disposal system site plan. Based on the proposed 7-ft height of the new retaining wall at the treatment plant location, the minimum required setback to an uphill leachfield would be about 30 feet.</p>
<p style="text-align: center;">Other Note 3</p>	<p>Number of bedrooms per building type should be provided to determine consistency and comparability with referenced community wastewater system. Additional clarifications will be required for all estimated wastewater flows that do not meet the minimum requirements listed in the County of Santa Clara Onsite Systems Manual.</p>	<p>Attachment DEH-2 provides the requested information comparing the proposed bedroom count and projected wastewater flows for the Encore project with actual data for the Lake Canyon Community Wastewater System, which is cited in the Wastewater Facilities Plan as a point of reference for wastewater system sizing. Briefly, the information shows:</p> <ul style="list-style-type: none"> <li>• Encore Project: 237 units; 1 to 4-bedrooms; ave. bedroom count of 2.71 per dwelling unit; proposed wastewater unit flow of 210 gpd per unit = 77 gpd per bedroom (monthly ave).</li> <li>• Lake Canyon: 51 units; 1 to 5-bedrooms; ave. bedroom count of 2.47 per dwelling unit; actual wastewater flows (15 years of</li> </ul>



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		<p>monitoring data): peak weekly flow = 41 gpd per bedroom; ave weekly flow = 35 gpd per bedroom; ave annual flow: 29 gpd/bedroom.</p> <p>Conclusion: Proposed wastewater flows (per bedroom) for Encore project have an approximate 200% safety factor compared with actual data for the Lake Canyon system.</p> <p>As a general point of clarification about wastewater flows, under State requirements the design wastewater flow for community systems is the <u>30-day average flow</u>, not the <u>peak daily flow</u> as required for OWTS regulated by the County under the provisions of the Onsite Systems Manual. The Onsite Systems Manual does not have any requirements reflecting 30-day average wastewater flows that can be referenced or compared with the design flows for the proposed project.</p> <p>The only elements of the project where unit wastewater flow criteria from the County Onsite Systems Manual have been applied are for the proposed hotel and clubhouse, as discussed under Comment 30. In these cases, the peak daily flow values from the Manual have been taken to represent 30-day average values, which is a conservative (safe) assumption.</p>
<p>Other Note 4</p>	<p>Proposal states that residences will be pre-plumbed for laundry-to-landscape graywater reuse. The community OWTS must be sized to accommodate all estimated wastewater flows, including graywater. Any proposed separate graywater system will require review and approval by the County Building Department.</p>	<p>Comment Noted. The Wastewater Facilities Plan states: “<u>Where feasible</u>, homes in the project will be pre-plumbed for laundry-to-landscape graywater reuse as provided under the California Plumbing Code (CPC), providing simple, significant water conservation and reduction in normal sewage flows.”</p> <p>No reduction was made in the wastewater system design flows to take credit for graywater reuse at individual properties. The system is designed to treat and dispose of all wastewater flows. Graywater reuse will provide an added safety factor for the wastewater system in addition to advancing State and Regional water conservation goals and objectives. Under the CPC no permit is required for clothes washer graywater systems. However, where included, the pre-plumbed clothes</p>

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		washer graywater diverter would be part of the building plans reviewed by the County Building Department.
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FIRE MARSHAL'S OFFICE Comment #	Comment	Response
33	<p>Plans to be updated to show standard fire hydrants as (N) or (E).            Note: Plans are to be updated to show standard fire hydrants located within 600 ft. exterior path of travel to all portions of sprinklered R-3 structures. Standard fire hydrants to be within 400 ft. exterior path of travel to all other structures. [CFC Section 507.5.1]            Standard fire hydrants to be placed per CFC Appendix "C" regarding spacing between fire hydrants. Provide documentation on how the spacing was determined (spacing to be based on water flow requirements prior to sprinkler reduction).</p>	<p>Dimensions were added to the fire hydrant spacing on sheet 4c and in the 4290 Fire Access Plan. All hydrants are within 400 ft of each other and comply with the 600 ft hose pull             Sheet A.50 was added to show the 200ft hose pull lengths.</p>

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34	<p>Provide fire hydrant flow data for hydrant located within distance requirements. Data to be recorded within 1 year and show minimum gpm is available at 20 psi. [CFC Table B105.1(1) and Table B105.1(2)]</p> <p>a) Contact water purveyor for flow data.</p>	<p>Since the project's fire hydrants are new, it is not possible to perform flow testing. Schaaf &amp; Wheeler has performed hydraulic modeling to demonstrate available fire flows to the project site. The results of the hydraulic modeling are included in the updated report.</p>
35	<p>Submitted documents included a report by Schaaf &amp; Wheeler regarding proposed water tank sizing. The report states the size of the structures is not known, and therefor estimations were assumed. Update this report with accurate structure size, construction type, etc.</p> <p>Note: Schaaf &amp; Wheeler report states the flow may be reduced to 25% of the required flow per CFC Table B105.2 on sheet 3. Per County Ordinance the maximum flow reduction is to be 25% for structures exceeding 30,000 sf. and 50% for all other commercial structures (the report stated a 75% reduction). There appears to be a misunderstanding as the code allows a reduction of 25% not to 25%. [County Ordinance NO. NS-11000.136 Section B7-21(a)]</p>	<p>Fire storage sizing has been updated within the report to correspond to the provided building sizes and construction types.</p>
36	<p>Plans do not show minimum access road (portion of access serving 3 or more parcels).</p> <p>Note:</p> <p>a. Minimum drivable width is 20 ft.</p> <p>b. Road widths 20-26 to have No Parking Signs and red curbs on both sides.</p> <p>c. Road widths greater than 26 ft. but less than 32 ft. to has signage on one side.</p> <p>d. Road widths greater than 32 do not require signage.</p>	<p>All access roads are 20-26 ft wide. Revised plan set to add note to coversheet and to typical cross sections stating no parking on both sides of streets.</p>

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37	Plans to be updated to identify aerial access for structures exceeding 30 ft. in height per CFC Appendix "D".	A.50 has been added to the set to identify aerial access.
38	Clarify the slope of fire department access meeting CFMO-A1. It appears sheets 18 and 19 of 24 show different slopes near areas such as 965.	During meeting with Alex, we were not able to locate area of comment
39	Plans to be updated to show any gates crossing driveway. Gates to be labeled as (N) new or (E) existing and manual or mechanical. All mechanical gates to have a Knox Key Switch shown as (N) or (E). [CFMO-A3 and CFC Section 503.5 and Section 506]	Revised sheet 2 to include notes on the existing gates. One gate will be removed, the other existing gate is mechanical with a knox box.  Proposed gates at Gatehouse 1 and 2 are to be new and mechanically operated. See revised Building Layout Plan on Sheet A.2 and floor plans on sheet A.46 and A.48

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40	<p>Fire department turnaround meeting CFMO-SD16 needed if dead-end access is greater than 150 ft. in length. Plans to be updated to clearly label the turnaround and show the dimensions. An example is the western section of fire access near the (E) tank (sheet 13 of 24) as this appears to be the end of the fire access road meeting CFMO-A1. [CFMO-A1 Section II.C and CFMO-SD16]</p> <p>a. Turnarounds on sheet 23 of 24 don't appear to have a minimum 20 ft. width throughout the turnaround as it appears the dimensions for turnaround "B" were used instead of turnaround "A". Show all dimensions of turnarounds to ensure they are sized properly.</p>	<p>Added turnaround at the area near the existing tank, site plan, grading plans, and 4290 Fire Access Plan revised.</p> <p>Turn around in Masson Estates subdivision is adequate as shown</p>
41	<p>Plans are to be updated to show fire department access located within 200 ft. exterior path of travel to all portions of structure. [CFC Section 503.1.1 and Ordinance]</p>	<p>A.50 has been added to the set to identify access.</p>

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CAL FIRE Comment #	Comment	Response
42	<p>Show a turnaround for the driveway spur near the existing water tower. Turnaround standards are provided in the State Minimum Fire Safe Regulations § 1273.05. Turnarounds, which requires a turnaround at the end of a dead-end road with a minimum turning radius oof 40 feet, not including parking. Alternatively, a hammerhead with a top width of at least 60 feet may be proposed.</p>	<p>Added turnaround at the area near the existing tank, site plan, grading plans, and 4290 Fire Access Plan revised.</p>
PARKS Comment #	Comment	Response
43	<p>All easements must be shown on the plans and tentative map. The Santa Clara County Countywide Trails Master Plan Update (CWTMP) (1995) identifies a proposed alignment for the Juan Bautista de Anza National Historic Trail (Anza Trail) through the Mountain Winery property. In 2000, the County Parks Department secured a floating trail easement (Document Number 15514767) at the Mountain Winery site in preparation for the Anza Trail to traverse the site as part of its regional route (Attached). The final alignment for the Anza Trail has not been delineated; however, it is imperative that the applicant acknowledge this trail easement on the plan set and continue communications with the County Parks Department staff as securing a final alignment for the Anza Trail moves forward.</p>	<p>Easement shown on Tentative Map</p>

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VALLEY WATER Comment #	Comment	Response
44	<p>Per the Santa Clara Valley Urban Runoff Pollution Prevention Plan’s (SCVURPPP) C.3 Stormwater Handbook, Appendix A – Infiltration Guidelines, a minimum horizontal separation distance of 100 feet is required between septic systems and infiltration devices. The proposed storm chambers located in the parking lot appear to be infiltration devices and may be within this 100-foot setback distance. The setback distance needs to be shown on the plans to confirm compliance with Table A-1 in Appendix A.</p>	<p>The referenced Infiltration Guidelines in the SCVURPPP C.3 Stormwater Handbook cite “Santa Clara County Sewage Disposal System Requirements” as the source of the listed 100-ft minimum horizontal separation distance between septic systems and infiltration devices. This is an incorrect reading of the County Code. County Code Chapter IV, Section B-11 specifies a setback distance of 50 feet between infiltration drainage facilities and septic tanks/leachfields as follows:</p> <ul style="list-style-type: none"> <li>✓ Per Sec. B11-64, infiltration drainage facilities are covered under the definition of “Drainageway”:</li> </ul> <p><i>“(n) Drainageway means an unlined channel, with definite bed or banks, which conveys stormwater runoff and provides surface hydraulic continuity with either seasonal or perennial streams or water bodies. Also included in this definition are facilities used for the treatment and/or dispersal of roof runoff or other site drainage, such as vegetated swales and <u>infiltration/percolation trenches or basins</u>. (emphasis added)</i></p> <ul style="list-style-type: none"> <li>✓ Per Sec. B11-67, minimum horizontal setback distance from “Drainageway/drainage swale” is listed as 50 feet for both septic tank and dispersal field.</li> </ul> <p>Additionally, under State Water Board General Order WQ 2014-0153-DWQ, storm water drainage/infiltration facilities would fall under the definition of “Ephemeral Stream Drainage”, with a required 50-ft setback distance from septic tanks and leachfields.</p> <p>Setback dimensions have been added to Sheet WW-1 and Grading and Drainage Sheet 10 showing that none of the planned stormwater infiltration devices are with 50 feet of the proposed wastewater</p>

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		treatment or dispersal facilities. The primary leachfield is >100 feet from the proposed storm chambers at its closest point. The reserve leachfield is >50 feet from the proposed storm chambers at its closest point.
45	Valley Water does not own or manage the creeks as shown on Sheet 2 referenced as “SCVWD creeks.” These notations need to be removed. Please note that creeks that are too small to be subject to SCVWD jurisdiction are subject to Water Board and CDFW jurisdiction and may also be regulated by the U.S. Army Corps of Engineers. Please provide information on all headwater creeks at the project site.	Revised call outs to Ravine.
46	According to the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Map (FIRM) 06085C0214H, effective May 18, 2009, and 06085C0218H, effective May 18, 2009, the entirety of the project site is in Zone D, an area of undetermined flood hazard. The Floodzone Statement on Sheet 1 incorrectly notes the site is in Zone X. Please correct the incorrect information.	Revised coversheet to change flood zone from X to D.
47	Sheet 2 shows three creeks, but the other plan sheets only show the easterly creek, and it is not labeled or shown with the standard creek line type. The plans should clearly show and label all creeks. Also, the creeks shown on sheet 2 do not match what is shown on the Stormwater Control Plans (Sheet 24a). The plans must reconcile this discrepancy.	There are two creeks to which the project is upstream. Calabazas and Saratoga. The peak flow of eight ravine flowlines was analyzed as part of the stormwater management calculations. These eight ravine flowlines are shown on the stormwater management figures and labeled as RAVINE 1 – 8, as they are not named creeks.