



September 28, 2020

Job No: 16-233

Response to Public Comments

Proposed 2 Lot Subdivision plus Remainder Parcel

Application M-19-003 400 Surmont Drive -- Lands of Anderson

ENVIRONMENTAL REVIEW DOCUMENT
Kimley Horn
CEQA Memorandum -- Categorical Exemption
400 SURMONT DRIVE
TOWN OF LOS GATOS, SANTA CLARA COUNTY
dated September 2020

INDEX OF COMMENTS:

- 1) Siegfried Fleisher and Eva Strzelecki
Returned neighbor response form Sept 19, 2020
- 2) Paul Cosentino
200 Surmont Drive
Various site meetings beginning August 24, 2020
- 3) Diane and Mike Michaelis
303 Belgatos Lane
Email dated September 20, 2020
- 4) Armin Ebrahimi
307 Belgatos Lane
Email of neighbor response form dated September 21, 2020
- 5) Christian Y. Tanimoto, Jr.
147 Westhill Drive
Email dated September 21, 2020

- 6) Katrina Brinkman
308 Belgatos Lane
Email dated September 21, 2020

- 7) Development Review Committee Hearing
September 22, 2020
Terry Szewczyk Notes

- 8) The Fleishcer Family (same party as #1 above)
Email dated September 22, 2020

- 9) Ed Laveroni
180 Surmont Ct.
Email dated September 22, 2020

- 10) Diane and Mike Michaelis (same party as #3 above)
303 Belgatos Lane
Email dated Sept 22, 2020

1: Siegfried Fleisher and Eva Strzelecki
Returned comment form Sept 19, 2020

----- Forwarded message -----

From: **Terence J. Szewczyk** <terry@tscivil.com>

Date: Thu, Sep 17, 2020 at 3:45 PM

Subject: Re: Response to Neighbor Comments- Sigfried Fleischer & Eva Strzelecki of 197 Westhill Dr-----M-

19-003 400 Surmont Dr PC 20-2598

To: Terence J. Szewczyk <terry@tscivil.com>

Cc: RSafty@losgatosca.gov <RSafty@losgatosca.gov>, Bob Hughes <bldngworks@aol.com>, Sally Zarnowitz <SZarnowitz@losgatosca.gov>

Response to stated issues:

1. Negative Environmental Impact

a. **Blocking of Wildlife Circulation**-- Please see attached Section 5.4 Impacts on Wildlife Movement, pg 27 of H.T. Harvey--in summary, no impact.

b. **Additional Fire Hazard**-- Please see all of the access and fire hydrant improvement that is required of County Fire. Also, due to the Wildland-Urban Interface,

there are special building material rqmts imposed by California Building Code Chapter 7A. Additionally, these houses will be have fire sprinklers throughout.

The San Jose Water Company improvements to the Bel Gatos Tank system was done a few years earlier to enhance fire flows within the area.

This project will further add to that system.

c. **Impacts the Watershed**--- Although this comment is vague, I will try to respond.

* Any additional runoff form the improved project will be detained on-site through vegetative filters, gravel basins or other means that will reduce the post-construction

flows to pre-construction levels during the peak storm period pursuant to C.3 requirements of the CA Regional Water Board. We have ample unimproved areas for the storage of

excess runoff and have designated a conceptual system for each lot on the Preliminary Grading Plans.

* As to watershed impacts associated with wildlife habitat, please see attached Section 5.3 Impacts on Wetlands, pg 26 of H. T. Harvey --- in summary "project will not result in direct impacts on jurisdictional wetlands or waters".

2. Negative Economic Impact on Trails and Open Space

We reviewed the the Hillside Specific Plan intent for County and Town trails within the area and found that all Open Space areas and Trail Extensions have already

been built. See our letter of justification attached.

3. Against City Mandate and Zoning Laws- The project was found to be consistent with the Town General Plan the Hillside Specific Plan and the HR Zoning Ordinance for density and lot size.

I would be glad to respond to any follow-up questions and will send the excerpts in the next email shortly.

[Quoted text hidden]



THE BUILDING WORKS
A CORPORATION

A TRADITION OF QUALITY AND VALUE.
CA. LIC. #442850

August 12, 2020

TO: RYAN SAFTY
Associate Planner
Town of Los Gatos

FROM: Sigfried Fleischer
Eva Strzelecki
197 Westhill Drive
Los Gatos, CA 95032-5030

SUBJECT: Proposed Minor Subdivision – 2 new lots at 400 Surmont Drive

_____ I/We have reviewed the information provided by Mr. Hughes regarding the above noted subdivision of Sandy Anderson's property and have no objections to their effort to gain approval to subdivide the property and we support their endeavors.

✓
_____ I/We have reviewed the information provided by Mr. Hughes regarding the above noted subdivision of Sandy Anderson's and object to their efforts to gain approval to subdivide the property and cannot support their endeavors.

Our issues with the project are:

1. NEGATIVE ENVIRONMENTAL IMPACT
 - a. blocks / disrupts natural habitat & migration patterns of wildlife already exacerbated by recent new construction on Belgrafos Ln
 - b. additional fire hazard (new residential construction should be forbidden, especially in light of the 2020 fires)
 - c. impacts the watershed
2. NEGATIVE ECONOMIC IMPACT as a natural resource.
preservation of the Open Spaces (Heinz, Santa Rosa, Belgrafos Park) are essential to the residents of Los Gatos and Santa Clara County
3. AGENTS THE CITY MANDATE AND ZONING LAWS.

Respectfully Submitted

Eva Strzelecki

S. J. J.

requirements of the Town of Los Gatos, the project will implement standard conditions to avoid and minimize impacts on nesting birds during project construction, as described in Section 1.2.1.

5.1.4 Roosting Bats (No Impact)

As discussed under Section 4.2 above, an examination of trees on the project site failed to detect any cavities or crevices large enough to provide high-quality habitat for a roosting or maternity colony of common or special-status bat species. As a result, the project is not expected to impact common or special-status species of bats, and no mitigation measures are warranted to avoid and minimize project impacts on roosting bats under CEQA, in our opinion. Nevertheless, per the requirements of the Town of Los Gatos, the project will implement standard conditions to avoid and minimize impacts on roosting bats during project construction, as described in Section 1.2.2.

5.2 Impacts on Sensitive Communities: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFW or USFWS (No Impact)

5.2.1 Impacts on Riparian Habitat, or Other Sensitive Natural Communities (No Impact)

The CDFW defines sensitive natural communities and vegetation alliances using NatureServe's standard heritage program methodology (CDFW 2020), as described above in Section 4.3. Aquatic, wetland and riparian habitats are protected under applicable federal, state, or local regulations, and are generally subject to regulation, protection, or consideration by the USACE, RWQCB, CDFW, and/or the U.S. Fish and Wildlife Service. Project impacts on sensitive natural communities, vegetation alliances/associations, or any such community identified in local or regional plans, policies, and regulations, were considered and evaluated. No riparian habitat or other sensitive natural communities are located on or adjacent to the project site, and thus, there will be no impacts to riparian habitat or other sensitive natural communities as a result of the project. Indirect impacts to aquatic habitat due to water quality are discussed below under Section 5.3.

RESPONSIVE TO ISSUE I.C.

5.3 Impacts on Wetlands: Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Less than Significant)

A potentially jurisdictional ephemeral drainage is located along the western boundary of the project site. This drainage may be considered jurisdictional waters of the U.S. by the USACE, waters of the state by RWQCB, and/or waters subject to the jurisdiction of the CDFW under Section 1600 of the California Fish and Game Code.

The Town of Los Gatos has adopted the guidance for evaluation of land use near streams provided in the Santa Clara Valley Water District's (Valley Water's) *Guidelines and Standards for Land Use Near Streams: A Manual of Tools*,

Standards, and Procedures to Protect Streams and Streamside Resources in Santa Clara County (Valley Water 2006) Consistent with *Section II.E.* on page 3.8 of the *Guidelines* (“Slope Stability Protection Area for Single-Family Units”, page 3.8) and as determined by the Town of Los Gatos, the setback for the ephemeral aquatic feature on the site is 20 feet. This setback is shown on Figure 3. In our opinion, no additional setback from this drainage should be necessary given its relatively low ecological value.

Where the project proposes features with the proposed setback described above, all project work will be outside the bed and bank of ephemeral drainage feature on the project site. The proposed driveway will be directly adjacent and immediately outside the top of bank at its downslope end (i.e. in the northwest corner of the parcel). To prevent indirect impacts on water quality within the drainage and in the downslope watershed, the project will construct a 30-foot-long by 2-foot-tall retaining wall in between the driveway and the drainage. The retaining wall will be constructed just above the top of bank to protect the bank and avoid any erosion from construction of the driveway into the ephemeral drainage. In addition, this project will implement the conditions to minimize impacts on water quality within the ephemeral drainage as described in Section 1.2.4.

ISSUE 1.c.

With the use of the proposed setback, the retaining wall, and the avoidance and minimization measures that will be part of the project, the project will not result in direct impacts on jurisdictional wetlands or waters.

As discussed in Section 1.2.4 above, the project will implement standard erosion control measures and BMPs for work near aquatic environments, and comply with the Town’s required setback for the construction of new structures. Project compliance with these conditions will reduce potential project impacts on water quality to a less-than-significant level under CEQA, in our opinion, and no mitigation measures are warranted to avoid and minimize project impacts on water quality under CEQA, in our opinion.

RESPONSIVE TO ISSUE 1.a.

5.4 Impacts on Wildlife Movement: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (Less than Significant)

For many species, the landscape is a mosaic of suitable and unsuitable habitat types. Environmental corridors are segments of land that provide a link between these different habitats while also providing cover. Development that fragments natural habitats (i.e., breaks them into smaller, disjunct pieces) can have a twofold impact on wildlife: first, as habitat patches become smaller they are unable to support as many individuals (patch size); and second, the area between habitat patches may be unsuitable for wildlife species to traverse (connectivity).

The project site is situated on the edge of a dense matrix of urban development. Further, the ephemeral drainage on the site does not provide an important movement pathway for aquatic or terrestrial wildlife species, as the drainage does not support vegetative cover and holds water only ephemeraly during rain events. As a result, the proposed redevelopment of the project site would not result in the fragmentation of natural habitats. While some wildlife species that occur in nearby natural areas may move through the site when traveling through the

area, they will continue to be able to move between Heintz Open Space to the east and Belgatos Park to the west following construction of the new residences on the property, either by passing south of the new structures on the property or south of all development on the property (i.e., through the park, which connects from east to west south of the property). Thus, any wildlife species that currently move through the project site would continue to be able to do so following project construction, and the project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors in the site vicinity.

ISSUE 1.a.

5.5 Impacts due to Conflicts with Local Policies: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Less than Significant)

5.5.1 Impacts Due to the Removal of Protected Trees (Less than Significant)

According to the Town of Los Gatos Municipal Code, no person is allowed to unlawfully prune or remove any tree that qualifies as a “protected tree” (Los Gatos, CA Code of Ordinances, Sec. 29.10.0950). The Town considers a protected tree of significant size to be:

- All trees which have a 12-inch or greater diameter on a developed residential property.
- All trees which have an 8-inch or greater diameter on a developed hillside residential property.
- All trees of the following species which have an 8-inch or greater diameter (measured at 4.5 feet [54 inches] above natural grade) located on any developed residential property:
 - Blue oak (*Quercus douglasii*)
 - Black oak (*Quercus kelloggii*)
 - California buckeye (*Aesculus californica*)
 - Pacific madrone (*Arbutus menziesii*)
- All trees which have a 4-inch or greater diameter on a vacant or non-residential property.
- All trees which have a 4-inch or greater diameter when removal relates to any development review.
- Any tree that existed at the time of a zoning approval or subdivision approval and was a specific subject of such approval or otherwise covered by subsection (6) of this section (e.g., landscape or site plans).
- All trees, which have a 4-inch or greater diameter (12.5-inch circumference) of any trunk and are located on property other than developed residential property.
- All publicly owned trees growing on Town lands, public places or in a public right-of-way easement, which have a 4-inch or greater diameter (12.5-inch circumference) of any trunk.
- A protected tree shall also include a stand of trees, the nature of which makes each dependent upon the other for the survival of the stand.



SANTA CLARA COUNTY FIRE DEPARTMENT

14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

RESPONSIVE TO 1.b.
(5 PGS)

PLAN REVIEW No. **20 2598**

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

Plans and Scope of Review:

This project shall comply with the following:

The California Fire (CFC) & Building (CBC) Code, 2016 edition, as adopted by the Town Of Los Gatos Town Code (LGTC), California Code of Regulations (CCR) and Health & Safety Code.

The scope of this project includes the following:

Review is limited to the proposed subdivision of one lot into three, only. Additional review will be required during subsequent development of properties.

Plan Status:

Plans are **APPROVED as submitted**. However, please note that the following comments will need to be addressed at the time of the Architecture and Site review and are provided below as advisory for future application.

Plan Review Comments:

1. Review of this Developmental proposal is limited to acceptability of site access, water supply and may include specific additional requirements as they pertain to fire department operations, and shall not be construed as a substitute for formal plan review to determine compliance with adopted model codes. Prior to performing any work, the applicant shall make application to, and receive from, the Building Department all applicable construction permits.

NEW
2. **Fire Apparatus (Engine) Access Roads Required:** (As shown on Sheet C-2) Provide an access driveway with a paved all weather surface, a minimum unobstructed width of 12 feet, vertical clearance of 13 feet 6 inches, and a maximum slope of 15%. Installations shall conform to the Fire Department Standard Details Specifications D-1 and CFC Section 503. **The proposed driveways for Parcel 1 and Parcel 2 exceed the maximum 15% slope requirement and are proposed at up to 20%. Please provide your request for variance and associated justification for increased slope up to 20% with the submittal when moving forward with site development.**

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	ApplicantName	DATE	PAGE
LGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Ts Civil Engineering	09/05/2020	1 OF 2
SEC/FLOOR	AREA	LOAD	PROJECT DESCRIPTION				PROJECT TYPE OR SYSTEM			
			Residential Development				Architectural Site			
NAME OF PROJECT						LOCATION				
SUBDIVISION						400 Surmont Dr Los Gatos				
TABULAR FIRE FLOW				REDUCTION FOR FIRE SPRINKLERS		REQUIRED FIRE FLOW @ 20 PSI		BY		
				<input type="text"/>				Baker, Kathy		



SANTA CLARA COUNTY FIRE DEPARTMENT

14700 Winchester Blvd., Los Gatos, CA 95032 | (408) 378-4010 | www.sccfd.org

PLAN REVIEW No. **20 2598**

BLDG PERMIT No.

DEVELOPMENTAL REVIEW COMMENTS

NEW

3. Fire Department (Engine) Roadway Turnaround Required: (As shown on Sheet C-2) Provide an approved fire department engine roadway turnaround with a minimum radius of 42 feet outside and 23 feet inside. Installations shall conform with Fire Department Standard Details and Specification sheet A-1. Cul-De-Sac Diameters shall be no less than 72 feet. CFC Sec. 503.

NEW

4. Public Fire Hydrant(s) Required: (As noted on Sheet C-4) Provide public fire hydrant(s) at location(s) to be determined by the Fire Department. Maximum hydrant spacing shall be 500 feet, with a minimum single hydrant flow of 1,500 GPM at 20 psi, residual. If area fire hydrants exist, reflect their location on the civil drawings included with the building permit submittal, including new hydrants. CFC Sec. 508.3, per Appendix B and C. A letter from San Jose Water verifying the available flow will be required during developmental review.

NEW

5. Fire Hydrant Systems Required: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, onsite fire hydrants and mains shall be provided where required by the fire code official. Exception: For Group R-3 and Group U occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 600 feet. [CFC, Section 507.5.1]

6. Wildland-Urban Interface: This project is located within the designated Wildland- Urban Interface Fire Area. The building construction shall comply with the provisions of California Building Code (CBC) Chapter 7A. Note that vegetation clearance shall be in compliance with CBC Section 701A.3.2.4 prior to project final approval. Check with the Planning Department for related landscape plan requirements.

THIS REQUIRES CLEREA ROOFS ETC.

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance. [CFC, Ch.1, 105.3.6]

City	PLANS	SPECS	NEW	RMDL	AS	OCCUPANCY	CONST. TYPE	Applicant Name	DATE	PAGE
LGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			Ts Civil Engineering	09/05/2020	2 OF 2
SEC./FLOOR	AREA	LOAD	PROJECT DESCRIPTION				PROJECT TYPE OR SYSTEM			
			Residential Development				Architectural Site			
NAME OF PROJECT						LOCATION				
SUBDIVISION						400 Surmont Dr Los Gatos				
TABULAR FIRE FLOW			REDUCTION FOR FIRE SPRINKLERS		REQUIRED FIRE FLOW @ 20 PSI		BY			
			<input type="text"/>				Baker, Kathy			



SAN JOSE WATER

1265 South Bascom Ave.
San Jose, CA 95128-3514

Writer's Direct Line: (408) 279-7874
Email: jim.bariteau@sjwater.com

July 30, 2019

*RESPONSE BY
TS/CIVIL 11-14-19*

Bob Hughes
The Building Works
2730 Union Avenue, Suite B
San Jose, CA 95124

REFERENCE: Proposed 3 Lot Subdivision
Surmont Drive, Los Gatos
APN 527-20-003

Dear Mr. Hughes:

As requested, our Engineering Department has reviewed the hydraulics for this project based on the fire department comments from Kathy Baker of the Santa Clara County Fire Department on June 20, 2019. Please find enclosed the results of this review indicating that the required fire flow of 1,500 gallons per minute will be available from a proposed main extension. The enclosed sketch includes a basic outline of the facilities needed to supply the required fire flow with the installation of 250 feet of 8" water main to the proposed location for the new hydrant and domestic services and the installation of 1 - 6" valve in Blossom Hill Road to rezone our existing Belgatos Reservoir Zone to our Greenridge Reservoir Zone, and this will be done at your expense. Easements on your property may be required.

Also, be informed that if you would like us to engineer final plans based on our review, and prepare a final cost estimate to install new water facilities, you need to submit the following items. Once received, our engineering normally takes about 12 weeks minimum to complete, at which time a construction agreement can be forwarded to the responsible party. After the agreements are returned to us, our Construction Department will establish an installation schedule approximately 8 - 12 weeks later.

- A written request for us to start the engineering process.
- Confirmation of fire department requirements (i.e. new hydrant location and available fire flow accepted by the Fire Department).
- A hard copy drawing that shows the location of new General Metered Service connections (domestic and/or irrigation services). Plumbing and/or irrigation plans are required.
- A signed and completed Water Service Questionnaire for each domestic service being requested (copies of this form enclosed).

DEAR MR. BARITEAU, PLEASE START ENGINEERING.

FIRE DEPT. MEMO ATTACHED

WATER METERS SHOWN NEAR FH AT

HAMMERHEAD

ENCLOSED

Bob Hughes
July 30, 2019
Page Two

- One hard copy of the Recorded Parcel (or alternatively, an unrecorded parcel map). **TENTATIVE MAP ENCLOSED**
- One hard copy set of the approved off-site and on-site improvement plans (or alternatively, updated unapproved off-site and on-site improvement plans, with the understanding that additional engineering costs may result from needing to revise our design due to changes in the improvement plans). **UTILITY PLAN & PRIVATE STREET ENCLOSED.**
- Provide all improvement plans as computer files. The preferred file format is Microstation version 8 or lower. AutoCAD version 2011 or lower is also acceptable. **CAD FILES VIA EMAIL**
- One hard copy set of the joint trench plans when available. **NOT AVAILABLE BUT SHOWN ON UTILITY PLAN.**
- * One copy of the construction schedule. **BY BOB HUGHES**
- * An engineering deposit in the amount of \$11,000. **BY BOB HUGHES**

If you have any questions, please contact me at (408) 279-7874. We would also be happy to meet with you to discuss further the information contained in this letter.

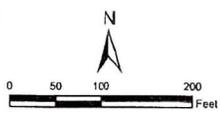
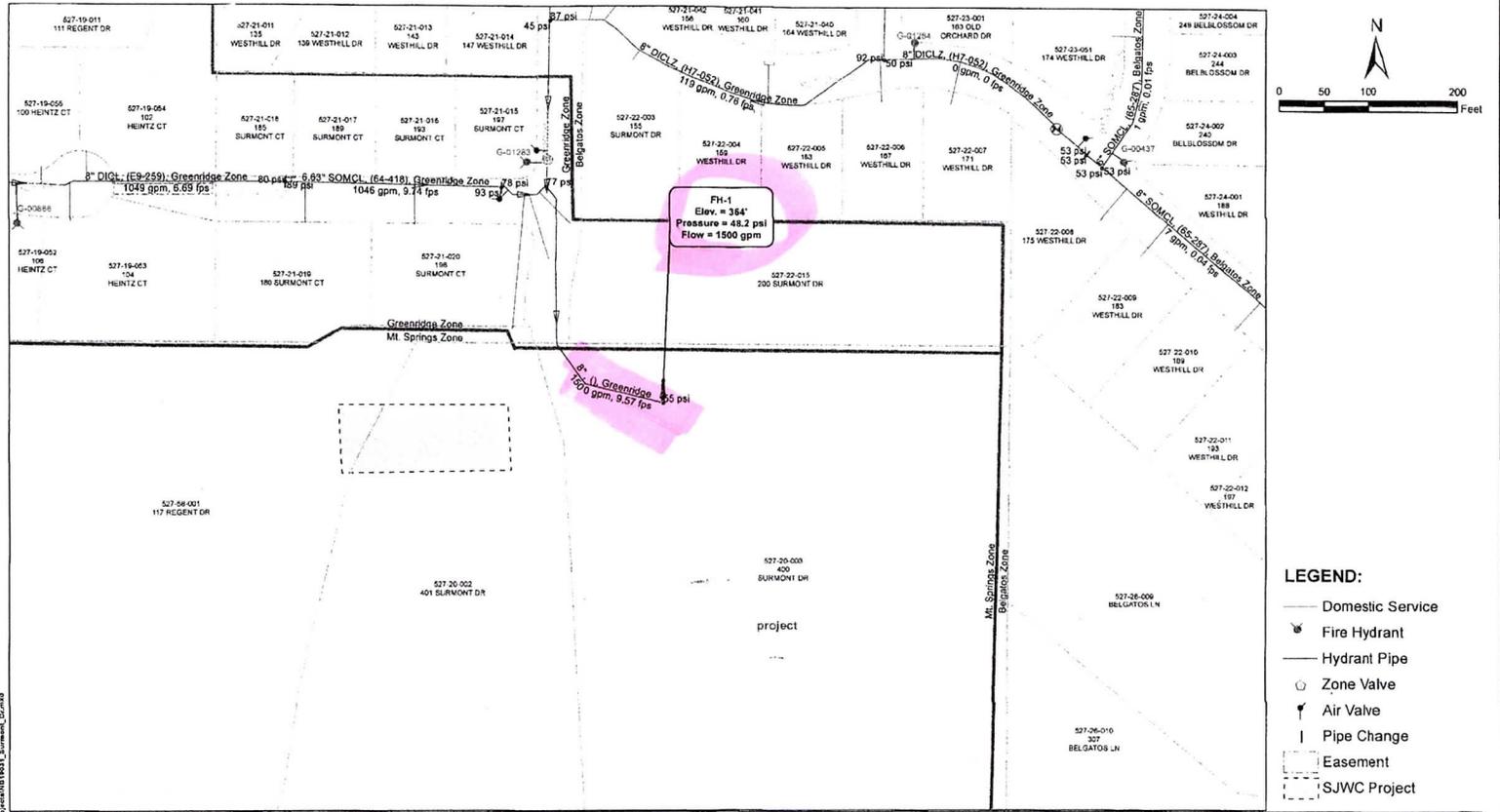
Sincerely,

JAMES R. BARITEAU
Senior Water Services Representative

JRB:mmr
NB19-031 (Fire Flow) doc
Enclosures

cc: Kathy Baker, Santa Clara County Fire Department
Terry Szewczyk, TS/Civil Engineering, Inc.

THANKS JIM,
TERRY SZEWCZYK



- LEGEND:**
- Domestic Service
 - ⊕ Fire Hydrant
 - Hydrant Pipe
 - Zone Valve
 - ⊕ Air Valve
 - | Pipe Change
 - - - Easement
 - - - SJWC Project

Hydraulic Properties:

PRESSURE	VELOCITY
● less than 20.00	— less than 5.00
● 20.00 ~ 40.00	— 5.00 ~ 10.00
● 40.00 ~ 80.00	— 10.00 ~ 15.00
● 80.00 ~ 125.00	— greater than 15.00
● greater than 125.00	

Notes: Fire Flow Conditions & Max Day Demands (REZONED)
 1 hyd set @ 1500 GPM. TOTAL FLOW = 1500 GPM

Required fire flow = 1500 GPM per County Fire
 - 1500 GPM from 1 NEW hydrant

Project:
NB19-031

Pressure Zone: Greenridge
 Static Pressure: 70-80 PSI
 Jurisdiction: Los Gatos
 Fire Dept: County Fire

San Jose Water
SURMONT DR.

Created by: henderson
 Date: 7/3/2019
 Time: 10:10:52 AM

D:\water\Plan\City\Water\NB19-031_Surmont_Dr.dwg



Job No. 16-233 (rev 1)
August 6, 2020

Sally Zarnowitz, Planning Manager
Town of Los Gatos
Planning Department
110 East Main Street
Los Gatos, CA 95030

Subject: **Project Description and Letter of Justification
Minor Subdivision of 400 Surmont Drive
Lands of Anderson, Town of Los Gatos**

Dear Sally:

Thank you for having the wisdom to send this application to the Town CDAC on January 9, 2019. From that meeting we gleaned the following direction from Town Councilmembers:

- 1) Relocate the building site for Parcel 2 away from the “freckles” of slope over 30%.
- 2) Settle all shared street right of way issues with neighbors before filing the application.
- 3) The flag lot issue is not pertinent to this site.

Proposed Access Road Refinement

So, as were further evaluated access options along with the homeowner’s desire to preserve the upper residence site, it became clear that the preferred access road design would be a shared private driveway to the east of the minor drainage swale at the terminus of Surmont Drive. That driveway has evolved, shifted, and finally narrowed to only 15’ wide as opposed to the original 18’. This was endorsed by Santa Clara County Fire and represents refinement under CEQA. The narrowed road now moves another 3’ east of the top of the bank of the incised drainage swale. Thus negating the need for any Water Agency Permits.

Private Access Road versus Public Street

The terminus of Surmont Drive currently operates as a cul de sac with three independent driveways. One additional driveway connecting to the southeast corner of Surmont would be the least disruptive design. Extension of a public street would create the following complications:

- The crossing or piping of the small existing swale, which would trigger a CDFW streambed alteration permit and be considered a loss of habitat.
- Additional public street right of way would be required from the adjacent

neighbor – Bate at 401 Surmont Drive and/or Constantino at 200 Surmont Drive.

- The grading and tree removal to accommodate a 20' paved public roadway and 32' radius cul de sac bulb would be a potentially significant environmental impact on the site.

Development at 60% of Maximum Allowed Density

Since we are proposing merely 2 new lots and not the 5 that are possible based upon slope density, this private driveway is much preferred. We have been able to nestle in a 15' wide driveway at 20% slope with retaining walls at the fire department turnaround limited to 5' in height.

Residence Driveway Compliance to LGHSP

The two individual site driveways are depicted at 15% to 20% slope in the future. Please note that the 15% slope is a standard from the 2004 HDS&G and is not applicable to access roads pursuant to the discussion in the 1978 Hillside Specific Plan. That document encourages roadway design solutions that minimize grading and conform to the existing terrain which is indeed the case here.

Future One-Story Residences

Further conceptual development of the building site designs has been provided. Suffice to say that any residence will be oriented parallel to the existing contours and likely be of a daylight basement design, resulting in structures well under the 30' height limit. For now, we depict the potential building sites on the terrain of less than 30% and these locations have been cleared for any geologic hazards by the consulting geologists.

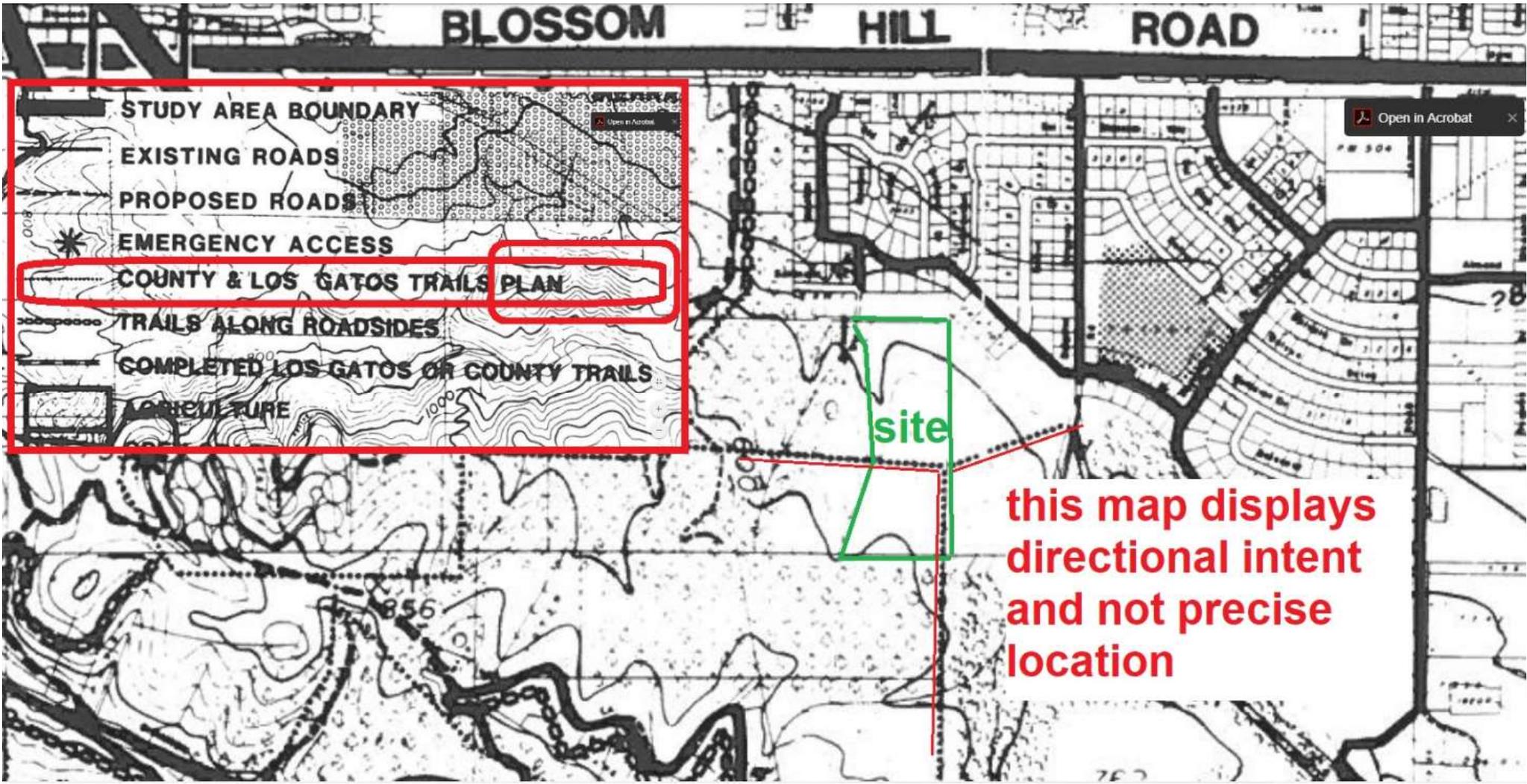
Summary

We have worked with the Hillside Specific Plan for 39 years and find the document to be excellent in its clear intent with design standards that create clustered lots served by optimal infrastructure. This property in particular results in the placement of low visibility residences at the current suburban edge of development. We look forward to comments and review by Town Staff.

Sincerely,

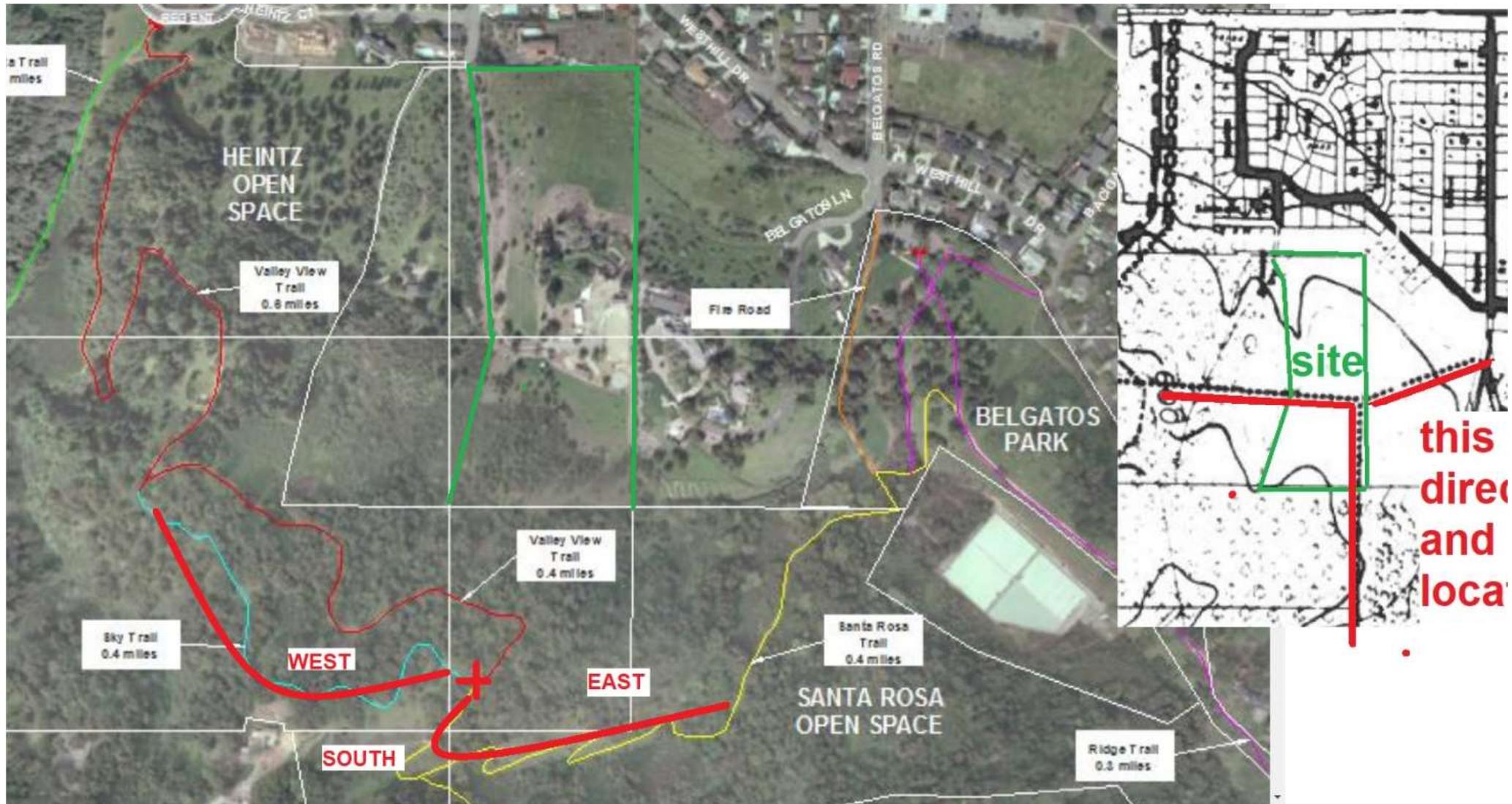


TS/CIVIL ENGINEERING, INC.
Terence J. Szewczyk, P.E. C35527
Principal Engineer



this map displays directional intent and not precise location

EXCERPT FROM HSP TRAILS – FIGURE 3



HSP FIG 3 VERSUS CURRENT HEINTZ OPEN SPACE



Job No. 16-233

June 16, 2020

Ryan Safty -- Associate Planner
Town of Los Gatos – Planning Department
110 E. Main Street, Los Gatos

Subject: Response to Staff Technical Review Comments
Subdivision Application M-19-003
400 Surmont Drive, Los Gatos

Dear Mr. Safty:

Please see below for our responses to your technical review comments.

SUBDIVISION PLANS AND SUBMITTALS:

- 1. Submit a response memorandum to each deficiency and comments listed in the Staff Technical Review letters from all departments. No response memorandums were submitted with the 4/22/20 application package, so many of the comments below are repeated.*

Response:

Please note that the 4/22/20 application package was the first submittal of the significantly shortened private access road. The previous design, paralleling the small drainage swale, caused potential grading encroachment within the defined top of bank for approximately 220 feet. There was a potential to require a California DFW - "Notification of Lake or Streambed Alteration Permit." We have diverted and significantly shortened the access road and relocated the Fire Department Hammerhead to reduce the swale impact to merely 30 feet. We have added a very short 2 feet tall retaining wall to define a hard downhill edge on the access road at the swale top of bank. This short wall also alleviates concerns for slope stability issues below the new access road. NOTE THAT THESE REVISIONS ARE CONSISTENT WITH CEQA SECTION 15004 (3) which states in part:

- (3) With private projects, the Lead Agency shall encourage the project proponent to incorporate environmental considerations into project conceptualization, design, and planning at the earliest feasible time.*

With the 4/22/20 application, we also have since developed house footprints for lots 1 and 2 along with detailed grading of the individual driveways. These site plans are ready for Architecture and Site application submission. While this is not a Planned Development that dictates this level of detail, we all benefit from the ability to consider

real and not conceptual houses and driveways. NOTE THAT THIS INFORMATION IS PROVIDED CONSISTENT WITH CEQA TO FURTHER REFINE THE PROJECT DESIGN SO THERE CAN BE NO SPECULATION REGARDING POTENTIAL ENVIRONMENTAL IMPACT.

2. *Ensure that all the "contents" listed in Town Code Section 24.20.030 are in the plans, specifically: names of adjacent subdivisions, name of record owners, and proposed uses.*

- a. *This comment remains outstanding from 4/10/19.*

Response:

Names of adjacent subdivisions, record owners, and uses are now noted on C-1.

3. *Show LRDA (30% slope line) for each proposed parcel on all sheets.*

- a. *This comment remains outstanding from 4/10/19.*

- b. *The 25% slope line is not necessary at this stage. It will be required at A&S stage for the driveway construction.*

Response:

30% slope line of LRDA noted on sheet C-2.

4. *Darken the proposed property lines on all sheets for consistency.*

- a. *This comment remains outstanding from 4/10/19.*

Response:

Property lines of the new parcels have been darkened on all sheets.

5. *Is dedication of area for trails planned as a part of this proposal?*

- a. *Per Town Code Section (T.C.) 29.10.06706, "trails are required in a subdivision where shown on the general plan. Trails not shown on the general plan may be required by the advisory agency."*

- b. *See General Plan Policy TRA-11.3 for General Plan policies on trails.*

- c. *HSP Section 4.4-6 (Trails), "all new subdivision application shall be reviewed for compliance with the Trails section of the Los Gatos and Santa Clara County General Plans. Trail easement dedication to the Town and construction of trails shall be a condition of subdivision approval."*

- d. *This comment remains outstanding from 4/10/19. Please state in the Letter of Justification / Project Description whether dedication of area for trails is planned as a part of this proposal.*

Response:

We have enclosed the "HSP Trails and Open Space -- Figure 3" with our annotations. Please note that the trail locations were drawn on the HSP with the explicit caveat that connection points and general direction were all that could be determined at the "broad brush" level of the HSP. Further refinement of specific trail routes that respect the terrain and residential privacy would be developed and implemented with future subdivision applications. In fact, if you carefully review some of the "County and Los Gatos Trail

Plan” linework, you’ll notice straight lines that run up the face of a mountain.

Such is the case with the generalized trail map for this property. However, with the development of the Heintz Property and Open Space, all of the anticipated east to west connections have been implemented. The Valley View Trail shown in red on the Heintz Open Space Map connects to the Santa Rosa Trail at the east, and they connect to the Santa Rosa Trail running southerly to Santa Rosa Drive.

We made numerous attempts to proactively address the trail matters by reaching out to Jim Regan, but he never responded and has since retired.

In summary, the Town has achieved the open space dedication and trail circulation with the previous Santa Rosa and Heintz subdivisions and nothing is required nor offered with this submission.

6. *Is dedication of area towards open space planned as a part of this proposal?*
 - a. *Per T.C. 29.10.06709, “where consistent with the goals and policies of the general plan, the advisory body shall require dedication of open space to the Town, either in fee or as an easement (...).”*
 - b. *Per General Plan Policy OSP-2.3, “In all hillside subdivisions, the dedication of open space in fee or as an easement shall be required to protect unique natural features, habitats, and migration corridors, and to preserve the rural atmosphere.”*
 - c. *Section 4.3 of the HSP, “open space easements shall be required by the deciding body for hillside subdivisions (...).”*
 - d. *This comment remains outstanding from 4/10/19. Please state in the Letter of Justification / Project Description whether dedication of area for open space is planned as a part of this proposal.*

Response:

An Open Space Easement is proposed over the swale at the west property line of Lot 1 and 2. Upon review of the terrain of the two new parcels, the most appropriate open space easement would be along the swale area. We have created a visual open space easement to restrict the development within this area. While there are other prominent slope faces above and below the current residence at 400 Surmont Drive, this area is within the designated remainder and can’t be offered for dedication as open space at this time.

7. *Provide additional information on the proposed “future driveways” on Sheet C-2. What would the anticipated cut and fills be? What would their slopes be?*
 - a. *This comment remains outstanding from 4/10/19.*

Response:

The future driveways are completely detailed on sheets C-3, 4, and 5. The earthwork is tabulated and maximum depths of cut and filled noted. Note that the driveways and

access roads are at 20% pursuant to this section of the HSP:

3.3 Policies

1. Design of Hillside Roads and Driveways:

- a. Hillside roadways and driveways shall be designed and located so as to:*
 - 1. Require a minimum amount of earth movement.*
 - 2. Be consistent with the specified standards for curves, gradients, widths, and other controlling factors.*
 - 3. Be in harmony with the surrounding landscape by utilizing aesthetic design concepts, including landscaping with native plants and materials.*
 - 4. Allow for special designs where natural features such as rocks, slopes and trees require special treatment.*

- 8. Either remove the footprints or remove the "potential building site" as they do not match. At this stage, it might be best to just show "potential building site" circles. Project Description and Letter of Justification*

Response:

We have developed detailed architectural plans and it is our desire to reflect these one story houses on the plans at this time. The previous circles were too small to properly represent the house footprints,

- 9. Add justification for any anticipated exceptions requested.*
 - a. This comment remains outstanding from 4/10/19.*
 - b. Although the exceptions will not be decided on during the subdivision application stage, this information will be helpful.*

Response:

The proposed grading depths are in compliance with the HDS&G for the access road and hammerhead. While the Fire Department may have concerns with the 18' wide access road, it is an acceptable width standard as discussed within the HSP section referenced above. Finally, the only exception is for the 20% driveway slopes.

It should be noted that the HDS&G requirement for 15% driveway slope is inconsistent with the previously adopted HSP. The HSP states that deviations which reduce earthwork impact on the hillside are in fact encouraged:

3.3 Policies

1. Design of Hillside Roads and Driveways:

- a. Hillside roadways and driveways shall be designed and located so as to:*
 - 1. Require a minimum amount of earth movement.*
 - 2. Be consistent with the specified standards for curves, gradients, widths, and other controlling factors.*
 - 3. Be in harmony with the surrounding landscape by utilizing aesthetic design concepts, including landscaping with native plants and materials.*

4. Allow for special designs where natural features such as rocks, slopes and trees require special treatment.

...

17. Driveway Standards (width, length, gradient, minimum curve radius):

Driveways serving one residence should have 12-foot minimum width plus 3 feet of shoulder width (15 feet total); however, the deciding body may determine that an 18-foot minimum width is necessary. A common driveway serving two single-family residences should have an 18-foot minimum width plus 3-foot shoulders on each side. This requirement may be reduced to 18-foot minimum if the Town Engineer or County Surveyor determines that the shoulders could be replaced with retaining walls and curbs. Limit of driveway length should be 300 feet unless the deciding body can make specific findings for deviation and can place additional conditions to reduce hazards such as turnouts and secondary accesses. Other standards regarding length, grades, and minimum curve radius are to be determined by the Town Engineer or County Surveyor with advice and recommendation from other appropriate Town or County departments. No more than two dwelling units should be served from a common driveway.

10. Have you spoken to your neighbors? If so, please add information on who you spoke to and what they said. (See General Comment #3 below)

Response:

Not yet.

Sheet C-1

11. Show the LRDA (30% slope line). See deficiency number 3 above.

Response:

Now shown.

Sheet C-2

12. Continue the "20' WIDE SLOPE STABILITY PROTECTION AREA" setback line through the proposed driveway at the end of Surmont.

Response:

Now noted.

13. There is a tree label under the "PARCEL 1" note that is blocked by the "20' WIDE I.E.E." note. Please fix.

Response:

Corrected.

Sheet C-2A

14. *Either remove the 25% slope line or show the full extent (see deficiency number 3 above).*

- a. *The 25% and 30% slope lines start and stop randomly on Sheet C-2A, making it hard to read. Please show these lines running throughout the parcel, not ending at proposed areas of work. If not, please remove all together and only show site area above or below 30% slope for LRDA purposes.*

Response:

25% slope line removed.

Sheet C-3

15. *Add tree notes to Sheet C-3.*

Response:

We don't understand this comment.

You should find the above comments consistent with the concerns expressed by Fire and Public Works. We implore you to collaborate with these departments as the Hillside Specific Plan anticipated an open discussion on road width, design, and access.

Sincerely,



TS/CIVIL ENGINEERING, INC.
Terence J. Szewczyk, P.E. C35527
Principal Engineer



2: Paul Cosentino, 200 Surmont Drive
Various site meetings beginning August 24, 2020



Terry Szewczyk <terryszewczyk@gmail.com>

15' ACCESS ROAD DISCUSSION AND STAKE OUT FOR NEIGHBOR AT 200 SURMONT

1 message

Fri, Sep 18, 2020 at 1:10 AM

Terence J. Szewczyk <terry@tscivil.com>
To: Terence Szewczyk <terry@tscivil.com>

Ryan, Attached is a consolidated pdf (incl this email) for the interactions with Paul Cosenitno at 200 Surmont Drive. We had initially approximated the access road location but came back and precisely located the critical property corner shared by our site, his site and the terminus of Surmont Dr. We restaked the more precise access road location in the field and photographed it then posted the info here. The road has been reduced in width through the review process thus allowing us the flexibility to keep it at the top of bank at the ephemeral swale.

We will be adding a retaining wall to replace the white wooden barricade and will construct a railing atop the wall for safety. The railing is shown here. This is the first instance that we have selected a proposed railing.

Best regards, Terry
Terence J. Szewczyk, P.E.
TS/Civil Engineering, Inc
1776 Technology Drive
San Jose, CA 95110
(408) 316-2696 cell (BEST NUMBER)
(408) 452-9300 ext 220 office (RINGS THRU TO CELL)



Re: 400 Surmont Dr and 200 Surmont (Cosentino)

message

Tue, Sep 15, 2020 at 1:54 P

'erence J. Szewczyk <terry@tscivil.com>
o: Ryan Safly <RSafly@losgatosca.gov>, pcosentino@msn.com
>c: "Terence J. Szewczyk" <terry@tscivil.com>, Mike Weisz <MWeisz@losgatosca.gov>, Sally Zarnowitz <SZarnowitz@losgatosca.gov>, Bob Hughes
:blidgworks@aol.com>, Joel Paulson <jpaulson@losgatosca.gov>

Ryan, This plan is still accurate. The short retaining wall is in the same place. There simply is no wiggle room there adjacent to the existing barricade, which is at the top of bank--hence the retaining wall.

Issue #1 is that when we precisely staked the critical property corner yesterday (which has never been staked for 42 years) it fell 3' further SW than I had estimated. This tightened up the clearance between the property corner and the top of bank.

However, per Issue #2, Paul Cosentino is right, I did shift the new curb alignment at the swale side about 2' toward the swale. Fortunately, this is not in an area where we are right up against the top of bank. The green is what I'd marked earlier and the purple is now accurate relative to the property corner.

The purple is consistent with the proposed plans and does not constitute a change to the top of bank setback. My green staking was inaccurate but corrected after we precisely set the critical property corner.

Best regards, Terry
Terence J. Szewczyk, P.E.
TS/CIVIL Engineering, Inc
1776 Technology Drive
San Jose, CA 95110
(408) 316-2696 cell (BEST NUMBER)
(408) 452-9300 ext 220 office (RINGS THRU TO CELL)

On Tue, Sep 15, 2020 at 1:02 PM Ryan Safly <RSafly@losgatosca.gov> wrote:

Hi Terry,

Thank you for the information. Can you confirm that the plans submitted on 8-4-20 are still accurate? Please see attached screenshot of the area in question. Is the proposed driveway location moving closer to the "aquatic feature"?

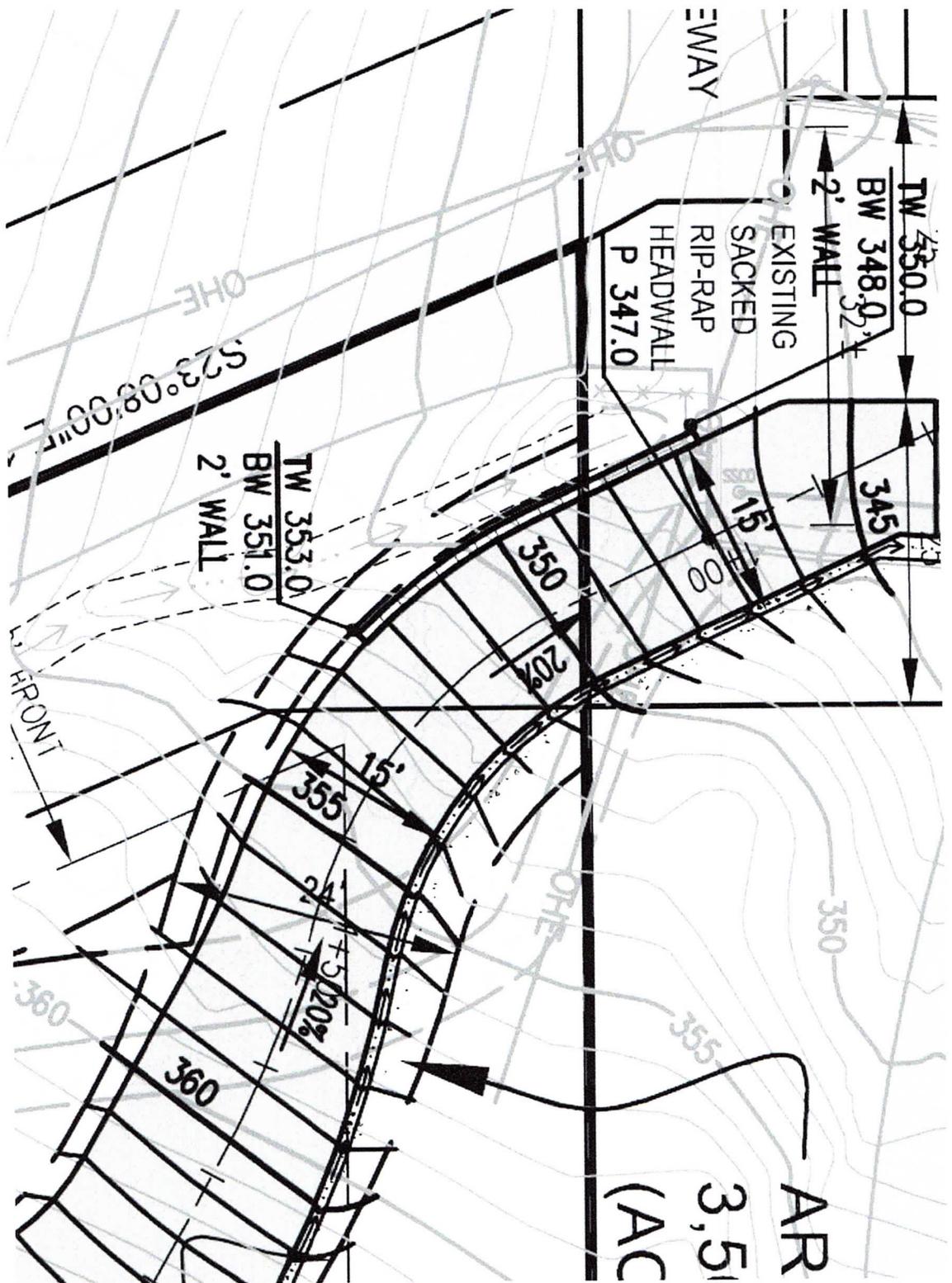
I spoke with the neighbor at 200 Surmont this afternoon who claims the driveway was moved closer to the aquatic feature.

Respectfully,

Ryan Safly

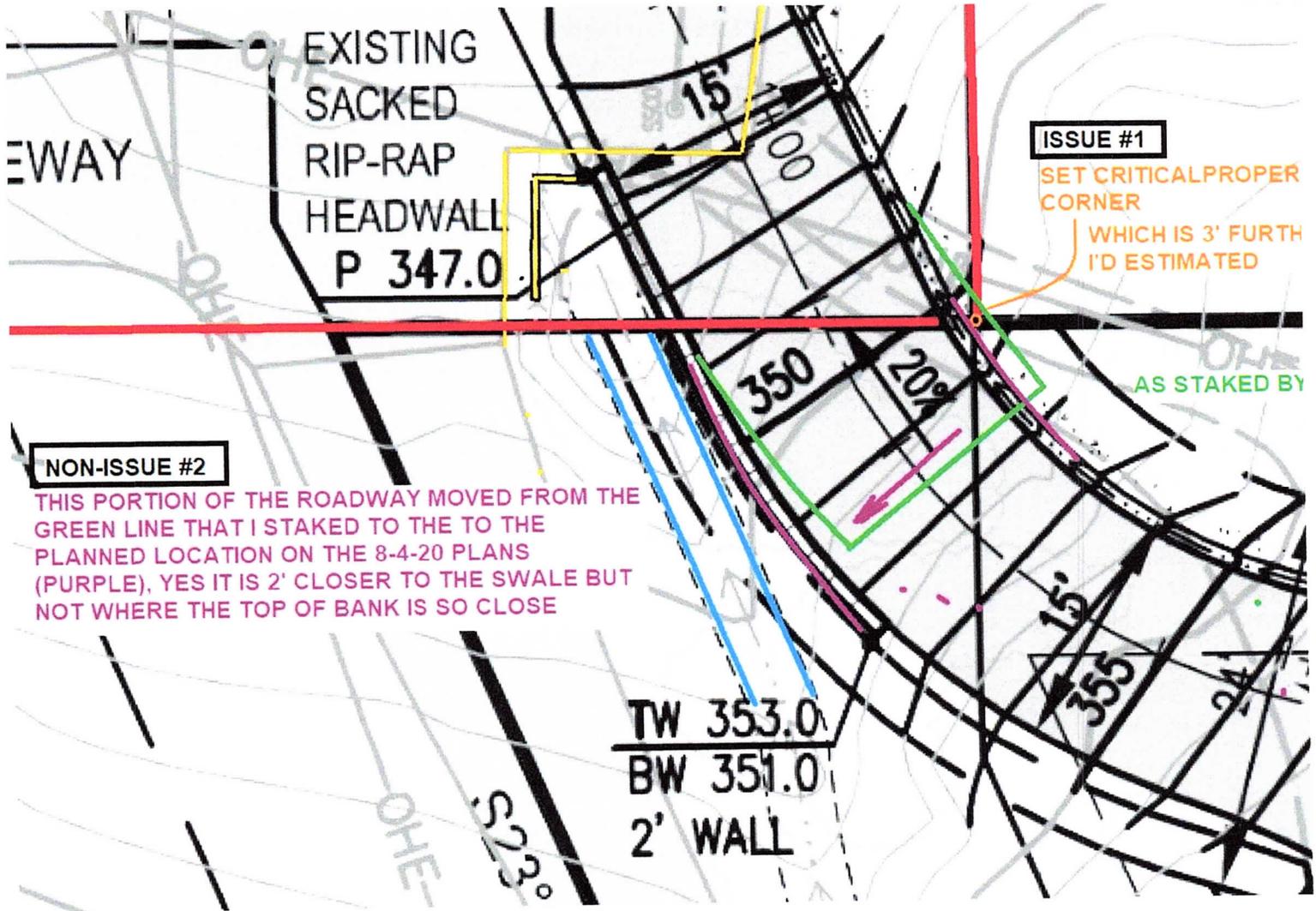
Associate Planner

Town of Los Gatos



From: Terence J. Szewczyk <tjerry@tscivil.com>
Sent: Monday, September 14, 2020 9:29 PM
To: Ryan Safty <RSafty@losgatosca.gov>; Mike Weisz <MWeisz@losgatosca.gov>
Cc: Sally Zarnowitz <SZarnowitz@losgatosca.gov>; Bob Hughes <blh@ingworks@aol.com>; pcosentino@msn.com
Subject: 400 Surmont Dr and 200 Surmont (Cosentino)

Ryan, I wanted to be sure to report our interaction with our neighbor Paul Cosentino. We had met a few weeks ago to review the mutual property line and the position of the new access road at the terminus of Surmont Dr. Bob Hughes agreed to accelerate the boundary survey for the project and our field crew had good results with finding the 1/4 section corner (our SE) at the top of the property which they tied to centerline Blossom Hill Road and then set the common line between Cosentino and Anderson and the terminus of the public street right of way at Surmont. Cosentino rec'd a free confirmation of their corners.



400 Surmont Dr and 200 Surmont (Cosentino)

1 message

Terence J. Szewczyk <terry@tscivil.com>

To: Ryan Safty <rsafty@losgatosca.gov>, Mike WEISZ <MWeisz@losgatosca.gov>

Cc: Sally Zarnowitz <SZarnowitz@losgatosca.gov>, Bob Hughes <bldngworks@aol.com>, pcosentino@msn.com

Ryan, I wanted to be sure to report our interaction with our neighbor Paul Cosentino. We had met a few weeks ago to review the mutual access road at the terminus of Surmont Dr. Bob Hughes agreed to accelerate the boundary survey for the project and our field crew had corner (our SE) at the top of the property which they tied to centerline Blossom Hill Road and then set the common line between Cosenti the public street right of way at Surmont. Cosentino rec'd a free confirmation of their corners.

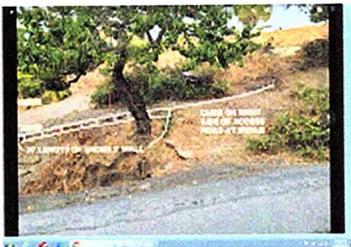
The true location shifted over some 2' from our previous understanding and we have adjusted the 15' access road in the filed to stay out for the world to see if you care to visit the site. We are still able to respect the swale area bank and will install, as previously planned, the stability at the start of the driveway on the swale side. Please recall that CDFW accepted our Streambed Alteration Agreement applicatio require said agreement due to a lack of impact.

We did also determine that the Cosentino wrought iron fence is about 3' off property line (into their property), which allows for a planting t and our future house on Parcel 1) for their privacy. They can plant and irrigate this on their own property without the need for an easemei

Attached are photos of what we staked and marked at the site and we shared the information with Paul Cosentino as it developed today. dated 8-24-20 is still valid.

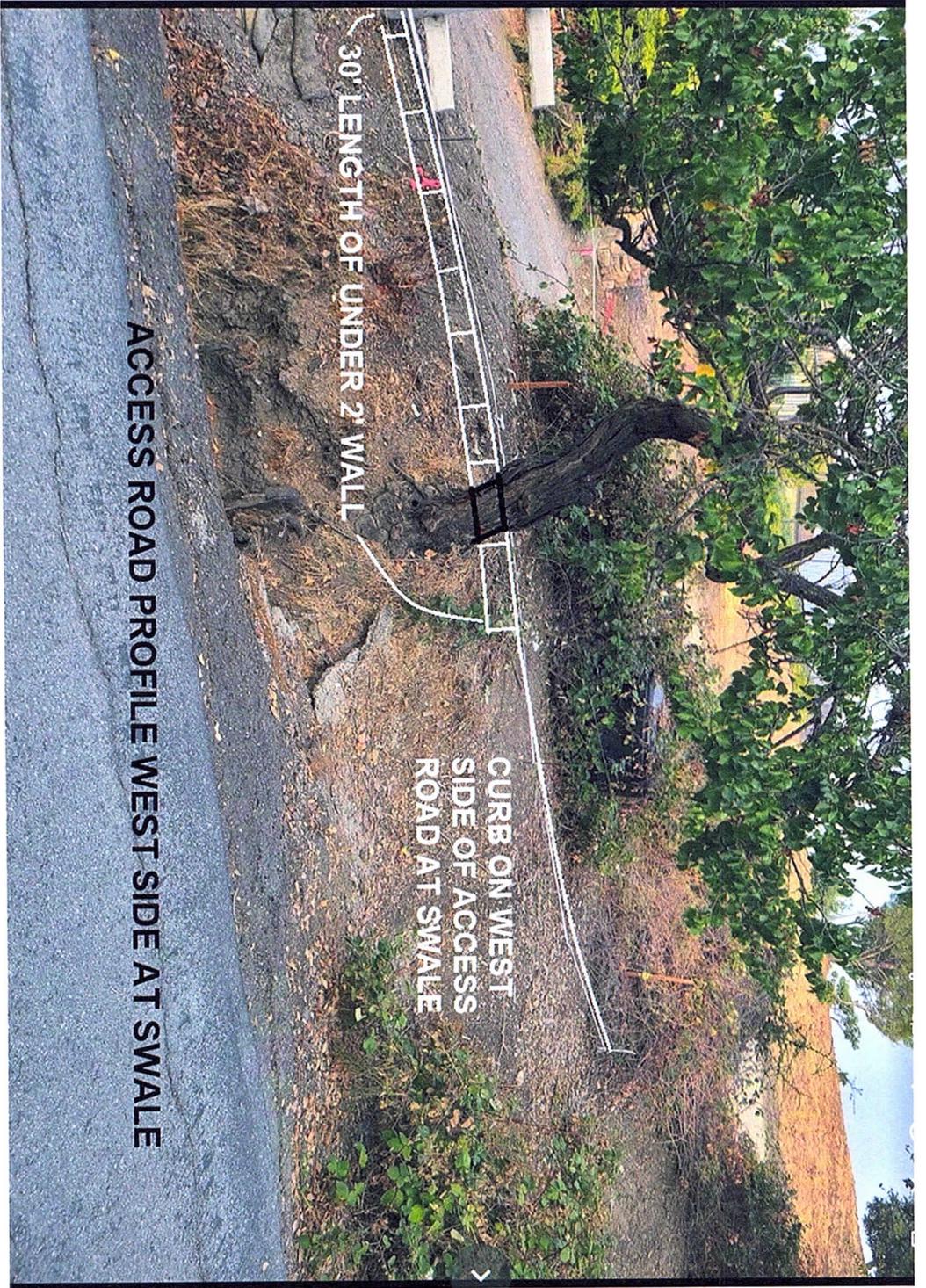
Best regards, Terry
Terence J. Szewczyk, P.E.
TS/Civil Engineering, Inc
1776 Technology Drive
San Jose, CA 95110
(408) 316-2696 cell (BEST NUMBER)
(408) 452-9300 ext 220 office (RINGS THRU TO CELL)

3 attachments



200914 WEST ACCESS RAOD PROFILE.jpg
668K

200824 16-233 200 Surmont Town GIS AND NEW ROAD.jpg
575K



SET CRITICAL
PROPERTY CORNER

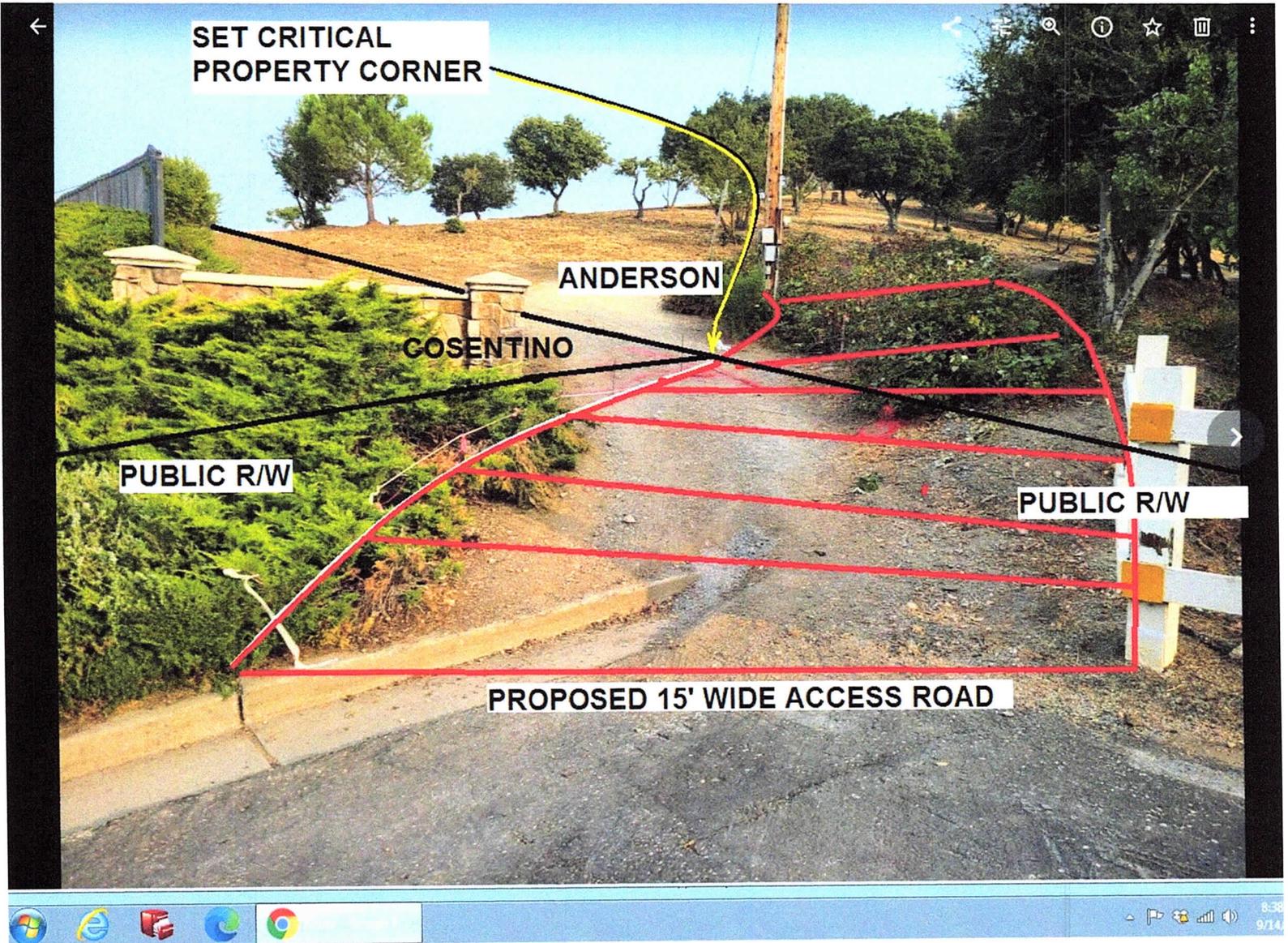
ANDERSON

COSENTINO

PUBLIC R/W

PUBLIC R/W

PROPOSED 15' WIDE ACCESS ROAD



3: Diane and Mike Michaelis, 303 Belgatos Lane
Email dated September 20, 2020

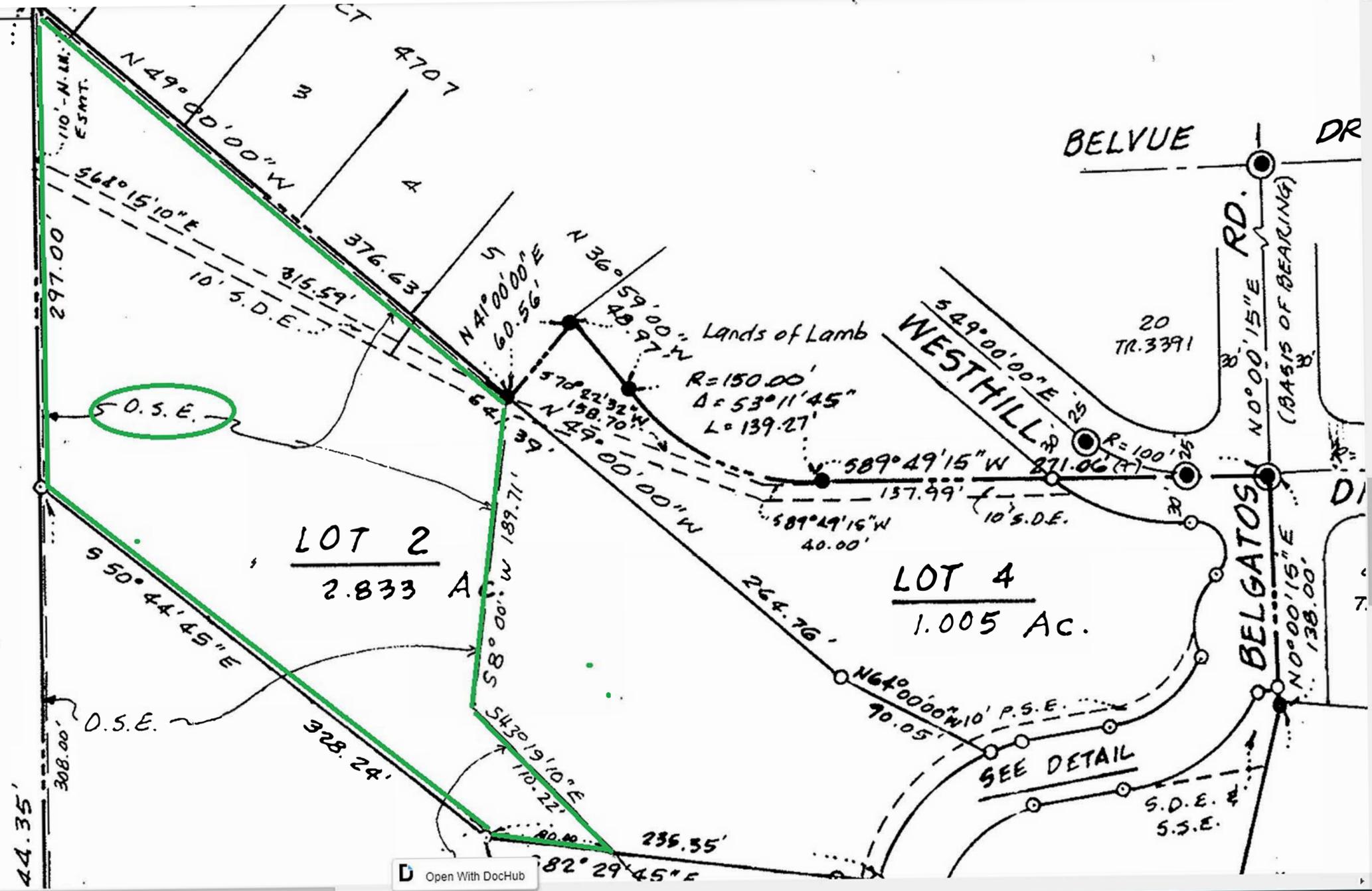
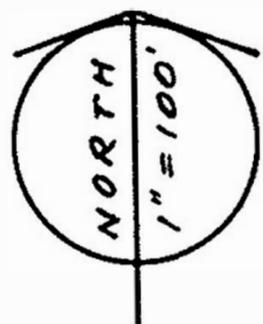
From: MikeDiane Email <mikedianemichaelis@gmail.com>
Date: September 20, 2020 at 3:41:58 PM PDT
To: rsaftey@losgatos.gov
Cc: PlanningComment@losgatosca.gov
Subject: **400 Surmont Drive**

Hi Ryan,

Our property (APN 527-26-009) includes a 1.83 acre Open Space Easement, serving as a hillside view corridor, which borders the eastern property line of the proposed new subdivision lots.

One concern we have is fire safety and compliance with the Santa Clara County Weed Abatement Program. A 10 foot wide concrete storm drainage easement beginning at the property line shared with the new lots, separates an area of this Open Space (shown on page C-2 , lot layout plan). In order for tractor access to mow this area it has always been necessary to cross this property line and we will need to assure the ability to do so in the future.

Thank you,
Diane and Mike Michaelis
[303 Belgatos Lane](#)
408-656-5999



Type here to search



Desktop 9:40 AM 9/21/2020

Basic Tools

Layers

Filter Layers... Filter

- Streets
- Freeway
- Expressway
- Arterial
- Collector
- Local
- Private
- Alley
- Ramp
- Trails
- Parcels
- Restaurants
- Zoning Layers
- Base Maps
 - Topographic Contours
 - Aerial
 - Adjacent Cities



Quick Picks...

☆ Parcel No. 527 26 009

Site Address: [303 Belgatos Ln Los Gatos 95032](#)

Zoning: [HR-2 1/2](#)

Land Use: Hillside Residential

Is a Historic Site?: No

Year Built: 1900

Flood Zone: X Flood Map: 0381

Street Sweeping Route: T2 (Week1 Thursday)

Is Within Wildland Urban Interface?: Yes WUI Zone Name:

[Add to Results](#)

OWNER'S CERTIFICATE

I HEREBY CERTIFY THAT:

- A. I am the only party having any record title interest in the real property included within the distinctive border line shown on this map.
- B. I hereby consent to the making and recording of this map.

I HEREBY OFFER TO DEDICATE:

- 1. All streets and portions thereof shown on this Map.
- 2. Easements for construction, maintenance, and access to any and all public service facilities including poles, wires, conduits, storm sewers, sanitary sewers, and gas, water and heat mains, and all public utilities and all appurtenances under, on, or over those certain strips of land designated as "P.S.E." (Public Service Easement). Said public service easements to be kept open and free from buildings and structures of any kind except public service structures, irrigation systems and appurtenances thereto, lawful fences and all lawful overhangs.
- 3. Easements for construction, maintenance and access to storm drainage and sanitary sewer facilities under, on, or over those certain strips of land delineated and designated as "S.D.E." (Storm Drainage Easement) and "S.S.E." (Sanitary Sewer Easement), respectively. Said easements shall be kept open and free from buildings and structures of any kind except lawful fences, irrigation systems and appurtenances, storm drainage and sanitary sewer structures and appurtenances thereto.
- 4. Easements for construction, maintenance and access to a pedestrian-equestrian trail on or over those certain strips of land delineated and designated as "P.-E.T.E." (Pedestrian - Equestrian Trail Easement).
- 5. Easements for regular use by emergency and public utility vehicles, and in times of emergency, for all vehicular use by the general public on or over those certain strips of land delineated and designated as "E.A.E." (Emergency Access Easement).
- 6. Easements for light and air on or over those certain areas delineated and designated as "O.S.E." (Open Space Easements).

AS OWNER:

Elda Das
ESMARALDA DAS

AS TRUSTEE:

SARATOGA SERVICE CORPORATION,
A CALIFORNIA CORPORATION

Warren G. McDonald
WARREN G. McDONALD EXEC. VICE PRES

Marc Ely
MARC ELY, VICE PRESIDENT

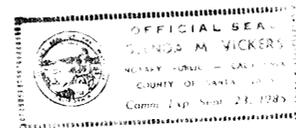
ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF Santa Clara) ss

On this 13th day of September, 1985, before me, the undersigned notary public in and for said State, personally appeared ESMARALDA DAS known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same, AS OWNER.

Shonda M. Vickers
NOTARY PUBLIC

9-23-85
My Commission Expires



TOWN ENGINEER'S CERTIFICATE

This map conforms with the requirements of the Subdivision Map Act and local ordinance. All streets and easements shown upon said map and thereon offered for dedication are hereby accepted for purposes for which they are offered, pursuant to the authority conferred by Section 2-7, subsection (b) of the Code of the Town of Los Gatos, and further certifies, pursuant to Section 66511.1 of the Government Code that certain off-site and on-site improvements are required to be installed as a Condition of Approval of Proceeding No. M-76-35D, approved by the Town of Los Gatos Planning Commission on 4-24-85.

Date: 9-20-86

Ronald J. Zapp
RONALD J. ZAPP
Town Engineer
R.C.E. No. 25156

ATTEST:

Date: 9-20-85

Rose E. Aldag
TOWN CLERK OF THE TOWN OF LOS GATOS

ACKNOWLEDGEMENT

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On this 20 day of September, 1985, before me Jennifer Thomas, a Notary Public in and for said County and State, personally appeared Warren G. McDonald known to me (or proved to me on the basis of satisfactory evidence) to be the Exec. Vice-President and MARC ELY known to me (or proved to me on the basis of satisfactory evidence) to be the Vice-President of the Corporation that executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors as TRUSTEE.

In WITNESS whereof I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written. My Commission expires 10-18-88
Jennifer Thomas, Notary Public in and for said County and STATE



PARCEL MAP

CONSISTING OF TWO (2) SHEETS,
BEING A PORTION OF THE
S.E. 1/4, SECTION 13, T.9S., R.1W., M.D.B. & M.
AND LYING ENTIRELY WITHIN THE TOWN OF

LOS GATOS,
Scale: 1" = 100'

CALIFORNIA
FEBRUARY, 1985

RILEY ASSOCIATES
Consulting Civil Engineers
Campbell, California

Sheet 1 of 2

ENGINEER'S CERTIFICATE

This map was prepared by me or under my direction and is based upon a field survey in conformance with the requirements of the Subdivision Map Act and local ordinance at the request of Esmaralda Das in February, 1985. I hereby state that this parcel map substantially conforms to the approved or conditionally approved tentative map, if any.



James F. Riley
JAMES F. RILEY, R.C.E. No. 9895

RECORDER'S CERTIFICATE

File No.: 8535538 Fee: \$ 8.00 Paid

Accepted for record and filed in Book 549 of Maps at Pages 28 and 29, Santa Clara County Records, this 20 day of SEPTEMBER, 1985, at 2:45 P.M. at the request of James F. Riley

Laurie Kane, Recorder
Santa Clara County, California

By: Jurgene Cator
Deputy

549
28+
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28

PARCEL MAP

CONSISTING OF TWO (2) SHEETS,
BEING A PORTION OF THE
S.E. 1/4, SECTION 13, T.9S., R.1W., M.D.B. & M.
AND LYING ENTIRELY WITHIN THE TOWN OF

LOS GATOS, CALIFORNIA
Scale: 1" = 100'
FEBRUARY, 1985

RILEY ASSOCIATES
Consulting Civil Engineers
Campbell, California

Sheet 2 of 2

BASIS OF BEARINGS

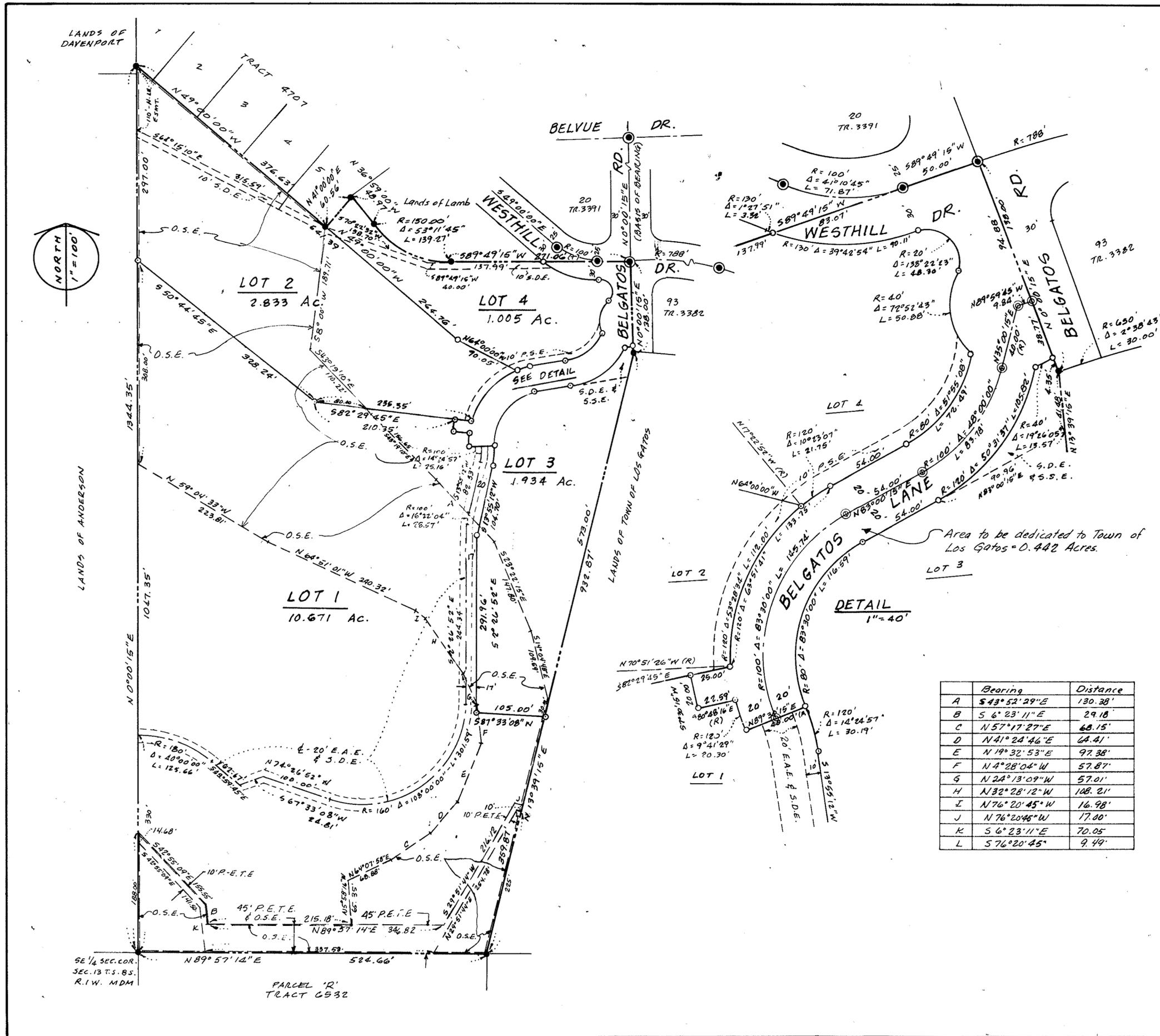
The bearing N 0° 00' 15" E of the centerline of Belgatos Rd. as shown on Tract No. 3391, recorded in Book 164 of Maps at page 49, Santa Clara County Records, was taken as the basis of bearings shown on this map.

NOTES AND LEGEND

All distances and dimensions shown are in feet and decimals thereof.
The distinctive border indicates the boundary of land subdivided by this map.
The area within the distinctive border is 16.885 Acres.

- ⊙ Monument Set
- ⊙ Monument Found
- Iron Pipe Set
- Iron Pipe Found, or as noted
- Centerline
- Lot Line
- - - Distinctive Border Line
- P.S.E. Public Service Easement
- S.S.E. Sanitary Sewer Easement
- S.D.E. Storm Drain Easement
- O.S.E. Open Space Easement
- E.A.E. Emergency Access Easement
- P-E.T.E. Pedestrian-Equestrian Trail Easement
- - - Easement Line

	Bearing	Distance
A	S 43° 52' 29" E	130.38'
B	S 6° 23' 11" E	29.18'
C	N 57° 17' 27" E	68.15'
D	N 41° 24' 46" E	64.41'
E	N 19° 32' 53" E	97.38'
F	N 4° 28' 04" W	57.87'
G	N 24° 13' 09" W	57.01'
H	N 32° 28' 12" W	108.21'
I	N 76° 20' 45" W	16.98'
J	N 76° 20' 45" W	17.00'
K	S 6° 23' 11" E	70.05'
L	S 76° 20' 45" W	9.49'



85 35538 9/20/85 2:45 PM

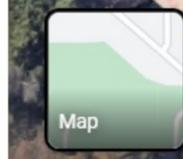
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28+
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303 Belgatos Ln
Los Gatos, CA 95032

- Directions
- Save
- Nearby
- Send to your phone
- Share

- 63JH+PF Los Gatos, California
- Suggest an edit on 303 Belgatos Ln
- Add a missing place
- Add your business
- Add a label



4: Armin Ebrahimi, 307 Belgatos Lane
Email of neighbor response form dated September 21, 2020

From: Armin Ebrahimi <armingebrahimi@gmail.com>
Sent: Monday, September 21, 2020 11:28 AM
To: Ryan Safty <RSafty@losgatosca.gov>
Subject: Sandy Anderson subdivision - 400 Surmont Drive, Los Gatos

Hi Ryan,

This is Armin Ebrahimi at the adjacent property to Sandy Anderson's (307 Belgatos Lane). I am attaching my approval and support for her subdivision. Please let me know if you have any questions.

Best,
Armin

Armin Ebrahimi, PhD
armingebrahimi@gmail.com
408-836-6012



THE BUILDING WORKS
A CORPORATION

A TRADITION OF QUALITY AND VALUE.
CA, UC #442850

August 12, 2020

TO: RYAN SAFTY
Associate Planner
Town of Los Gatos

FROM: Ebrahimi Armin
307 Belgatos Lane
Los Gatos, CA 95032-5000

SUBJECT: Proposed Minor Subdivision – 2 new lots at 400 Surmont Drive

I/We have reviewed the information provided by Mr. Hughes regarding the above noted subdivision of Sandy Anderson's property and have no objections to their effort to gain approval to subdivide the property and we support their endeavors.

I/We have reviewed the information provided by Mr. Hughes regarding the above noted subdivision of Sandy Anderson's and object to their efforts to gain approval to subdivide the property and cannot support their endeavors.

Our issues with the project are:

I am supportive of Sandy Anderson's subdivision and feel that she has a right to subdivide and build on her property

Respectfully Submitted

Armin Ebrahimi



5: Christian Y. Tanimoto, Jr., 147 Westhill Drive
Email dated September 21, 2020

From: Planning Comment <PlanningComment@losgatosca.gov>
Sent: Monday, September 21, 2020 4:32 PM
To: Ryan Safty <RSafty@losgatosca.gov>; Sally Zarnowitz <SZarnowitz@losgatosca.gov>
Subject: Fwd: 400 Surmont Drive Subdivision Application M-19-003.

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From: Chris Tanimoto Jr. <tanimotojr@comcast.net>
Sent: Monday, September 21, 2020 3:53:10 PM
To: Planning Comment <PlanningComment@losgatosca.gov>
Subject: 400 Surmont Drive Subdivision Application M-19-003.

To: Development Review Committee(DRC)

Subject: Engineering Geologic Investigation

A potentially active fault crosses the southwest corner of the subject property. Consequently, a building set back zone is recommended as depicted on Figure 9, Site Geologic Map. An un-named fault has been mapped about 200 feet to the southwest and the active Blossom Hill fault is located about 1400 feet to the southwest.

It is reasonable to assume that the proposed residences will be subjected to moderate to strong shaking from a major earthquake on the Blossom Hill fault, or one of the other active or potentially active faults in the Bay Area during the design life of the structures.

FINDINGS

It is my opinion that the potential hazard from fault rupture, land sliding, liquefaction, ground subsidence, lateral spreading, tsunamis, seiches, or flooding to the proposed residences, is very low to minimal, provided construction does not occur within the recommended building setback zone.

From a safety, health and transparency aspect, the DRC should include in their affirmative findings "That the site is physically suitable for the type of development" to include the requirement that any potential buyers of these two properties be disclosed that there is an un-named fault mapped about 200 feet to the southwest with a recommended building setback zone and be provided with a copy of the Geologic Investigation for full disclosure.

Thank you,

Christian Y. Tanimoto, Jr.
[147 Westhill Dr.](#)
[Los Gatos, CA 95032](#)



November 21, 2019
Project #1909

Mr. Bob Hughes
400 Surmont Drive
Los Gatos, CA 95032

Subject: **PLAN REVIEW**
Proposed Residence, Parcel 2
APN 527-20-003
400 Surmont Drive
Los Gatos, California

Dear Mr. Hughes,

At your request, I have prepared this plan review letter for the proposed residence to be constructed on the proposed southern Parcel 2 of your property, APN 527-20-003, located at 400 Surmont Drive in Los Gatos, California.

I previously completed an Engineering Geologic Investigation for the project, dated May 18, 2019. As part of that investigation, I identified a potentially active earthquake fault on the western side of the southern parcel and recommended a building setback zone from the fault. Based upon email communications with Mr. Bob Wright, the Town's Reviewing Geologist, a more extensive 50-foot building setback is required by the Town.

I have reviewed the attached working drawing prepared by your Civil Engineer, Mr. Terry Szewczyk of TS Civil Engineering, showing the proposed residence and attached garage 50 feet away from the fault trace identified in my study. This location is acceptable, in my opinion. Mr. Wright also reviewed the drawing and approved the proposed footprint.

Thank you for the opportunity to prepare this plan review letter. Please call if you have any questions regarding this letter.

Sincerely,

Steven F. Connelly
Certified Engineering Geologist 1607

Copies: 4 - Mr. Hughes
 1 - TS Civil Engineering

Attachment: Working Drawing by TS Civil Engineering



6: Katrina Brinkman, 308 Belgatos Lane
Email dated September 21, 2020

----- Forwarded message -----

From: Terence J. Szewczyk <terry@tscivil.com>
Date: Tue, Sep 22, 2020 at 8:59 AM
Subject: Re: Fw: 400 Surmont Drive Subdivision
To: Ryan Safty <RSafty@losgatosca.gov>
Cc: Bob Hughes <bldngworks@aol.com>, Terence J. Szewczyk <terry@tscivil.com>

we are doing an open space esmt along the swale and might consider something with the A&s apps for each house. The remainder will be dealt with in the future if it ever does change/intensify/subdivide.

Best regards, Terry
Terence J. Szewczyk, P.E.
TS/Civil Engineering, Inc
[1776 Technology Drive](#)
San Jose, CA 95110
(408) 316-2696 cell (BEST NUMBER)
(408) 452-9300 ext 220 office (RINGS THRU TO CELL)

On Tue, Sep 22, 2020 at 8:25 AM Ryan Safty <RSafty@losgatosca.gov> wrote:

FYI - additional public comment.
-Ryan

From: Planning Comment <PlanningComment@losgatosca.gov>
Sent: Monday, September 21, 2020 9:25 PM
To: Ryan Safty <RSafty@losgatosca.gov>; Sally Zarnowitz <SZarnowitz@losgatosca.gov>
Subject: Fwd: 400 Surmont Drive Subdivision

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From: Katrina Brinkman <kmbrinkman@gmail.com>
Sent: Monday, September 21, 2020 9:02:05 PM
To: Planning Comment <PlanningComment@losgatosca.gov>
Subject: 400 Surmont Drive Subdivision

Hello---I have a few questions for the town officials re: [400 Surmont Drive Subdivision](#).

There was mention that there might be an Open Space Easement Implementation (which the other nearby subdivisions of HR 2 1/2 homes already have--see Belgatos Lane for example). This appears to be deferred at this time.

1. At what point would that be set up---upon selling of the remainder upper site or additional division? Please clarify as it is vague. This sets a future precedent for the parcel next door to 400 Surmont.

2. Reason for not dedication at this time, as your guidelines below show that it would be set up at time of subdivision.

See 4.3 and 4.4 of
<https://www.losgatosca.gov/1151/40-Open-Space>

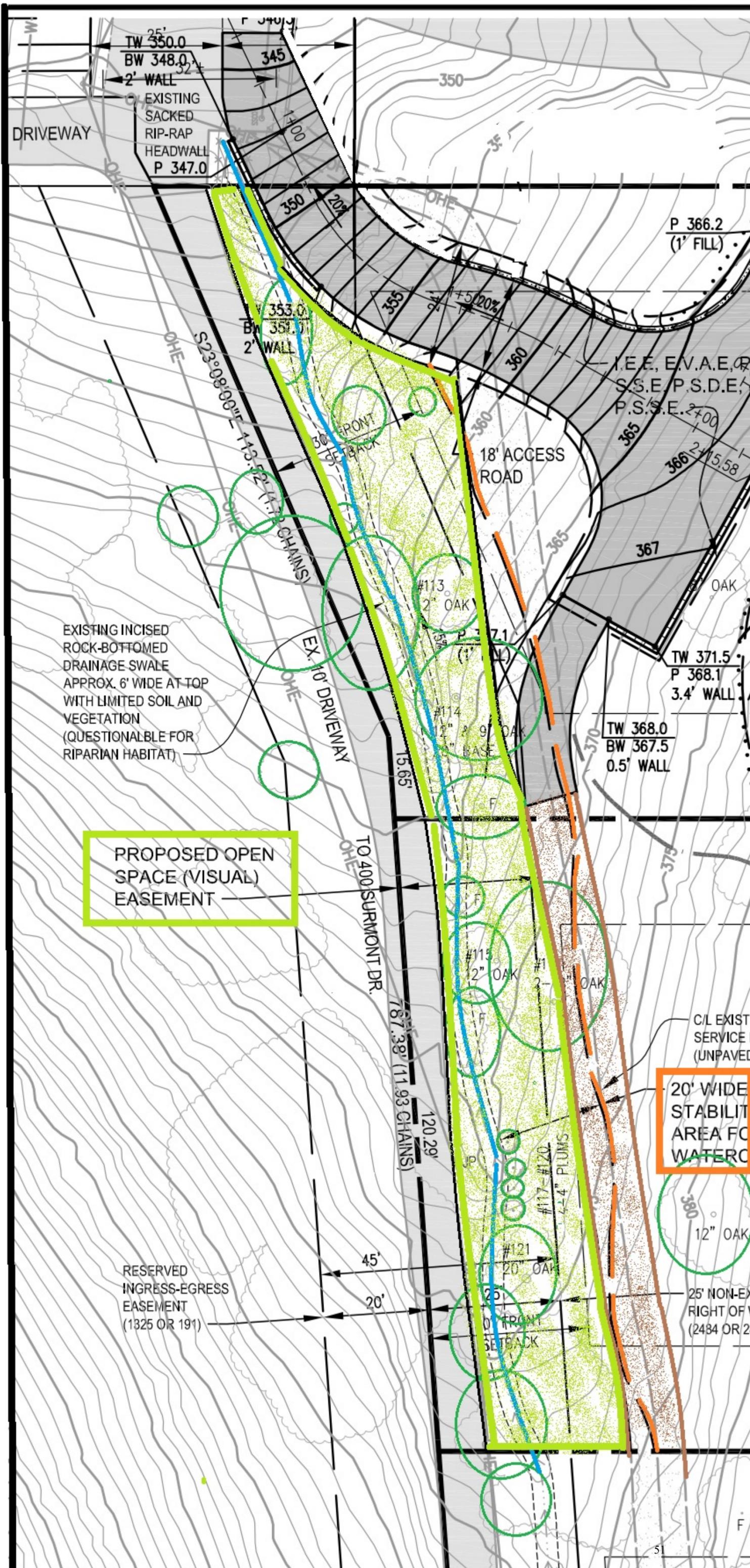
"Open space easements shall be required by the deciding body for hillside subdivisions in accordance with the topographical, ecological, aesthetic and other conditions pertinent to the making of such easements."

and

"Open space easement policies shall be implemented for each subdivision or Planned Development application to protect creeks, ridgelines, stands of trees, scenic views, hazardous areas, and to provide for trails."

Thank you

Katrina Brinkman
308 Belgatos Lane
Los Gatos, CA 95032
408 691 3294



EXISTING INCISED
ROCK-BOTTOMED
DRAINAGE SWALE
APPROX. 6' WIDE AT TOP
WITH LIMITED SOIL AND
VEGETATION
(QUESTIONABLE FOR
RIPARIAN HABITAT)

PROPOSED OPEN
SPACE (VISUAL)
EASEMENT

20' WIDE
STABILITY
AREA FOR
WATER

RESERVED
INGRESS-EGRESS
EASEMENT
(1325 OR 191)

C/L EXIST
SERVICE
(UNPAVED)

25' NON-EX
RIGHT OF
(2484 OR 2)

**7: Development Review Committee Hearing
September 22, 2020, Terry Szewczyk Notes**

400 Surmont Public Testimony Taken

DRC Hearing -- September 22, 2020

Continue to date certain October 6

TJS opened and offered two week continuance.

Public Comments:

1. Edward (No Address) Surmont Ct?

- Drainage by Summerhill did not work.
- What about future subdivision of Bate?

TJS Replies: New C.3 Drainage Standards since Summerhill require on-site peak storm detention (Headwall and culvert has failed only once according to Bob Hughes and that was due to debris).

2. Eva Fleischer

- No building should be allowed due to fire hazard.
- HR 2 ½ Zoning should allow only 1 lot and not 2
- Wildfire Patterns

TJS Replies:

- Both houses will have fire department turnouts and fire sprinklers. Access road is also an FDT. Additional fire hydrants enhance fire protection.
- Zoning allows 15 AC/3 AC/Lot = 5 units. Any lot can be 40,000. We did 1.3 AC.
- Wildlife issues -- no impact per HT Harvey -- this is between oak woodland areas.

3. Paul Cosentino:

- Drainage flow concern -- he had to do v-ditch on his lot
- Access road directly at swale -- safety issues.
- Asphalt paving will enter his property -- he measured it himself at 12' wide.
- Encroachment on this area -- removing 12' of curb and gutter.

TJS Replies:

- We are doing C3 detention systems to mitigate new runoff. Might consider v-ditch if needed.
- New retaining wall will replace barricade to create hard edge and slope stability at swale -- will add railing at top of wall.
- Both edges of pavement for 15' access road are staked in the field. No asphalt will enter his property.
- Access road is within unimproved Town street right of way and will not enter Cosentino property.

8: The Fleishcer Family
Email dated September 22, 2020

Dear Development Review Committee,

We would like to comment on the proposed re-zoning of the property at 400 Surmount Drive.

We don't support subdividing the 400 Surmount Drive property into parcels any smaller than complying with HR-2 1/2 zoning.

We would like the project to have proper justification that considers not only the benefits to the landowner but to the whole neighborhood and town.

We have the following concerns:

- Negative impact on the character of the neighborhood and town of Los Gatos (impact on wildlife, views, noise, water, property values, attractiveness of the neighborhood, etc.)
- Negative environmental impact on wildlife in the Open Space
- Fencing off of the entire new parcel should not be allowed as it would disrupt wildlife migration patterns
- Watershed impact
- Access to the ephemeral streams by wildlife
- Increased impact on fire hazard (especially related to wildfires that are exacerbated by building into open spaces, forests, and any areas beyond currently urbanized areas)
- Introduction of non-native plants and lack of monitoring
- The biological/ecological evaluation appears to be thorough, however, full year-round evaluation of the ecology of the region was not accomplished.
- The proposed additional environmental evaluation prior to project commencement ("pre-construction survey") should be done before the subdivision hearing and not just before construction. The proposed timing of the additional evaluation is inadequate.

Respectfully,
The Fleischer Family
197 Wetshill Drive

Response to "new" comments above:

- Fencing of new parcels -- It is common knowledge that 6' chainlink or redwood fences do not interfere with deer circulation. The Town has open fencing details for hillsides that require a wood frame with chicken wire. The bottom of the fence is set 6" above ground to allow for small animal movement.
- Access to ephemeral stream by wildlife -- An open space easement is proposed at the stream to outlaw any fencing or loss of wildlife access.
- Introduction of non-native plants -- All landscaping is required by the Town to be native plant species.
- Full year-round evaluation of ecology -- This simply is not required under CEQA. Rather, seasonally sensitive periods such as nesting are defined with appropriate restrictions on construction activities.
- Pre-Construction survey timing -- The site wildlife surveys have been done to date and pre-construction is a standard requirement to address present site conditions at the time under CEQA and CDFW Code.



9: Ed Laveroni, 180 Surmont Ct.
Email dated September 22, 2020

On Tue, Sep 22, 2020 at 1:12 PM Ryan Safty <RSafty@losgatosca.gov> wrote:

As promised.

-Ryan

From: Planning Comment <PlanningComment@losgatosca.gov>

Sent: Tuesday, September 22, 2020 10:51 AM

To: Ryan Safty <RSafty@losgatosca.gov>; Sally Zarnowitz <SZarnowitz@losgatosca.gov>

Subject: Fwd: 400 Surmont Drive

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From: Edward Laveroni <ejpjl@comcast.net>

Sent: Tuesday, September 22, 2020 9:16:02 AM

To: Planning Comment <PlanningComment@losgatosca.gov>

Cc: Chris Tanimoto Jr <tanimotojr@comcast.net>

Subject: [400 Surmont Drive](#)

Planning commissioners,

If the Anderson property development is allowed to go forward, does that mean that the Bates will be able to build on their property? The only problem they had in the past, from what I heard, is that they had only one entrance and not an exit.

Respectfully,

Ed Laveroni
[180 Surmont Ct.](#)

Response:

At the CDAC meeting in January of 2019, TS/Civil stated that due to the higher average slope of 37% the area per unit required is 3.95 acres. Consequently, the Bate property is only divisible into 3 lots under HR - 2 1/2 zoning ($12.28\text{AC}/3.95\text{ AC/DU} = 3.1\text{ DU's}$). However, there are only 2 building sites on land under 30%.



December 19, 2018

Job No: 16-233

Sally Zarnowitz, Planning Manager
Town of Los Gatos
Planning Department
110 East Main Street
Los Gatos, CA 95030

Subject: Phase One – Minor Subdivision of 400 Surmont Drive
Lands of Anderson, Town of Los Gatos

Dear Sally,

Thank you for the informal review comments to date from Director Joel Paulson and yourself regarding the ultimate subdivision of this 15.1 acre foothill site. We include with this application the ultimate development scheme that was previously discussed on both the Anderson and adjoining Bate 12.3 acres. These maps were utilized to determine the maximum lot yield on both parcels and the required roadway extension for proper traffic circulation.

While there is theoretically potential for 8 lots, 6 lots appear more reasonable given slope constraints. We also intend to provide generous visual open space from the 500 elevation upwards.

With the access now resolved, subject of course to further review, we propose a Phase One subdivision of Anderson for 2 lots on 2.7 acres clustered at the bottom of the property. The balance of the site will be a “designated remainder” that may or may not be subdivided in the future.

Below we highlight how the Phase One project complies with the intent of the Hillside Specific Plan. The sections referenced can be found within the HSP document.

1.4 Land Use/ Implementation

1. These plans are significantly detailed for staff to assess the project impacts.
2. NA
3. The two lots are clustered at the lowest elevation on the property and lots sizes are generally larger than the 40,000 SF minimum. Public sewer and public water are immediately available in Surmont Drive and only a 100 foot roadway extension is

- needed to provide primary and emergency access.
4. Architecture and the Site Approval will be submitted after subdivision.
 5. Secondary units will be considered. Note that the HSP formerly discouraged secondary units until 2016.
 6. Sub-Area 1 – Blossom Hill Road. The lots proposed are consistent with the anticipated lot yield as depicted within the EIR for the HSP. The lot density is consistent with Sub-Area 1 of 2.5 to 10 acres per dwelling unit.

2.4 Facilities – Services/Implementation

1. Public sewer and public water are immediately available.
2. Staged development of improvements will be provided by construction of 24' of the future 28' roadway. The cul de sac shall be fully installed with Phase One for fire safety.

3.4 Circulation/Implementation

8. The proposed cul de sac will not exceed 800' in length.
9. Road width will be 24' interim and 28' ultimate for a mountain collector.
10. Maximum gradient will be 15% and there will be no substandard horizontal curves.
11. Parking will be provided for 2 covered and 4 additional vehicles on-site.
- 12.-18. The project will comply with all these roadway standards.

4.4 Open Space Implementation

1. Open space easements would be deferred at this time due to the “designated remainder” status of the upper site. However the owner would dedicate open space and trail easements as appropriate with Phase Two.

5. Safety/Implementation

1. The project will be subject to intense geologic and geotechnical review for landslides and earthquake fault traces. The Town's peer review geologist will also be engaged.
2. Fire Protection – All structures will be fitted with automatic fire sprinklers and the San Jose Water Company system should be capable of providing 1500gpm for 2 hours based upon water system improvements from Summerhill Blossom (2001) and recent (2015) main replacement in Surmount Drive.

We have worked with the Hillside Specific Plan for 35 years and find the document to be excellent in its clear intent with design standards that create clustered lots served by optimal infrastructure. This property in particular results in the placement of low visibility residences at the current suburban edge of development. We look forward to additional comments from the CDAC meeting on January 8, 2019.

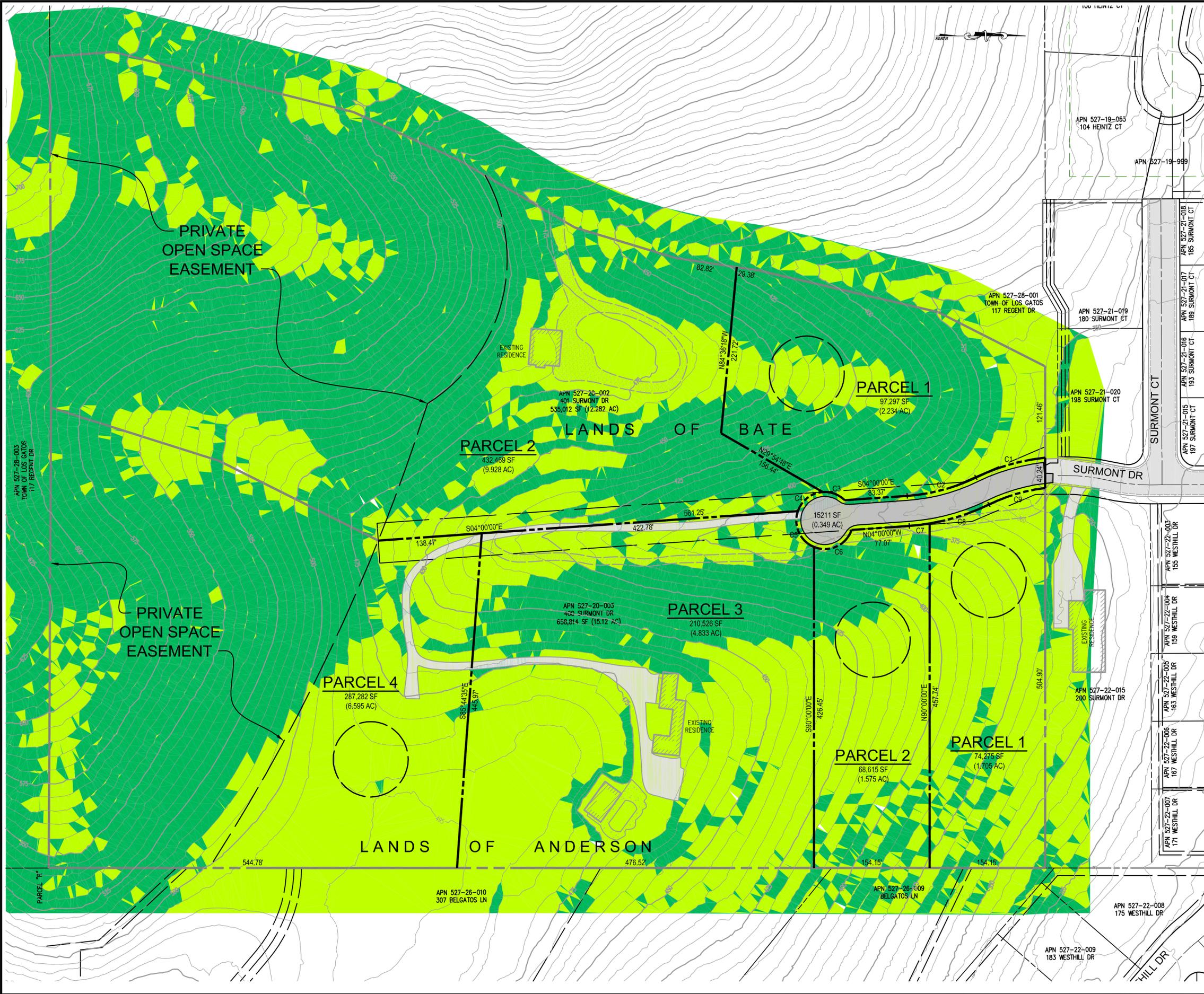
Job No. 16-233
Page 3 of 2
December 19, 2018

Sincerely,

A handwritten signature in black ink, appearing to read "Terence J. Szewczyk". The signature is fluid and cursive, with the first name "Terence" being the most prominent part.

TS/CIVIL ENGINEERING, INC.
Terence J. Szewczyk, P.E. C35527
Principal Engineer

DISCLAIMER: TS CIVIL ENGINEERING, INC. ONLY ACKNOWLEDGES ORIGINAL SIGNED AND STAMPED PLANS AND DRAWINGS. NO RESPONSIBILITY OR LIABILITY IS EXPRESSED OR IMPLIED FOR ELECTRONIC DATA AND/OR REPRODUCED PLANS AND DRAWINGS.



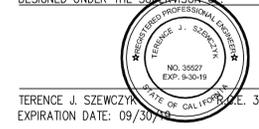
LEGEND

- EX. PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - STREET CENTER LINE
 - BUILDING SETBACK LINES
 - EX. EASEMENT
 - EX. ROAD
 - EX. CONTOUR MAJOR
 - EX. CONTOUR MINOR
 - EX. DRIVEWAY
 - PROP. PROPERTY LINE
 - PROP. CONTOUR MAJOR
 - PROP. CONTOUR MINOR
 - PROP. DRIVEWAY
 - PROP. BUILDING
 - PROP. CONCRETE
- 530
534
- 530
534
- POTENTIAL BUILDING SITE
- OR TO 30%
- MORE THAN 30%

CURVE TABLE

NUMBER	RADIUS	LENGTH	TANGENT	DELTA
C1	275.00	96.54	48.77	20°06'53"
C2	250.00	95.51	48.35	21°53'24"
C3	38.00	32.41	17.26	48°51'38"
C4	38.00	44.27	25.03	66°45'02"
C5	38.00	57.90	36.25	87°18'04"
C6	38.00	61.48	39.83	92°41'56"
C7	290.00	27.38	13.70	5°24'36"
C8	290.00	83.41	42.00	16°28'48"
C9	235.00	78.45	39.59	19°07'38"

DESIGNED UNDER THE SUPERVISION OF:



TERENCE J. SZEWCZYK
EXPIRATION DATE: 09/30/2019



TS CIVIL ENGINEERING, INC.
1776 TECHNOLOGY DRIVE
SAN JOSE, CA 95110
PH: 408.452.9300
FAX: 408.837.7550

TS CIVIL ENGINEERING

30% SLOPE EXHIBIT
400 SURMONT DR
LOS GATOS, CA 95032
APN 527-20-003

NO.	DATE	BY	REVISIONS
6			
5			
4			
3			
2			
1			

DATE: 10-24-18
SCALE: 1"=60'
DRAWN BY: DKH
SURVEYED BY:
PROJ ENGR: TJS
CHECK BY: TJS
SHEET NO.
X-2
OF 2 SHEETS
JOB NO.
16-233

10. Diane and Mike Michaelis, 303 Belgatos Lane
Email dated Sept 22, 2020

----- Forwarded message -----

From: **Terence J. Szewczyk** <terry@tscivil.com>

Date: Wed, Sep 23, 2020 at 9:08 AM

Subject: Re: Fw: **400 Surmont Drive**

To: Ryan Safty <RSafty@losgatosca.gov>

Cc: Terence J. Szewczyk <terry@tscivil.com>, Bob Hughes <bldngworks@aol.com>, Sally Zarnowitz <SZarnowitz@losgatosca.gov>

The designated remainder can't require an open space easement and we disclosed the ultimate density to the CDAC. The Town does have the authority to ask for scenic open space easements, but there is no such regulated "scenic view corridor" that has been planned or established to date. There may be some intent for that in the Blossom Hill Open Space Study, but it has never been formalized nor implemented. I can send you the Tito Patri - Blossom Hill Open Space Study.

Best regards, Terry

Terence J. Szewczyk, P.E.

TS/Civil Engineering, Inc

[1776 Technology Drive](#)

[San Jose, CA 95110](#)

[\(408\) 316-2696](#) cell (BEST NUMBER)

[\(408\) 452-9300](#) ext 220 office (RINGS THRU TO CELL)

On Wed, Sep 23, 2020 at 8:57 AM Ryan Safty <RSafty@losgatosca.gov> wrote:

Please see additional public comment below.

Respectfully,

Ryan Safty

Associate Planner

Town of Los Gatos

From: MikeDiane Email <mikedianemichaelis@gmail.com>

Sent: Tuesday, September 22, 2020 9:19 PM

To: Ryan Safty <RSafty@losgatosca.gov>

Subject: Re: **400 Surmont Drive**

Ryan,

After attending the zoom meeting today, we have some comments/questions.

A common concern of the neighborhood seems to be the potential that, in the future, the the remaining parcel could be subdivided and further increase the density of housing in the current undeveloped Hillside property.

Has the DRC considered requiring some acreage to be dedicated as an "open space easement" perhaps between the current existing home on the remainder lot and the new proposed subdivision? This area, as well as the second proposed new lot, is within the hillside scenic view corridor as seen from the Los Gatos viewing platform. This open area would also line up with the current "Hillside Open Space Easement" on our property.

Historically, when the parcels on Belgatos Lane were subdivided in 1985, developers were required to dedicate large swaths of land as "Open Space Easement" with hillside scenic views for the benefit of the community. Our parcel includes 1.83 acres of prime land that was dedicated "Open Space Easement" and is directly adjacent to the proposed new subdivision. Most parcels in our subdivision had Open Space Easements carved out of each lot.

If the current zoning was left unchanged, and "Open Space Easements" were considered, the impact of the potential development may not be as concerning.

Thank you,

Diane and Mike Michaelis

408-656-5999

[303 Belgatos Lane](#)

On Sep 21, 2020, at 9:31 AM, Ryan Safty <RSafty@losgatosca.gov> wrote:

Good morning,

Thank you for contacting the Town of Los Gatos. Your email will be saved to the public record, and forwarded to both the applicant and the Development Review Committee members.

Respectfully,
Ryan Safty
Associate Planner
Town of Los Gatos

From: MikeDiane Email <mikedianemichaelis@gmail.com>
Sent: Sunday, September 20, 2020 3:52 PM
To: Ryan Safty <RSafty@losgatosca.gov>
Subject: Fwd: [400 Surmont Drive](#)

Begin forwarded message:

From: MikeDiane Email <mikedianemichaelis@gmail.com>
Date: September 20, 2020 at 3:41:58 PM PDT
To: rsafty@losgatos.gov
Cc: PlanningComment@losgatosca.gov
Subject: [400 Surmont Drive](#)

Hi Ryan,
Our property (APN 527-26-009) includes a 1.83 acre Open Space Easement, serving as a hillside view corridor, which borders the eastern property line of the proposed new subdivision lots.
One concern we have is fire safety and compliance with the Santa Clara County Weed Abatement Program. A 10 foot wide concrete storm drainage easement beginning at the property line shared with the new lots, separates an area of this Open Space (shown on page C-2, lot layout plan). In order for tractor access to mow this area it has always been necessary to cross this property line and we will need to assure the ability to do so in the future.

Thank you,
Diane and Mike Michaelis
[303 Belgatos Lane](#)
408-656-5999