

127 Pinon Drive # PLN PAR 30-2022

OBJECTIONS & REMEDY

From: Holmes Family
Mark Holmes
145 La Sandra Way
Next Door Neighbor With Shared Property Line

We object to:

- The deep cut trails that in some areas are less than inches from our property line
- The Entertainment Area which is less than 20' from our property line
- Exposing the unsightly generator & fuel tank caused by the deep trails which have lowered the surrounding elevation and destroyed the surrounding native grass.

Generator & Fuel Tank

The cuts and absence of native grass and plants have exposed the white and metal generator and fuel tank.

They are large as can be seen by comparing their size to the weed whackers:



They are not only large, they are unavoidable to the eyes:



This industrial eye sore is hardly consistent with the “Rural” character of Portola Valley.

But why should the applicants care? They cannot see it from their house. Notice the plants on the opposite side shielding the unsightly generator and tank from the applicant’s view.

There is no such landscaping facing the neighbors. We cannot help but see it. We now have an unobstructed view of both.

It’s one thing to obscure from your own view your unsightly generator and tank with landscaping and plants, but why foist the eyesore upon your neighbors?

The cuts should be returned to their original state. And the native grass and plants restored so the generator and tank are obscured as they were before.

Entertainment Area

The Entertainment Area is mere 20 feet from our property line.

It is an entertainment area. The applicants have already installed chairs and a table on the levelled, cleared area:



What will be installed next? Dining tables? How many more chairs? Garbage receptacles (what every Portola Valley homeowner wants to look at from their home)? Ice chests? Boom boxes? Lights for nocturnal partying? Lights on the trails so people do not trip?

Where will it end?

What will be added next?

No one in Portola Valley should have a neighbor's entertainment area 20' from their property line.

18 Acres

Especially when there is already 18 acres on which to place it elsewhere.

The permit is to install a pool, "pavilion" and an "outdoor dining area." With all these new structures plus a swimming pool, why erect an entertainment area 20 feet from your neighbor's property line?

Which we cannot help but see.

And soon hear when it is populated with partying people.

Trail Inches From Our Property Line

The lower excavated trail is inches from our property line.



We get to see it from both directions.



What were once beautiful hills and terra are now ugly cut dirt.

Switchback Hill

On the hill there are six switchbacks. Some within feet of our property line. There is more cut land in this switchback area than uncut land. Meaning more than 50% of the land in this switchback area has been excavated.



How would you like to have this in your neighborhood? How about next door?

When this happens to you, what will it do to the value of your property? How will you feel?

And while the “pool, pavilion and dining area” will enhance the value of the applicant’s property, where does that leave the neighbors? At the same time this increases the value of the 127 Pinon Drive, it ruins the value of neighboring properties which once had commanding views of beautiful nature and are now left to panoramas of sliced up earth.

Landscaping

Oddly, the permit sought is for “newly proposed landscape improvements.”

After destroying the natural landscape within their neighbors’ views, the applicants seek to improve their own views with “landscape improvements.”

The Applicants Cannot See the Excavations

The applicants do not have to look at the excavated land. It is not visible from their house or windows. It cannot be avoided from ours. Every day.

These ugly trails are uninterruptedly seen by our family.

For 16 years, since 2007 we have been enjoying the view of the untouched native grass and hills. Now we have this to look at this:



Who would like to awaken every morning to that?

When we sit on our back porch or look out the window, that greets us.

And just like the lower trial, it is so close to our property line. Mere feet.



We also have the Entertainment Area. Notice how close it is:



Mother nature is already trying to reclaim the cut land.

How many more collapsing cuts will there be? All requiring further cuts to compensate for the collapsing soil.



Is this what Portola Valley is coming to?

When will it end?

Hopefully, now.

Please do the right thing and stop this abuse.

Before it is too late.

Whose neighbor will carve up their property next?

Yours?

Fair?

How would you like to look at football field lengths of excavated dirt inches from your property?

And see what was once untouched native grass become an entertainment area? What about the noise? Hearing talking and laughter feet from your property. Sound carries. Right into your house. Especially when the windows are open.

The property is 18 acres. When you have 18 acres, why intrude mere feet away from your neighbors?

While the applicants spend hundreds of thousands of dollars on a pool, pavilion, outside dining area and landscaping enhancing the value of their property, why must they simultaneously destroy the value of their neighbors' property?

Is this the practice Portola Valley wishes to establish?

Setting Dangerous Legal Precedent

If the unpermitted excavated trails and entertainment area is allowed, others will be able to do so as well. The Town cannot under the Equal Protection Clause of the Constitution allow one citizen to retroactively apply for their unpermitted extensive excavation and establishment of an entertainment area ... and prohibit others from doing the same. Especially when a neighbor objects to the illegal extensive unpermitted acts which harm them. The Town cannot treat citizens arbitrarily when property rights are involved.

We strongly urge the Town to consult with its legal counsel.



Request For Remedy

Before any permit is issued for the “new pool, new pool pavilion, outdoor dining area and landscaping” (or any portion thereof), we request that the following occur:

1. The lower trail be restored to its original contour
2. The six switchbacks which lead to the Entertainment Area be restored to their original contour
3. The Entertainment Area be removed and the soil returned to its original contour.

Complete Remediation Before Granting New Permit

The law should be enforced. The applicants should be made to restore their neighbors’ views -- which they ruined without a permit -- before receiving a permit to improve their own.

Thank you.

The Holmes Family
Mark Holmes

August 28, 2023

TO: Members of ASCC

RE: 10 Tagus Court – Fence Application - August 14, 2023 ASCC Draft Minutes

Following are annotate to the minutes.

Page 2:

Time 15:36

Mr. Rible offered a response to comments from the neighbor at 18 Tagus. What you have here is the ordinances, yes it have some problems, the Architect and staff says the fence meet all requirements of the ordinances. He is using the Mabardy's property and he likes to do that and why he is objecting to the fence. Mabardy's wants to use a bigger portion of yard, yard not being used. Only person is affected by this ,18 Tagus . Ordinance is not there for one person to complain; it's obstructing my view/interfere with this or that, only person 18 Tagus can see the fence.

If the fence is not allowed, that the town would be saying its okay for one property owner to say you can't use one portion of your yard because I think it interferes with my view and the reason it interfere with my view I built my deck within 3-4 feet of the property line. That leaves things wide open for people to come in and say, doesn't seem like a lawful interpretation of the ordinance that I see there. It's something that people should consider, why should the neighbor have more rights than the property owner regarding the ability to use and see his property.

Commissoner Breen . We massage fences all the time between neighbors to make it work.

Mr. Rible . I'm sure you do, and this one worked for a while and there was a Lot line adjustment and some other thing, and it's not working now. Mabardy wants to use more of his land for gardening, fruits and vegetables.

Time 19:00

Page 6

Time: 51:09

Mr. Rible: Mabardy's are willing to come to something agreeable.

Time: 51:18

Page 7

Time: 55:00

[Mr. Mabardy made comments off microphone] ending with a willingness to "try again, as long as he is civil"

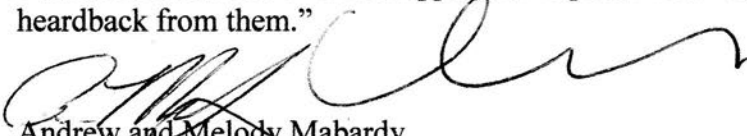
Page 8

Time : 1:01 - 1:04 First Paragraph

Third sentence: "their " replace with "our"

Fifth sentence: "fence next" replace with "fence not next"

Fourteenth sentence : "it was approved" replace with " it was approved Never heardback from them."

A handwritten signature in black ink, appearing to be "Andrew and Melody Mabardy", written in a cursive style.

Andrew and Melody Mabardy

10 Tagus Court

Thomas Geisler

From: Jamie Bourne [REDACTED]
Sent: Monday, August 28, 2023 1:01 PM
To: Thomas Geisler; Portola Valley - Planning
Subject: Fwd: 119 Campo Road Residence Comments

Public comment regarding 119 Campo Road 8/28/23 ASCC meeting.

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

From: [REDACTED]
Date: Sun, Aug 27, 2023 at 12:56 PM
Subject: Re: 119 Campo Road Residence Comments
To: <[REDACTED]>

Ms Bourne and Portola Valley ASCC members,

My name is Mercia Tiscornia. My husband (Dominic) and I live at 140 Campo Road. We do not have any problems with the project at 119 Campo Road. The only request we have is that the owner inform the contractor, all subcontractors and delivery personnel, to not use our driveway at the end of Campo Road for U-turns. We have had numerous problems with commercial trucks and chemical toilet trucks driving up onto our property and damaging the water lines, the driveway and paver stones. Backing up onto Campo Road to the project site would solve any future problems.

Thank you very much for your time.

Sincerely,

Mercia & Dominic Tiscornia