

Katherine Douglas

Public Comment - Noyes (Appellant)

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DIST

From: Mindy Noyes <mindyn@me.com>
Sent: Friday, October 11, 2024 10:28 AM
To: sbcob
Subject: To the Supervisors: Letter Requesting Amendments to the Conditions of Approval Case No. 21LUP-00000-00401

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Dear Supervisors of Santa Barbara County,

We respect your time and the work you are doing for the County of Santa Barbara residents. Thank you for all that you do!

We are inviting you to do a site visit, in lieu of our hearing/appeal on October 15, 2024 with you prior to our meeting.

You are not being told the whole story and cannot appreciate full impact from seeing paperwork, and we believe you as supervisors need to see this for yourself before you vote on approving this building permit. We are not only concerned about our safety, but also the safety of our neighbors on Palomino Road. Major gas line affected. Power poles leaning because of erosion.

We are absolutely willing to support this project if it is done safely and with respect to existing improvements on extreme slopes, but we feel you need to see it for yourselves before the county approves this project because of our safety and our neighbors safety and the excessive water and erosion issues on this slope.

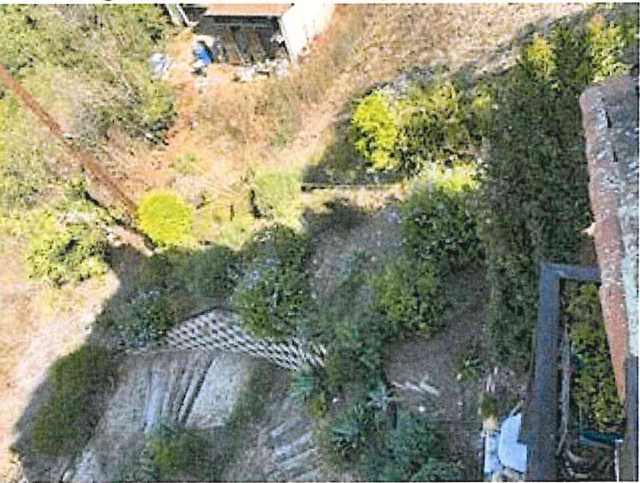
Below you can see where the yellow line/rope is that the owner (The Law's) of 2632 Montrose place has hung up showing where the property line is. These retaining walls go all the way under our home, and helps hold up Montrose Place Road.

These erosion control walls were approved of by the county years ago. The planners of today, are ignoring these facts. We have record of approvals from the county. I have asked Travis to come do a site visit. He has been unwilling.

From our understanding the builder plans to put dirt in here, cover the walls up and bring equipment down this area. We are gravely concerned that doing so will bring damage, and alter the structural integrity of our home and cause further erosion. You can see how close the yellow rope is to our home.



Below you can see the yellow line as well, and in the top of this triangle is where the level spreaders would go, but we are very concerned that excess water will take out our existing landscape, natural vegetation, existing trees that include avocado and peaches, and well established landscaping in our backyard, and erode more of our neighbor's land below the triangle as well, with the slope we are dealing with back here.





Palomino Road is below, where they have had huge excess in water and mud and dirt fill the road down below.

Please refer as well to Ron Reilly’s letter/report that he sent to you. He is a Soils Engineer from Garing, Taylor and Associates. I will attach that letter below in case you don’t have it. We would like these amendments be added conditions for approval.

How can we schedule a site visit with you, the supervisors?

[Click to Download](#)

2024-10-04-letter to BOS.pdf
2.4 MB

Respectfully,

Mindy Noyes



October 4, 2024

GTA Project No. P24-1147

Attn: Santa Barbara County Board of Supervisors
c/o Ms. Jacquelyn Alexander
Chief Deputy Clerk
105 East Anapamu Street, Room 407
Santa Barbara, CA 93101

Transmitted via email to: sbcob@countyofsb.org

Subject: Letter Requesting Amendments to the Conditions of Approval
Case No. 21LUP-00000-00401
2632 Montrose Place, Santa Barbara, California

Dear Supervisors,

Thank you for taking the time to review the information provided below. The Noyes family and Sena Woodall, located at 2634 Montrose Place, asked me to conduct a preliminary assessment of the site conditions at 2632 Montrose Place, 2634 Montrose Place, and the neighboring properties to the north and northwest on Palomino Road. This review also includes the proposed construction of a single-family home at 2632 Montrose Place, as part of the project approved by your planning commission in March 2024 (Case No. 21LUP-00000-00401).

I have outlined several observations, supported by figures and photographs, which highlight existing and proposed conditions that warrant further consideration. Following these observations, I have suggested a framework of potential additional Conditions of Approval to help mitigate any potential erosion impacts on adjacent properties resulting from the proposed project.

Existing Conditions

After conducting a detailed site review of both 2632 Montrose Place and adjacent properties, including 2634 Montrose Place and the Palomino Road properties to the immediate north and northwest, I noted several critical issues regarding the steep slopes and existing stormwater management that must be addressed in light of the proposed development at 2632 Montrose Place (Case No. 21LUP-00000-00401). The findings are summarized below. Please refer to the photographs and graphics attached to the end of this letter to aid understanding.

Undeveloped Lot at 2632 Montrose Place, APN 023-112-030

The undeveloped lot at 2632 Montrose Place has steep slopes exceeding 45%—and in some areas as high as 60%—with mature oak trees and ground foliage that currently help mitigate stormwater runoff. The

brittle shale rock underlayment presents an erosion risk, especially given the displacement of soil and vegetation likely to occur during construction.

On, both, southwesterly and northeasterly property lines, it is evident that survey monuments were recently set to delineate these lines, and it is also evident that the original builders of 2634 Montrose and 2630 Montrose believed those property lines were approximately 8 feet northeasterly of the lines established by the 2022 Record of Survey filed by Davis Land Surveying. As a result, it appears that multiple retaining walls built to support the landscape and ingress / egress in and around 2634 Montrose encroach onto the vacant 2632 Montrose property.

Home of Noyes Family and Sena Woodall, 2634 Montrose Place

This property is well-maintained and features a 3-story home, a permitted ADU, and a bridged driveway that connects Montrose Place to the garage on the top level of the home. Several retaining structures, stairways, and plantings provide access throughout the property, while also stabilizing the steep terrain and directing stormwater runoff away from the building foundations and key areas in the rear yard.

The site benefits from well-established, mature foliage that helps to secure the steep soils and shale underlayment. A high-pressure gas line runs across the southwestern side of the property, following an ephemeral drainage channel. This drainage appears to have been supplemented with exposed corrugated panel drains. In the past, the Noyes family has proactively reinforced this drainage channel with stone to protect their property, aiming to prevent the erosion issues that affected the property on Palomino Road to the northwest.

Undeveloped Lot on Palomino Road, APN 023-300-017

The property on Palomino Road has a severely eroded drainage channel (highlighted in red below). The extent of the erosion is evident where the property meets Palomino Road. Reportedly, the erosion frequently crosses Palomino Road and causes significant damage to the property at 1075 Palomino Road. This erosion appears to be compromising the retaining structures along the northerly property line of 2634 Montrose. In addition to potentially destabilizing the high-pressure gas line and the pole-mounted overhead communication lines, failure to address this erosion could have serious consequences for both 2634 and 2632 Montrose.

Framework for Amendment to Conditions of Approval

Understanding that the existing site conditions for 2632 Montrose and those properties downhill or downstream of this property are inherently impacted by stormwater runoff passing through the subject property, and understanding that existing structures and vegetation intended to protect against excessive runoff and erosion, as well as provide ingress / egress in and around 2634 Montrose are all significantly impacted, it is my professional opinion that some acknowledgement and prevention of exacerbation of these issues is appropriate when considering the entitlement of the proposed construction.

To protect the integrity of neighboring properties and infrastructure, I respectfully propose the following be considered for amended Conditions of Approval:

1. **Hydrology Study Requirement:** Prior to issuing building permits, the applicant's engineer shall submit a hydrology study ensuring that post-construction stormwater runoff volume and flowrate will not exceed current levels, and that runoff flow is not concentrated. This study should specifically address the flow rate and spread of drainage from the proposed level spreader, which serves as the outfall for the drainage system.
2. **Erosion and Infrastructure Protection:** Should the applicant plan to remove or modify any retaining structures, pathways, or stairways that currently serve 2634 Montrose Place, the submitted plans must demonstrate no significant negative impact on the neighboring property. If no such removal is planned, an easement should be established to guarantee the continued maintenance of these structures and safe ingress and egress for the property.
3. **Vegetation Preservation and Restoration:** Any mature trees and existing foliage currently serving as natural erosion control on the property must either be preserved or replaced with equivalent or superior erosion-controlling vegetation after construction. A landscape architect must design the replanting plan to ensure that the post-construction landscape provides adequate stormwater retention and erosion protection, particularly on steeply sloped areas.
4. **Post-Construction Monitoring and Maintenance:** The applicant shall establish a post-construction monitoring and maintenance program for, both, critical stormwater control infrastructure as well as vegetation and planting to ensure continued effectiveness of stormwater and erosion control measures. The program shall include annual inspections of the drainage system, retaining walls and slope stability for a minimum of five years, with reports submitted to the County to ensure compliance and timely resolution of any issues.

Thank you, Supervisors, for your consideration.

Most Sincerely,
Garing, Taylor & Associates, Inc.



Ronald G. Reilly, RCE 78107
CEO | President

Attached: Figure 1 & Photographs



Figure 1: Observed Existing Conditions.

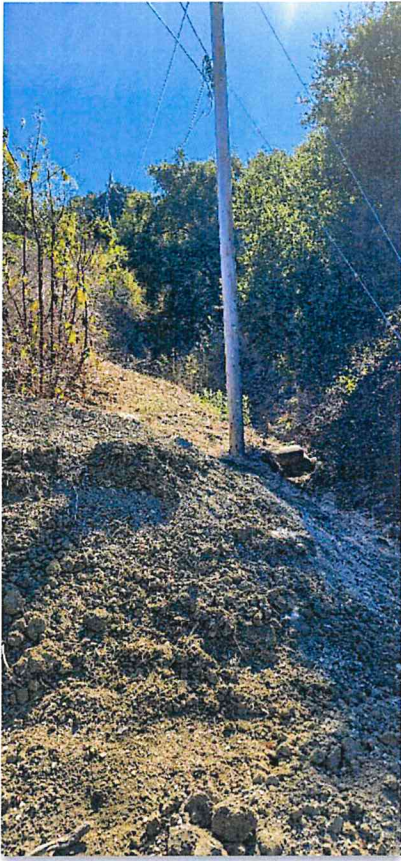


Photo 1: Erosion at Bottom of Palomino Property



Photo 2: Exposed Panel Drain and HP



Photo 3: High Pressure Gas at Palomino Road



Photographs 4 & 5: Examples of Walls, Stairways, Pathways and Vegetation to be Preserved
At 2634 Montrose Place