

**BYERS / RICHARDSON
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November 9, 2020

Via email only
John Nibbelin, Esq.
Chief Deputy County Counsel
County of San Mateo

Steve Monowitz
Community Development Director
County of San Mateo

Re: The Chamberlain Group; Highlands project

Dear John and Steve:

As you know this office has represented The Chamberlain Group (“Chamberlain”) regarding the Highlands project for many years.

The County of San Mateo approved a Tentative Subdivision for eleven lots on April 27, 2010. As a condition of approval Chamberlain granted the County a Conservation easement over 83% of the property. The eleven lot subdivision is what remained of a proposal to build over 200 necessary housing units. While RM downzoning to preclude this housing was substantial at least Chamberlain believed with its compromise it would be able to build the eleven homes.

On January 28, 2016 Chamberlain applied for building permits on Lots 5-8.

Under Public Resources Code Section 21080.2 the County had 30 days to determine if any additional CEQA compliance was necessary. It did not do so.

Now almost five years later the County wants my client to spend apparently \$ 30,000 in additional CEQA work to more precisely acknowledge grading and consequently truck trips due to a geotechnical investigation.

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There was no required finite amount that needed to be included in the Certified EIR to unnecessarily limit grading on a hillside when the County knew that further geotechnical investigation would occur at the building permit stage. Moreover having read the scope of work authored by the County's consultant I can't see what an additional \$20,000 would buy as the increased grading and consequent truck traffic trips are already stated.

Given how long it took the County to make the decision to do additional CEQA work, almost five years after the application was filed, and the absurd cost projected for a relatively minor change in development one must wonder : Is the County treating my client in good faith? Will Jack Chamberlain ever be able to build these homes?

My question is simple given the delays in this project what assurances are there that The Chamberlain Group and Jack Chamberlain who celebrated his 90th birthday will receive building permits for FOUR lots by March 15, 2020 if an Addendum is authored. After that question is answered we can discuss costs.

Sincerely,
BYERS/RICHARDSON

A handwritten signature in blue ink that reads "David J. Byers". The signature is written in a cursive style with a large, sweeping "D" and "B".

DAVID J. BYERS, ESQ.

cc. Supervisor Dave Pine
Rich Neuman
Roland Haga
Camille Leung