



**TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT**

110 E. Main Street
Los Gatos, CA 95030

RECEIVED

FEB 2 - 2022

TOWN OF LOS GATOS
PLANNING DIVISION

**APPEAL OF THE DECISION OF
DEVELOPMENT REVIEW COMMITTEE**

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the DEVELOPMENT REVIEW COMMITTEE as follows:

4:53 pm

DATE OF DECISION: January 14, 2022 (Notice of Pending Approval)

PROJECT/APPLICATION: Second Story Addition to an Existing One Story Single Family Residence

LOCATION: 289 Marchmont Dr (MR-21-019, APN 532-10-019

Pursuant to the Town Code, any interested person as defined in Section 29.10.020 may appeal to the Council any decision of the Planning Commission.

Interested person means:

1. *Residential projects.* Any person or persons or entity or entities who own property or reside within 1,000 feet of a property for which a decision has been rendered, and can demonstrate that their property will be injured by the decision.
2. *Non-residential and mixed-use projects.* Any person or persons or entity or entities who can demonstrate that their property will be injured by the decision.

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED:

Potential Lethal Hazard with existing shared power line infrastructure adjacent to proposed construction

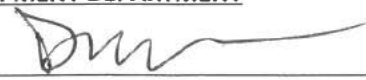
Injury to property value from loss of privacy created by proposed construction

IMPORTANT:

1. Appeal must be filed not more than ten (10) days after the decision is rendered by the Development Review Committee. If the tenth (10th) day is a Saturday, Sunday, or Town holiday, then the appeal may be filed on the workday immediately following the tenth (10th) day, usually a Monday.
2. The appeal shall be set for the first regular meeting of the Planning Commission which the business of the planning commission will permit, more than five (5) days after the date of the filing of the appeal. The Planning Commission may hear the matter a new and render a new decision in the matter.
3. You will be notified, in writing, of the appeal date.
4. Contact the project planner to determine what material is required to be submitted for the public hearing.

RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT

PRINT NAME: Don Woodward

SIGNATURE: 

DATE: February 2, 2022

ADDRESS:  Los Gatos, CA 95032

PHONE: 

EMAIL: 

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

COMMISSION ACTION:

1. _____
2. _____
3. _____

DATE: _____

DATE: _____

DATE: _____

PLAPPEAL \$ 221.00 Residential
PLAPPEAL \$ 882.00 Commercial
PLAPPEAL \$ 90.00 Tree Appeals

EXHIBIT 9

Monday, February 14, 2022

Don Woodward

Los Gatos, CA 95032

To Members of the Town of Los Gatos Development Review Committee:

I present this additional information regarding my appeal of the Development Review Committee's decision regarding the **project located at 289 Marchmont Dr. (MR-21-019, APN 532-10-019)**

1. Regarding discussions with the 289 Marchmont property owners:
 - a. I have met with the property owners on multiple occasions since filing the appeal and found them to be most helpful, friendly and completely open and transparent.
 - b. No changes to the current plan resulted from our discussions; we focused instead on understanding each other. This is a solid plan developed with care and attention to detail and I feel modifications deserve that same care.
2. On the issue of the hazardous power line infrastructure:
 - a. PGE electrical distribution lines on telephone poles run the length of the 289 Marchmont rear property line.
 - b. Though power line maintenance may not be the responsibility of the 289 Marchmont property owners nor the Town of Los Gatos, I feel it important to take this opportunity to notify the Town of Los Gatos that these power lines are in extreme disrepair, and, I believe currently represent a clear and present danger to both persons and property:
 - i. These lines are PGE power distribution lines in two-sets. The lower set of 3 wires is approx. 18-20 feet off the ground and carries 12,000 volts or 4,000 volts per wire. The upper set of 3 wires is approx. 50 feet off the ground and carries 30,000 volts. (Source: PGE ICA & DIFD maps)
 - ii. One of the wires in the lower set has multiple splices, and another of the wires in that set, just inches away, is frayed and split and this can be seen with the naked eye.
 - iii. In October 2021 during a storm, the lower set failed and sent 4000 volts traveling through cable TV lines also strung along the same poles, destroying 3 Television sets at the residence of my 16520 Bonnie Ln neighbor, melting the underground feeder cable from the pole to the junction box at my home, scorching the junction box which was fortunately well grounded which prevented the renegade electricity from entering my home along this path.
 - iv. However, transient voltages surged into my home instead through the breaker panel and destroyed my refrigerator, oven, dishwasher, furnace, a few small fixtures and the PGE demand electricity monitoring shut-off device next to the breaker panel..
 - v. The property damage occurred in a blink of an eye when a 4000 volt power line ruptured from arcing against its neighbor, and, spitting, came to rest in my backyard, live with 4000 volts for four days before PGE found themselves able to allocate a crew to service it. This is the same line that is frayed and split, primed yet for another failure.
 - vi. Ideally the City of Los Gatos can compel PGE to modernize the system, and rid us of this hazard.
 - c. Meanwhile, the power lines are relevant to this appeal because PGE maintains the right to cut foliage away from the lines, which they do twice per year, preventing the use of shrubs and trees as a privacy barrier for lack of sufficient height.
3. Regarding the issue of injury to my property value from loss of privacy:
 - a. An unobstructed direct line of sight into my backyard and also directly into my bedroom windows will be created from windows of proposed 2nd story construction.
 - b. The current view to the mountains behind my house will be obstructed from all rear facing points on my property – from my bedroom windows, the full-length windows in my sitting room, from my back porch, back yard, and side yards.
 - c. The story poles can be seen in direct line of sight all the way from the intersection of Shannon Rd and Bonnie Ln, obstructing the view of the mountains as one drives or walks the entire length up Bonnie Ln.

Thank you for the opportunity to present this information.

Sincerely,



Don Woodward