

Copy to Blake Hilligas

June 13, 2016

page 1 of 2

To: Tennis Wick
Director of Sonoma County Permit and Resources Dept. and Code Enforcement
2550 Ventura Ave., Santa Rosa, Ca. 95403

From: Jeff Cortopassi
4141 Langner Ave.
Santa Rosa, CA. 95407
707-585-3794

Subject: This is the second Complaint for Ghilotti Construction Co.. Ghilotti is not permitted for waste and gravel mountains at 246 Ghilotti Avenue or at 306 Todd Rd.

Dear Director Wick,

I filed my first complaint over two months ago about the monstrous waste mountain Ghilotti construction has dumped illegally for at least 14 years in an environmentally sensitive area that is completely blocking the scenic corridor from Langner Ave. east to Mt. Taylor for many residents that live on Langner Ave. I have spoken to Inspector Cahill who referred me back to planning for Ghilotti permit and application information. Even though it took two weeks and another 10 feet of waste on the south end of Ghilotti Waste Mountain, I commend Inspector Cahill for finally stopping Ghilotti from adding to this neighborhood atrocity that has degraded the value of this area and created street flooding.

There have been numerous complaints directly to Ghilotti for noise, lights, environmental concerns, and taking away the scenic corridor, all quickly ignored. The Sheriff has stopped the noise multiple times for disturbing the peace. Sonoma County code enforcement had Ghilotti remove another illegal dumpsite in this area four years ago and Blake Hilligas sent another letter to Ghilotti with requirements for Permitted use work on M3 property.

All requests and advice from the county for a legal permit have been ignored, with work and noise continuing non-stop for at least 14 years, at their convenience any time of the day and night, 24/ 365. Ghilotti has made millions of dollars just removing the waste off of their construction projects and dumping it in our neighborhood. This is intolerable and as Mr. Hilligas said more than once, "embarrassing for the Sonoma County Permit and Resources Department".

Director Wick,

What is your position about Ghilotti disturbing the peace and devaluing our properties, by making money for themselves and not abiding by Sonoma County permit requirements or paying any permit fees for Big Equipment working on un-permitted M-3 property for over 14 years?

Now the waste needs to be removed to a permitted dump site and Ghilotti needs to be held accountable, just as Sonoma County Permit and Recourses enforces the rest of Sonoma residents and Businesses to be responsible and accountable for legal guidelines and penalties set by Sonoma County.

During the meeting with Mr. Hilligas there was mention of another letter to Ghilotti with a timeline to remove this waste pile. So far the only thing that has changed since my complaint is, Ghilotti isn't adding waste to the four-lane 60-foot mountain any more. Otherwise, it's business and noise as usual anytime of the day for Ghilotti and the neighborhood. Resent 50 foot piles of waste and gravel continue 100 yards north of the waste mountain that was just closed. Extremely disappointing.

I have requested to be informed about any progress stopping Ghilotti from this injustice to tax paying land owners who live here. There has been no communication from your department regarding my complaint. Please communicate with me about this serious lapse of enforcement and what is going to be done and when.

Director Wick, Thank you for reading this and your timely response. I look forward to the communication and would gladly schedule another meeting to discuss the future the use of the property Ghilotti is degrading..

Extremely Serious,

Jeff Cortopassi
707-585-3794

copies to: Inspector Cahill and Mr Hilligas

A handwritten signature in black ink, appearing to read "Jeff Cortopassi", written in a cursive style.

April 5, 2016

To: Sonoma County Permit and Resource Department Code Enforcement
2550 Ventura Ave., Santa Rosa, CA., 95403: 707-565-1900

From: Jeff Cortopassi
4141 Langner Ave.
Santa Rosa, CA. 95407
707-585-3794

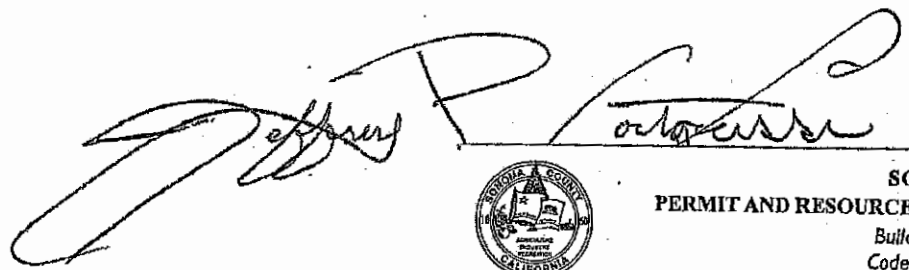
Complaint:

The Ghilotti construction company (246 Ghilotti Ave., Santa Rosa) is dumping thousands of yards of unmonitored soil waste a year without an approved application permit since 2001.

This waste mountain is completely blocking the scenic corridor for many homeowners on Langner Avenue and the surrounding area. Please stop Ghilotti from illegal dumping immediately and have them return the scenic corridor to the citizens of Langner Avenue and the surrounding area.

Please contact me with the progress of your investigation and communication with Ghilotti.

Thank you; Jeff Cortopassi
707-585-3794



SONOMA COUNTY
PERMIT AND RESOURCE MANAGEMENT
Building & Safety Division
Code Enforcement Section

Dan Cahill
Senior Code Enforcement Inspector
CACEO, ICC, ICBO Certified

4/5/16
2550 Ventura Avenue
Santa Rosa, CA 95403-2829
www.sonoma-county.org/prmd

Direct Line (707) 565-3716
Office (707) 565-1900
Fax (707) 565-3767
Dan.Cahill@sonoma-county.org

1:50 P

Accepted BY JUAN de LA CRUZ
GAGE M/F: DAN CAHILL B.C. (HE will RECEIVE THE COMPLAINT)



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-3767

THIS DOCUMENT MAY AFFECT YOUR LEGAL RIGHTS
PLEASE READ CAREFULLY

Investors Development Co.
C/o Linda Ghilotti
199 Highland Lane
Mill Valley, CA 94941

MAY 31 2016

NOTICE & ORDER - UNLAWFUL USE

You are being noticed as Record Owner of real property described on the latest equalized Sonoma County tax roll located at **304 Todd Road, Santa Rosa, Sonoma County Assessor's Parcel Number 134-171-050** and more particularly described in Exhibit A, (hereinafter the "Property"), that the Code Enforcement Division of the Sonoma County Permit and Resource Management Department has determined that the following specific use of the Property to be in violation of Sonoma County Code:

- 1. A contractor's storage yard. (VPL16-0148)**
- 2. Six (6) office trailers. (VPL16-0149)**

No permits or other evidence have been found to show that this use was lawfully established. Your property is currently zoned M3 (Limited Rural Industrial District). In the absence of permits, or other evidence to show that the use(s) noted above were lawfully established, they are in violation of Sonoma County Code Section(s) 26-50-010, 26-50-020, 26-50-030.

Sonoma County Code 26-92-200 (a) states it is unlawful for any land, building or premises be used, designated or intended to be used for any purpose or in any manner other than one that is included among the uses listed in this chapter as permitted in the district in which such building, land or premises is located. In order to bring your property into compliance, you must cease the unlawful use within thirty (30) days.

Pursuant to Sonoma County Code Sections 1-7 and 1-7.1, violations of Chapter 26 of the Sonoma County Code are subject to mandatory civil penalties, the costs of abatement and investigation fees. Further, a "Notice of Abatement Proceedings" may be recorded against the Property. Failure to comply could also result in a lawsuit to be filed against you in Superior Court.

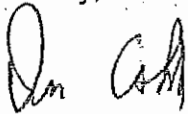
You are required to notify this Department and schedule a re-inspection to verify the timely removal of the illegal use. If a re-inspection is requested and the violation has not been removed, a re-inspection fee may be charged to you.

Notice of Violation
304 Todd Road, Santa Rosa
Page 2

This constitutes final notice unless any persons having record title, or legal interest in the premises, files an appeal from this action in writing within twelve (12) days and in the manner prescribed by law. Sonoma County Code Section 1-7.3 sets forth the appeal process which includes the right to an appeals hearing with a hearing officer. If a Hearing Officer finds that a violation exists, you may be responsible for paying the County's administrative costs, including, but not limited to, any administrative overhead, salaries, and expenses incurred for the hearing. You may also request an extension of sixty (60) days to bring your property into compliance in lieu of an appeal hearing. Failure to appeal this action constitutes a waiver of all rights to an administrative hearing and determination of this matter.

If you have any questions or wish to discuss this further, please call me at (707) 565-3716.

Sincerely,



Dan Cahill
Code Enforcement Section

encl: Legal description attached as Exhibit A

c: File: VPL16-0148
VPL16-0149



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-3767

THIS DOCUMENT MAY AFFECT YOUR LEGAL RIGHTS
PLEASE READ CAREFULLY

Investors Development Co.
C/o Linda Ghilotti
199 Highland Lane
Mill Valley, CA 94941

MAY 31 2016

NOTICE & ORDER - GRADING AND/OR DRAINAGE ALTERATION WITHOUT PERMIT

According to County records, you are the owner of record of the subject property located at **304 Todd Road, Santa Rosa** generally described as Assessor's Parcel Number **134-171-050** and more particularly described as follows: See Exhibit A.

On March 28, 2016, an inspection of your property at the above location revealed grading that has been completed, according to County records, without permits and inspections. The grading observed is described as follows:

1. Stockpile of fill exceeding 140,000. Cubic yards.

Pursuant to Chapter 11 of the Sonoma County Code, permits and inspections are required for the above described grading. In the absence of permits and inspections, the grading is unlawful and in violation of Sections 11.04.010 and 11.24.040 of the Sonoma County Code and as such, is declared to be a public nuisance.

Accordingly, it is necessary that the nuisance be abated. You may be required to obtain a grading permit and/or drainage review to either restore the property to it's pre-existing condition by removing the fill, restoring the natural drainage condition, or to legalize the unlawful grading. Where a permit is required to restore the property or to legalize the unlawful grading and/or drainage it shall be subject to all required Department clearances. These clearances include, but are not limited to, zoning, septic and drainage review. If you cannot obtain all Department clearances, permits to legalize the unlawful grading cannot be issued, and the property must be restored to it's original condition under permit and inspection.

Complete plans are required with your application for a grading and/or drainage permit, if needed. Plans must be submitted to the Permit and Resource Management Department within sixty (60) days from the date of this letter. You must then proceed with due diligence to complete all necessary work and to obtain all inspections in order to final the permit.

Pursuant to Sonoma County Code Sections 1-7 and 1-7.1, the violation referenced above is subject to investigation costs and mandatory civil penalties in addition to standard permit fees. If the violation is not resolved promptly, a "Notice of Abatement Proceedings" may be recorded

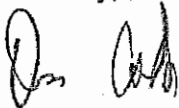
Notice of Violation
304 Todd Road, Santa Rosa
Page 2

against and could adversely affect the title of your property. Failure to resolve this violation could also result in a Administrative Abatement Hearing per Section 1-7.3 of the Sonoma County Code resulting in a lawsuit being filed against you in Superior Court.

This letter constitutes final notice unless any persons having record title, or legal interest in the premises, files an appeal from this action in writing within twelve (12) days and in the manner prescribed by law. Sonoma County Code Section 1-7.3 sets forth the appeal process which includes the right to an appeals hearing with a hearing officer. You may also request an extension of sixty (60) days to bring the property into compliance in lieu of an appeals hearing. Failure to appeal this action constitutes a waiver of all rights to an administrative hearing & determination of this matter.

If you have any questions, or would like to discuss this further, please call me at (707) 565-3716.

Sincerely,



Dan Cahill
Code Enforcement Section

encl: Legal parcel description: Exhibit A
Grading Permit Information

c: Drainage Review
North Coast Regional Water Quality Control Board
Army Corps of Engineers

File: VGR16-0013

Karen Brocco

585-8575

Ghilotti Issue

karenbrocco@aol.com



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

March 5, 2012

Rick Carlile
Carlile Macy
15 Third Street
Santa Rosa, CA 95401

Re: Project status; Use Permit for Ghilotti Construction Co. storage yard and aggregate recycling operation
304 Todd Road
APN: 134-171-050

Thank you for your recent project submittal. We have completed our initial review of the permit application and determined it to be incomplete. The following itemizes issues that will need to be addressed and information that is required to process the permit application.

Required Submittal Items

General

1. Verify that the aerial site plan accurately reflects existing and proposed site conditions, including truck circulation and all equipment and materials storage.
2. Provide 10 additional sets of plans for referral.
3. Clarify the amount of fill that previously occurred on the site.
4. Provide manufacturers specifications and a picture of the proposed rock crushing machine.
5. Clarify how the rock crushing machine will be powered.
6. Clarify how equipment service will be accomplished and whether the project includes the storage of hazardous materials.
7. Provide a title report for the property and depict any easements.
8. The PRMD Well and Septic Division indicate a requirement to provide restrooms with running water and septic. This issue will need to be resolved once the referrals are completed.
9. Provide an additional minimum deposit of \$11,280 dollars based on the difference between the balance on the account (\$3,500) and the current minimum application fees of \$14,780. Please note the cost to process this application may exceed the requested funds depending on the amount of staff time required. Staff time can vary depending upon many factors including responsiveness, thoroughness and accuracy of your application, the complexity of the issues involved, and the degree of controversy involved in the public review process.

Environmental Review

The following is a preliminary list of items that appear necessary to initiate the environmental review process. Additional information may be needed depending on the outcome of more-detailed review of the project. It is our intention to work closely with your project team to resolve any environmental issues as soon as possible.

1. A preliminary drainage report prepared by a registered engineer in accordance with Grading and Storm Water form DRN-006, <http://www.sonoma-county.org/prmd/docs/handouts/drn-006.pdf>. For clarity on the scope of this report please contact PRMD Grading and Stormwater staff and/or myself to coordinate.
2. Provide an updated noise analysis accurately addressing all noise impacts and prescribing sufficient mitigation measures to fully comply with General Plan land use standards. The study shall address all noise sources, including trucks, loading and unloading operations, and operation of the rock crushing machine.
3. Provide a traffic study to verify project impacts under near term and cumulative impact scenarios and to determine fair share payments that may be required toward the future improvements to intersections in the project vicinity.
4. Provide evidence that the fill of former wetlands on the site and impacts to habitat for sensitive plants and animals species have been formerly approved and mitigated in accordance with resource agency requirements.
5. Staff is still evaluating whether an air quality and greenhouse gas analysis is required or whether the project meets the Bay Area Air Quality Control Boards Screening Criteria to avoid a study. It may be appropriate to hire an air quality consultant to make this determination.

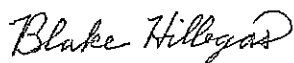
Key Issues

In addition to the above, our preliminary review identified several other key issues as noted:

1. It is anticipated that some level of landscape screening or fencing will be required, but this will be further evaluated when the application is deemed complete.

Please submit all the required information and additional deposit as soon as possible. Your cooperation and prompt attention to complete this application is greatly appreciated. Please contact me if you have any questions at (707) 565- 1392 or blake.hillegas@sonoma-county.org.

Sincerely,



Blake Hillegas
Project Planner

c: File
Brad Simpkins, Ghilotti Construction Co., 246 Ghilotti Ave, Santa Rosa, CA 95407



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

January 4, 2002

8/12/02 met with Tony Korman -
still need
1. Drainage Analysis
2. Health Conditions - Septic
3. Wetland report.

Todd Road Partners
Paul Donaldson
246 Ghilotti Ave
Santa Rosa CA 95407

Re: UPE01-0181, 304 Todd Rd. SRO

Dear Mr. Donaldson:

Pursuant to Government Code Section 65943, the Permit and Resource Management Department must notify you that your application is either complete or incomplete. Your application was received on December 13, 2001, and processing has begun, however, your file is incomplete for the following reasons and additional information is needed:

1. Please revise your Site Plan to include the following (see attached required materials):
 - A. Depict circulation patterns, loading and unloading areas;
 - B. Depict any outdoor storage areas, equipment maintenance facilities, and storage facilities of any hazardous materials;
 - C. Depict power poles/lines;
 - D. Depict fenced areas, office, and restroom facilities; and
 - E. Depict where grading has occurred.
 - F. A preliminary drainage analysis (including off-site drainage) prepared by a registered civil engineer. Said analysis must take into account the recently issued grading permit on the adjacent Shamrock property to the east. The study shall demonstrate that the property meets Sonoma County standards for storm water drainage.
2. The Site Plan needs to be clear and legible. If this is not possible at a reduced 8 1/2" x 11" size, you can provide 11 " x 17" size Site Plans (20 each).
3. Please also revise your Proposal Statement to show how many employees the business will have, and that it is clear and legible.

Once the above information has been received by our office, the project will be sent out on referral to various government agencies and public interest groups and staff will evaluate the project.

Todd Road Partners

January 4, 2002

Page Two

Thank you for your assistance in this matter and if you have any questions regarding this or need more information, please do not hesitate to call me at (707) 565-1928.

Very truly yours,

A handwritten signature in cursive script that reads "Ken Ellison" followed by a horizontal flourish.

Ken Ellison
Project Planner

Enclosure

cc: Carlile Macy - Jack Macy

AGENDA REQUEST SHEET - ALL INFORMATION MUST BE FILLED IN

Applicant: TODD ROAD PARTNERS
 PAUL DONALDSON
 246 GHILOTTI AVE
 SANTA ROSA CA 95407

Date-Accepted: 12/13/2001
File #: UPE01-0181
PCAS#: ??

Appellant:

Staff: BLAKE HILLEGAS
Sup District: 5
Zoning: M-3

Parcel(s):
 134-171-050

Address(es):
 304 TODD RD BEL

Description:
 REQUEST FOR A USE PERMIT TO LEGALIZE ROCK PROCESS . REQUEST FOR A USE PERMIT TO LEGALIZE A PROCESSING SITE USED FOR 1) THE RECYCLING OF ASPHALT AND CONCRETE, 2) STORAGE OF CONTRACTORS EQUIPMENT AND 3) STOCKPILE OF ROCK RIP-RAP MATERIALS ON 18.0ACRES.

Project Name: _____ **Env. Status:** N.D. _____ C.E. _____ EIR _____ Mit N.D. _____

Public Hearing: yes ___ no ___ **Continued Hearing:** yes ___ no ___ **from** _____ **County Counsel:** yes ___ no ___

Requested date and amount of time: _____ **Need B/S Time?** _____ **Uncontested?** ___ Yes ___ No

OWNER
Name: TODD ROAD PARTNERS
Addr: 246 GHILOTTI AVE
 SANTA ROSA CA
 95407

Name:
Addr:

ENGINEER
Name: CARLILE MACY-JACK MACY
Addr: 15 THIRD ST
 SANTA ROSA CA
 95401

REFERRALS AND NOTICING:

Number of Posters: _____ **Which Newspaper?:** _____ **Special Ad Size?:** _____

Ref.	Not.	Ref.	Not.
___ County Surveyor	___	___ Fire Marshal	___
___ Health Review ___ E/H Cons. Prot.	___	___ Fire District: RINCON VAL FIRE GENERAL	___
___ Sanitation	___	___ School District: BELLEVUE..BELLEVUE UN ELEM	___
___ Public Works-Land Dev-John Maitland	___	___ SUSMP Review - Reg Cullen	___
___ Public Works-Drainage-J. Foster	___	___ Water District	___
___ Ag Commissioner	___	___ State Coastal Commission	___
___ Flood & Drainage Review	___	___ Cal Trans (State)	___
___ PRAC Planner	___	___ State Fish & Game	___
___ General Plan Staff	___	___ State Department of Forestry	___
___ Northwest Information Center S.S.U.	___	___ State Department of Health	___
___ Milo Baker Chap, Native Plant Stdy	___	___ State Parks & Recreation	___
___ Building Inspection	___	___ Regional Water Quality Control (Northern / Bay)	___
___ Army Corp of Engineers	___	___ Air Poll Dist: BAY AREA AIR QUALITY MANAGEMENT	___
___ P. G. & E.	___	___ Regional Parks Department	___
___ S.B.C.	___	___ City of _____ Dept.	___
___ Sheriff - Crime Prevention	___	___ Treasurer/Special Assessment	___
___ LAFCO	___	___ Assessor	___
___ ALUC/CLUP - Bob Gaiser	___	___ Landmarks Commission	___
___ Board of Supervisors	___	___ So Co Transit - Steven Schmitz	___
___ County Communications - George Waters	___	___ Road Naming - Dilys Ranger	___
___ Other: _____	___	___ Other: _____	___
___ Other: _____	___	___ Other: _____	___

Planning Application

PJR-001

File#: _____

Type of Application:

- | | | | |
|---|--|---|---------------------------------------|
| <input type="checkbox"/> Admin Cert. Compliance | <input type="checkbox"/> Design Review Comm./Ind. | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Ag./Timber Preserve/Contract | <input type="checkbox"/> Design Review Residential | <input type="checkbox"/> Mobile Home Zoning Permit | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Cert. of Compliance | <input type="checkbox"/> Design Review Signs | <input type="checkbox"/> Ordinance Interpretation | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Cert. of Modification | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Second Unit Permit | |
| <input type="checkbox"/> Coastal Permit | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Specific/Area Plan Amendment | |
| <input type="checkbox"/> Design Review Admin. | <input type="checkbox"/> Major Subdivision | <input checked="" type="checkbox"/> Use Permit | |

Applicant (Contact Person):

Ghilotti Construction (Brad Simpkins)
Name
246 Ghilotti Avenue
Mailing Address
Santa Rosa CA 95407
City/Town State Zip
(707) 975-2000
Phone Fax
brad@ghilotti.com
email
Signature *[Signature]* Date *11/30/09*

Owner, if other than Applicant:

Investors Development Co.
Name
40 Locksly Lane
Mailing Address
San Rafael CA 94901
City/Town State Zip
Phone Fax
email
Signature *[Signature]* Date

Other Persons to be Notified: (Specify: Other Owner(s), Agent, Lender, Architect, Engineer, Surveyor)

Carlile-Macy (Rick Carlile) Name 15 Third Street Mailing Address Santa Rosa CA 95401 City/Town State Zip Civil Engineer Title (707) 535-1549 Phone Fax rcarlile@carlilemacy.com email	Name Mailing Address City/Town State Zip Title Phone Fax email	Name Mailing Address City/Town State Zip Title Phone Fax email
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Project Information:

304 Todd Road
Address(es) **134-171-050**
Assessor's Parcel Number(s)
Santa Rosa
City/Town **19**
Acreage

Project Description: **See Attached Project Description**
(Please attach additional sheet(s) if needed)

Site Served by Public Water? Yes No Site Served by Public Sewer? Yes No Number of new lots proposed **0**

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff

Planning Area: _____ Supervisorial District: _____ Current Zoning: _____ General Plan Land Use: _____
Specific Plan: _____ S.P. Land Use: _____ Needs CEQA Review? yes no

Commercial/Industrial Uses: (Enter numbers where applicable)
Bldg. sq. ft. Existing: _____ Proposed: _____ Existing Employees: _____ New Employees: _____
New Manufactured Homes: _____ New Units For Sale: _____ New Units For Rent: _____ Density Bonus Units: _____
Violation? yes no; Application resolve planning violation? yes no; Penalty applicable? yes no; Civil Penalty Factor _____
Previous Files: _____
Application accepted by _____ Date _____

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

Supplemental Application Information

Existing use of property: Storage of equipment and materials

Acreage: 19

Existing structures on property: none

Proximity to creeks, waterways and impoundment areas: 0.8 miles from Bellevue-Wilfred flood control channel

Vegetation on site: grasses on slopes

General topography: flat

Surrounding uses to (Note: An adjoining road is not a use.)
North: Residence South: N/A
East: Asphalt Plant / Construction Co. West: Residence (AG)

New structures proposed (size, height, type): None

Number of employees: Full time: N/A Part time: N/A Seasonal: _____

Operating days: Monday thru Saturday Hours of operation: 7am - 6pm

Number of vehicles per day: Passenger: 10 Trucks: 30

Water source: N/A Sewage disposal: N/A

Provider, if applicable: Generator Provider, if applicable: _____

New noise sources (compressors, power tools, music, etc.): concrete/ashpalt recycling crusher

Grading proposed: Amount of cut (cu. yds.): 0 Amount of fill (cu. yds.): 0 Will more than one acre be disturbed by construction of access roads, site preparation and clearing, fill or excavation, building removal, building construction, equipment staging and maintenance, or other activities? Yes X No _____ If Yes, indicate area of disturbance(aces): 13

Identify method of site drainage (sheet flow, storm drain, outflow to creek or ditch, detention area, etc.):
Sheet flow to existing grass slopes, to existing drainage ditches around perimeter. See Storm Water Management Plan.

Vegetation to be removed: none.

Will proposal require annexation to a district in order to obtain public services: Yes _____ No X

Are there currently any hazardous materials (chemicals, oils, gasoline, etc.) stored, used or processed on this site? Yes _____ No X

Will the use, storage, or processing of hazardous materials occur on this site in the future if this project is authorized? Yes _____ No X

Fire safety information (existing/proposed water tanks, hydrants, emergency access and turnaround, building materials, etc): N/A

At-Cost Project Reimbursement

PJR-095

PROJECT File: _____; request for GHILOTTI CONSTRUCTION
AS APPLICANT

I, BRAD SIMPKINS, the undersigned, hereby authorize the County of Sonoma to process the above referenced permit request in accordance with the Sonoma County Code. I am depositing \$ _____ as a *minimum* deposit to pay for County staff review, coordination and processing costs related to my permit request based on actual staff time expended and other direct costs. **In making this deposit, I acknowledge and understand that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current Sonoma County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Reimbursement Agreement:

1. Time spent by County of Sonoma staff in processing my application and any direct costs will be billed against the available deposit. **"Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, processing of any appeals, responding to public records act requests or responding to any legal challenges related to the application. "Staff" includes any employee of the Permit and Resource Management Department (PRMD), the Department of Transportation and Public Works and/or the Office of the County Counsel.**
2. Staff will review the application for completeness and provide me with a good faith estimate of the full cost of processing the permit. This good faith estimate will be included in an At-Cost Fee Agreement. The At-Cost Fee Agreement shall be signed by the party responsible for payment of fees, and the requested additional deposit shall be submitted to PRMD to allow continued processing of the project.
3. If processing costs exceed the available deposit, I will receive quarterly invoices payable within 30 days of billing.
4. I understand that the County desires to avoid incurring permit processing costs without having sufficient funds on deposit. If staff determines that inadequate funds are on deposit for continued processing, staff shall notify me in writing and request an additional deposit amount estimated necessary to complete processing of my application. I agree to submit sufficient funds as requested by staff to process the project through the hearing process within 30 days of the request.
5. If the final cost is less than any additional deposits requested by the County (deposits that exceed the initial minimum deposit described above), the unused portion of the additional deposit will be refunded to me within 60 days of final project action.
6. If the final cost is more than the available deposit, I agree to pay the difference within 30 days of billing.
7. If I fail to pay any invoices or requests for additional deposits within 30 days, the County may either stop processing my permit application, or after conducting a hearing, deny my permit application. If I fail to pay any invoices after my application is approved, I understand that my permit may not vest and may expire, or may be subject to revocation.

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

8. If the County determines that any study submitted by the applicant requires a County-contracted consultant peer review, I will pay the actual cost of the consultant review. This cost may vary depending on the complexity of the analysis. Selection of any consultant for a peer review shall be at the sole discretion of the PRMD Director or his designee. The estimated cost of the peer review shall be paid prior to the County initiating any peer review by consultant.
9. I agree to pay the actual cost of any public notices for the project as required by State Law and Local Ordinance.
10. I may, in writing, request a further breakdown or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.
11. I agree to pay all costs related to permit condition compliance as specified in any conditions of approval for my permit/entitlement.

Note: This agreement does not include other agency review fees or the County Clerk Environmental Document filing fees.

Name of Property Owner or Corporate Principal Responsible or Appointed Designee for Payment of all County Processing Fees (Please Print):

GIULOTTI CONSTRUCTION

Name of Company or Corporation (if applicable):

- SAME -

Mailing Address of the Property Owner or Corporation/Company responsible for paying processing fees:
If a Corporation, please attach a list of the names and titles of Corporate officers authorized to act on behalf of the Corporation

246 GIULOTTI AVE., SANTA ROSA, CA 95407

Signature:*

Date:

JUNE 30, 2011

Email Address:

BRAD@GIULOTTI.COM

Phone Number:

707/585-1221

***ATTENTION - The property owner (or Corporate principal) will be held responsible for all charges.**

Indemnification Agreement

PJR-011

"As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in conjunction with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect."

Ghilotti Construction

Applicant Name

Applicant Signature

Investors Development Co.

Owner Name

Owner Signature

June 30, 2011

Date

File No.

NOTE: The purpose of the Indemnification Agreement is to allow the County to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ❖ Santa Rosa, CA ❖ 95403-2829 ❖ (707) 565-1900 ❖ Fax (707) 565-1103

PROPOSAL STATEMENT & PROJECT DESCRIPTION

Ghilotti Property
304 Todd Road
Santa Rosa, CA 95407

Currently the property is in use as a 1) temporary contractor's equipment storage site 2) stockpile location for rock rip-rap material and 3) processing site for broken asphalt and concrete materials for recycling and reuse purposes as base rock. As this property is zoned for this use, the owners wish to obtain a use permit per the allowed zoning uses of MI Limited Rural Industrial District. This application is to bring the current use into compliance pursuant to the Notice of Violation received from the County PRMD dated August 9, 2011.

The use for equipment storage is intermittent as there is an equipment storage yard across the access road to the East that primarily stores the equipment. Equipment storage would be temporary for pieces that will be transported from projects nearby until they can be transported to the next project location. Minor equipment repairs may take place at this location as well. The use for material processing would be multi-functional. Storage of rock rip-rap for reuse on projects will take place from time to time as will trucking off-haul of the rock riprap to project sites. Stockpiling and processing of asphalt grindings, concrete and base rock materials will occur from time to time and is a use that will coincide primarily with the construction season, from spring to early winter. Processing of these materials will be for trucking to and re-use in on-going countywide projects. Both stockpiling and processing of materials is on an as needed basis. Stockpiling of the materials on site will occur during the week and on Saturdays between the hours of 7:00 AM to 6:00 PM. Processing of materials will be performed during the week and on Saturdays between the hours of 7:00 AM to 6:00 PM. Processing of the materials will involve the use of two operated pieces of equipment and an operated portable crushing plant. We approximate the processing of base rock materials would be in the range of 25,000 tons annually. The types of trucks that will be used to truck the material in and out are semi-end dumps, semi-bottom dumps and transfer trailers. The number of trips per day will vary based the time of year and on import and export of the materials. An estimated range of trips would be from 0 to 50 per day, zero trips when crushing, 10-15 trips/day hauling in material to recycle, and 20-30 trips/day to haul off.

18,000
cubic
yds
x 2 in/out
= 15 cubic yds
truck load

There will be no substantial changes in traffic as the adjacent access road and properties are an asphalt plant and a main office and storage yard for a construction company. Trucking of materials in and out of the asphalt plant occurs during daylight and nighttime hours and ranges from 0 to 100 trips per day. From time to time the asphalt plant also processes and recycles concrete and asphalt materials with a portable crushing plant similar to the use proposed on the 304 Todd Road property. Site appearance will change from time to time as materials are stockpiled, processed and hauled off the property.

The material storage area in the northern portion of the site is also lighted at times with temporary lighting and used as a staging area for nighttime construction for construction projects within the County.

There are large stockpiles of soil on the southern half of the property. These stockpiles are currently slated for the fill required on the adjacent Shamrock Property. The stockpiles will be protected from erosion using the erosion and sediment controls as described in the storm water management plan.

The proposed use is consistent with surrounding industrial uses on adjacent properties. Attached is an AP map with adjacent properties. There are two residences adjacent to the parcel within 100' from this parcel, one to the North and one to the West. There is one residence to the Southwest that is 200' + from this parcel, but 1000' from proposed site of crushing.

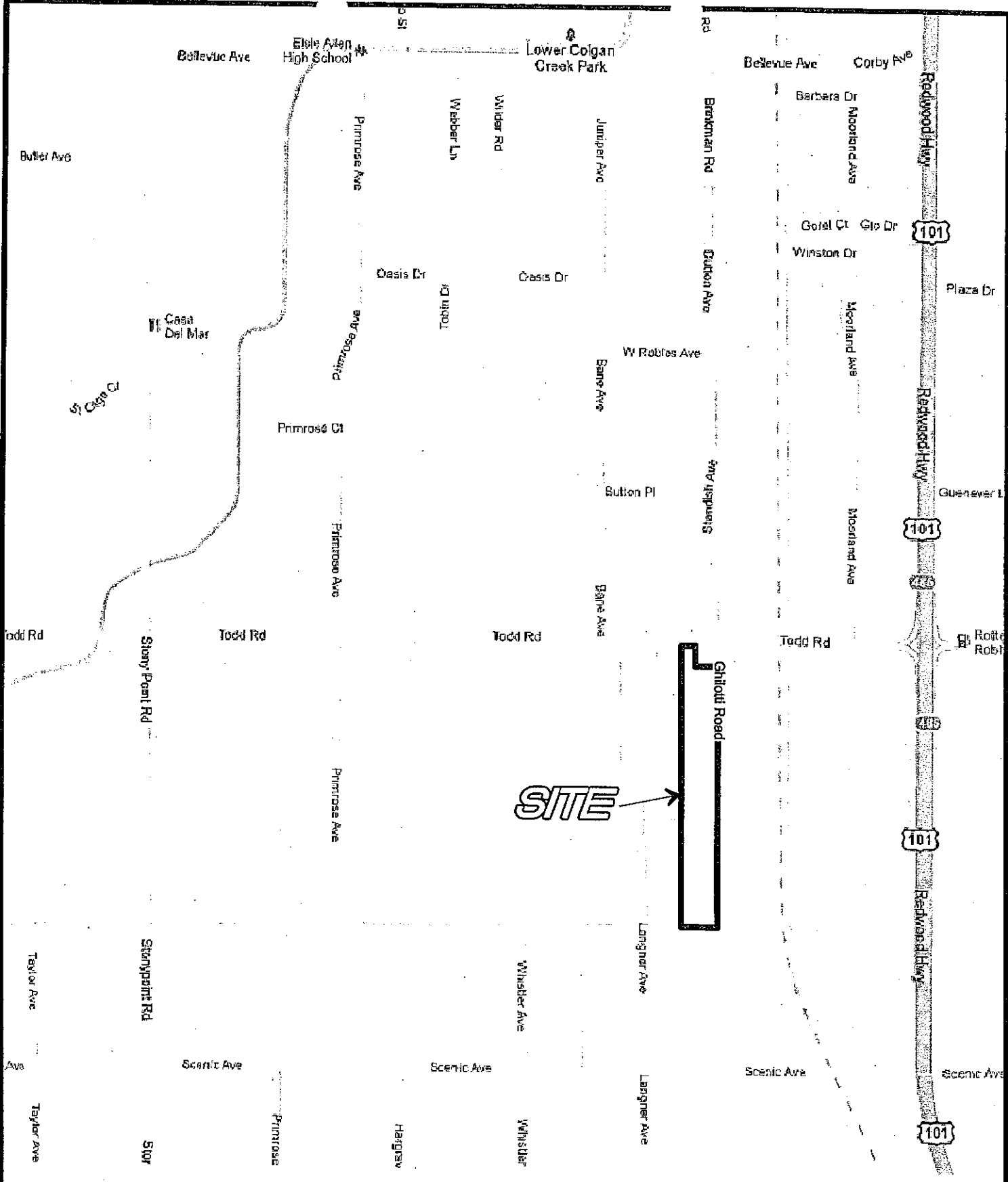
We do not see the necessity to plant any trees to mask the use based on the following: The properties to the West and North are fenced and/or have mature trees surrounding their properties. The property to the Southwest appears to have a construction yard on its South border and trees along its Easterly border. Properties to the East have existing trees and fencing along their perimeters. Property to the East is of similar/same use as a rock facility.

Recognize that this is a temporary use of the property because it is not the highest and best use. It provides the existing business with the opportunity to recycle material for use on other construction jobs.

EMPLOYEES

No infrastructure is necessary as the 2 operators are existing employees of Ghilotti Construction, which is directly across the street. One employee generally operates the crusher while the other employee operates the loader to feed the raw material into the crusher. One of these employees would also operate a water truck to wet the material and surrounding area to reduce dust from the operation. Ghilotti's office is approximately 350 feet from the proposed location of the mobile crusher. A portable toilet would be placed on-site during operation and removed during the time of year when the crusher is not operating. Drinking water would be supplied in water coolers. It is important to acknowledge that the employees that will actually operate this equipment are current employees of Ghilotti. It is not necessary to add staff to operate this equipment. The operators will be temporarily assigned to this equipment when there is enough material stockpiled to make the operation efficient and worthwhile. When not operating the crushing equipment they will be assigned to other construction equipment at other jobs around the county. This is a mobile crusher that can be relocated to job sites when necessary to process material when enough material will be generated to warrant relocation of the machinery for recycling. It would be returned to the Todd Road location to continue processing material as needed.

A sound study is enclosed with this application.



VICINITY MAP
GHILOTTI PROPERTY

304 TODD ROAD, SANTA ROSA
 SONOMA COUNTY, CALIFORNIA

AutoCAD file name: 19950307-ENR-Vicinity.dwg | Plot: 1/25/95

~~210-1070~~

INITIAL DATA SHEET

Applicant: TODD ROAD PARTNERS
246 GHILOTTI AVENUE
SANTA ROSA CA
95407 *To DD Road Partners*

File #: UPE01-0181

Date Accepted: 12/13/2001

Ken Ellison

Owner: ~~INVESTORS DEVELOPMENT CO~~
Site Address: 304 TODD RD BEL
APN: 134-171-050

Staff Member: *~~No Assignment~~*
Sup District: *3*
Planning Area: 5

GENERAL PLAN DESIGNATIONS

LAND USE L.I.T.
OPEN SPACE N/A
SCENIC LANDSCAPE UNIT _____ RIPARIAN CORRIDOR _____
SCENIC CORRIDOR _____ CRITICAL HABITAT _____
COMMUNITY SEPARATOR _____
BIOTIC RESOURCE MAP
DESIGNATOR YES _____ NO
EXPLAIN: _____

SPECIFIC PLAN/AREA PLAN/LOCAL AREA DEVELOPMENT GUIDELINES

NAME Sonoma
LAND USE General Industry
OPEN SPACE N/A
DEVELOPMENT GUIDELINES: YES NO _____

ZONING: M3
VALLEY OAK HABITAT YES _____ NO

SEISMIC/ASPECTS
ALQUIST PRIOLO (1) YES _____ NO OTHER FAULT ZONE (2) YES _____ NO
LIQUEFACTION (3) YES NO _____
SLOPE STABILITY (4) A B _____ BF _____ C _____ Z _____ LANDSLIDE No

AGRICULTURE

IMPORTANT FARMLANDS MAP (5)
PRIME _____ UNIQUE _____ STATEWIDE _____ LOCAL
SOIL CLASS (6) W-3 INDEX RATING 29 AG. PRESERVE YES _____ NO

HYDROLOGY

WATER AVAILABILITY ZONE (7) I II _____ III _____ IV _____
AQUIFER RECHARGE AREA (7) YES _____ NO
FLOOD PLAIN ZONE (8) YES _____ NO FLOODWAY _____ FLOODPLAIN _____

PUBLIC SERVICES AND UTILITIES

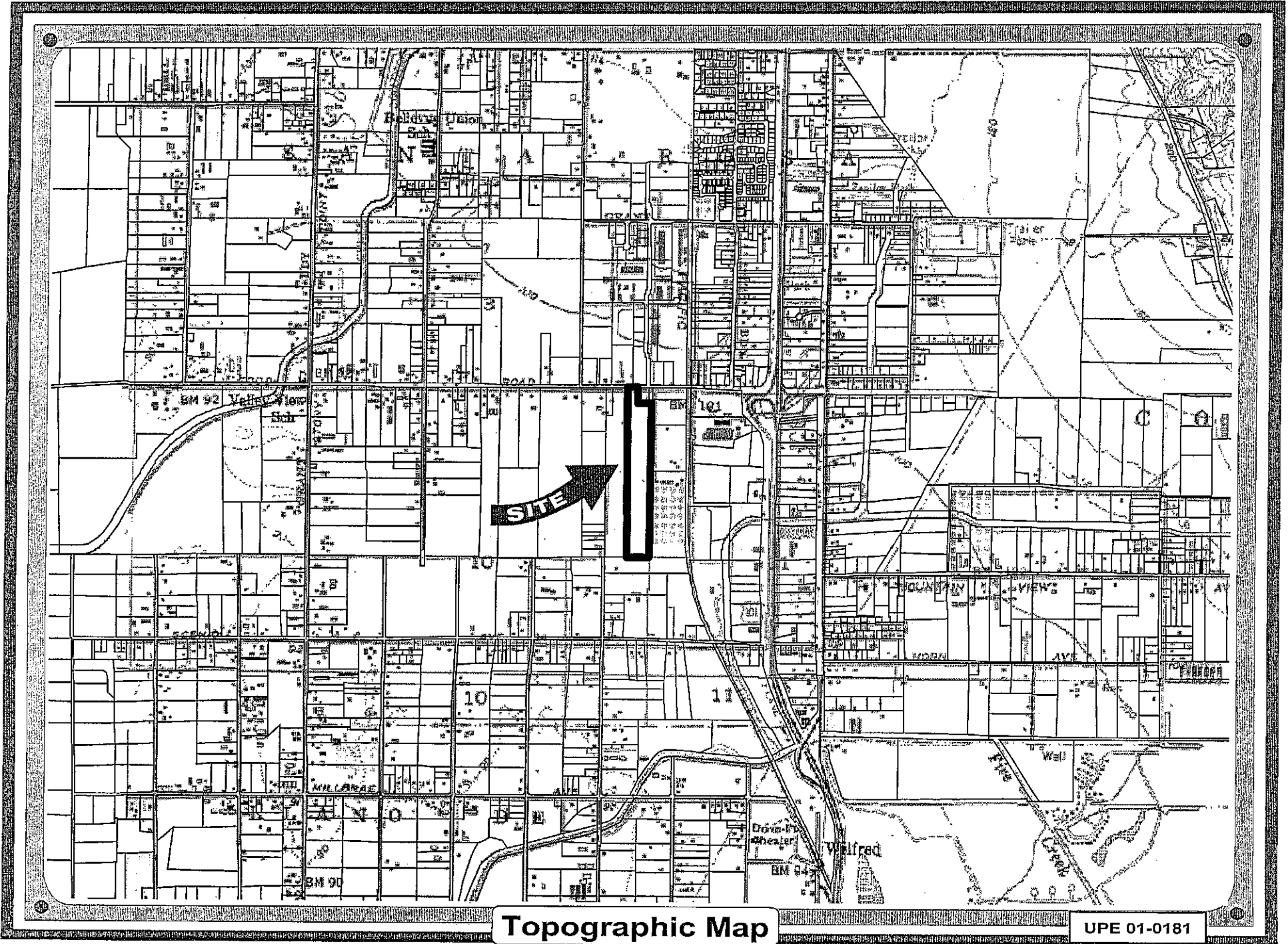
WATER SUPPLY: WELL PUBLIC WATER SYSTEM _____
SEWER SYSTEM: SEPTIC PUBLIC SEWER SYSTEM _____

SCHOOL DISTRICT BELLEVUE..BELLEVUE UN ELEM FIRE DISTRICT RINCON VAL FIRE GENRL

Fama ORD Deel - 40

References:

- (1) Alquist-Priolo Special Studies Zones; State of California Report 42 - Depicted on County Zoning Maps as Geologic Hazard Area
- (2) General Plan Safety Element
- (3) Seismic Shaking & Tsunami, Special Report 120, Plates 1A & B; Ca. Div of Mines & Geology; 1980.
- (4) Slope Stability, Special Report 120, Plates 2A and B; Ca. Div of Mines & Geology; 1980.
- (5) Sonoma County Important Farmland Map; California Dept. of Conservation; 1996.
- (6) Sonoma County Soil Survey; Sonoma County; U.S. Department of Agriculture; 1972.
- (7) Sonoma County Hydrology Map; Sonoma County Planning Department; 1972.
- (8) Flood Insurance Rate Map; Federal Emergency Management Agency; 1982 - Depicted on County Zoning Maps as Floodway and Floodplain.
- (9) CA Natural Diversity Data Base (2000), CA Dept. of Fish & Game - Natural Diversity Biotic Maps.



Topographic Map

UPE 01-0181

AGENDA REQUEST SHEET - ALL INFORMATION MUST BE FILLED IN

File #: UPE01-0181

Applicant: TODD ROAD PARTNERS
 PAUL DONALDSON
 246 GHILOTTI AVE
 SANTA ROSA CA95407

707 585 1221

Date Accepted: 12/13/2001

Staff Member: Ken Ellison

Owner: TODD ROAD PARTNERS
 Appellant:

Sup District: B 35
 Zoning: M3

Parcel Number(s): 134171050 00/00/00
 Address(es): 304 TODD RD -BEL SRO

Description:
 REQUEST FOR A USE PERMIT TO LEGALIZE A PROCESSING
 SITE USED FOR 1) THE RECYCLING OF ASPHALT AND
 CONCRETE, 2) STORAGE OF CONTRACTORS EQUIPMENT
 AND 3) STOCKPILE OF ROCK RIP-RAP MATERIALS ON 18.0
 ACRES.

Project Name: _____ Env. Status N.D. C.E. _____ EIR _____

Public Hearing: yes ___ no ___ Continued Hearing yes ___ no ___ from _____

Requested date and amount of time: _____

Other parties to be notified not listed: yes ___ no ___

OWNER
 Name: TODD ROAD PARTNERS
 Addr: 246 GHILOTTI AVE
 SANTA ROSA CA
 707 585 1221 95407

ENGINEER
 CARLILE MACY-JACK MACY
 15 THIRD ST
 SANTA ROSA CA
 542 6451 95401

Name:
 Addr:

REFERRALS AND NOTICING:

Number of Posters?: _____ Which Newspaper?: _____

Need B/S time?: _____ Special Ad Size?: _____

Ref.	Not.	Ref.	Not.
<input checked="" type="checkbox"/> County Surveyor	_____	<input checked="" type="checkbox"/> Fire Marshal	_____
<input checked="" type="checkbox"/> Health Review ___ E/H Cons. Prot.	_____	<input checked="" type="checkbox"/> Fire District: RINCON VAL FIRE GENRL	_____
<input checked="" type="checkbox"/> Sanitation	_____	<input checked="" type="checkbox"/> School Dist: BELLEVUE..BELLEVUE UN ELEM	_____
<input checked="" type="checkbox"/> Land Development/Road	_____	_____ Santa Rosa School District	_____
<input checked="" type="checkbox"/> Public Works-Land Dev-John Kottage	_____	_____ Water District	_____
<input checked="" type="checkbox"/> Ag Commissioner	_____	_____ State Coastal Commission	_____
<input checked="" type="checkbox"/> Flood & Drainage Review	_____	_____ Cal Trans (State)	_____
_____ PRAC Planner	_____	<input checked="" type="checkbox"/> State Fish & Game	_____
_____ General Plan Staff	_____	_____ State Department of Forestry	_____
<input checked="" type="checkbox"/> Northwest Information Center S.S.U.	_____	_____ State Department of Health	_____
<input checked="" type="checkbox"/> Milo Baker Chap, Native Plant Study	_____	_____ State Parks & Recreation	_____
<input checked="" type="checkbox"/> Public Works - Transit	_____	<input checked="" type="checkbox"/> Regional Water Quality Control (Northern/Bay)	_____
<input checked="" type="checkbox"/> Building Inspection	_____	<input checked="" type="checkbox"/> Air Poll Dist: BAY AREA AIR QUALITY MANAGEMNT	_____
<input checked="" type="checkbox"/> Army Corps of Engineers	_____	_____ Regional Parks Department	_____
_____ P. G. & E.	_____	<input checked="" type="checkbox"/> City of <u>S. Rosa</u> Dept. <u>Planning</u>	_____
_____ Pacific Bell	_____	_____ Treasurer/Special Assessment	_____
_____ Sherriff - Crime Prevention	_____	<input checked="" type="checkbox"/> Assessor	_____
<input checked="" type="checkbox"/> LAFCO	_____	_____ Landmarks Commission	_____
_____ ALUC/CLUP - Bob Gaiser	_____	<input checked="" type="checkbox"/> Other: <u>South West Area Design Team</u>	_____
_____ Board of Supervisors	_____	_____ Other: _____	_____
_____ County Communications - Joe Perez	_____	_____ Other: _____	_____

(AGENDA-A)

UPL 01-0467 OK

File#: UPE01-0181

Type of Application:

- Admin Cert. Compliance
- Ag./Timber Preserve
- Cert. of Compliance
- Cert. of Modification
- Coastal Permit
- Design Review Admin.
- Design Review Comm./Ind.
- Design Review Residential
- Design Review Signs
- General Plan Amendment
- Lot Line Adjustment
- Major Subdivision
- Minor Subdivision
- Mobile Home Zoning Permit
- Ordinance Interpretation
- Second Unit Permit
- Specific/Area Plan Amendment
- Use Permit
- Variance
- Zone Change
- Zoning Permit
- Other: _____

Applicant (Contact Person):

PAUL DONALDSON
Name
246 GHILOTTI AVE
Mailing Address
SANTA ROSA CA 95407
City/Town State/Zip
707 585-1221 585-0129
Phone Fax
Paul Donaldson 10/8/01
Signature Date

Owner, if other than Applicant:

TODD ROAD PARTNERS
Name
246 GHILOTTI AVENUE
Mailing Address
SANTA ROSA CA 95407
City/Town State/Zip
707 5851221 707 585-0129
Phone Fax
[Signature] 10/19/01
Signature Date

Other Persons to be Notified: (Specify: Agent, Lender, Architect or Engineer)

<u>CARLIE MACY - JACK MACY</u> Name <u>15 THIRD ST</u> Mailing Address <u>SANTA ROSA CA 95401</u> City/Town State/Zip <u>ENGINEER</u> Title <u>542-6451 542-5212</u> Phone Fax	 Name Mailing Address City/Town State/Zip Title Phone Fax	 Name Mailing Address City/Town State/Zip Title Phone Fax
---	--	--

Project Information:

304 TODD ROAD Address(es)
134-171-050 Assessor's Parcel Number(s)
SANTA ROSA City/Town
18 Acreage

Project Description: USES PROPOSED PER SONOMA COUNTY CODE SECTIONS 26.50-070(C) AND (F) PROCESSING OF ROCK, CONCRETE, STORAGE OF ROCK, RIP RAP, CONSTRUCTION EQUIPMENT, SOIL

Site Served by Public Water? yes no Site Served by Public Sewer? yes no Number of new lots proposed 0

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff

Planning Area: 5 Supervisorial District: 3 Current Zoning: M3 General Plan Land Use: L.I.
Specific Plan: S. Santa Rosa S.P. Land Use: _____ Needs CEQA Review? yes no

Commercial/Industrial Uses: (Enter numbers where applicable)

Bldg. sq. ft. Existing: _____ Proposed: _____; Existing Employees: _____ New Employees: _____

Residential Uses: (Enter numbers where applicable)

New Single Family Homes: _____ New Multi-Family Units: _____ New Second Units: _____
New Manufactured Homes: _____ New Units For Sale: _____ New Units For Rent: _____ Density Bonus Units: _____

Violation? yes no; Application resolve planning violation? yes no; Penalty applicable? yes no; Civil Penalty Factor _____

Previous Files: UPE01-0467/10508, MNS 89-874, ZD91-535

Application accepted by KT Date 12/13/01

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ❖ Santa Rosa, CA ❖ 95403-2829 ❖ (707) 565-1900 ❖ Fax (707) 565-1103

USE PERMIT - SUPPLEMENTAL APPLICATION INFORMATION

EXISTING SITE CHARACTERISTICS:

Existing use of property: STORAGE OF EQUIPMENT MATERIALS + PROCESSING Acreage: 18

Proximity to creeks, waterways and impoundment areas: _____

Vegetation on site: HYDRATED GRASSES ON SLOPES

General topography: FLAT

Surrounding uses to North: RESIDENCE (IEA) South: N/A

East: ASPHALT PAVEMENT/CONSTRUCTION CO. West: RESIDENCE DG.

New buildings proposed (size, height, type): N/A

Number of employees (total): N/A

Operating days: MON-SAT Hours of operation: 7 AM - 6 PM

Number of vehicles per day: 40

Water source: N/A Sewage disposal: N/A

Provider, if applicable: CONCRETE Provider, if applicable: _____

Noise generated: _____

Grading required - Cut Max.: SOE FILL PERMIT Fill Max: N/A

Fill Area: N/A Approx. total yds.: N/A

Vegetation to be removed: N/A

Will proposal require annexation to a district in order to obtain public services? Yes _____ No X

Are there currently any hazardous materials (chemicals, oils, gasoline, etc.) stored, used, or processed on this site? Yes _____ No X

Were there any hazardous materials used, stored, or processed on this site any time in the past? Yes _____ No X

Will the use, storage, or processing of hazardous materials occur on this site in the future if this project is authorized? Yes _____ No X

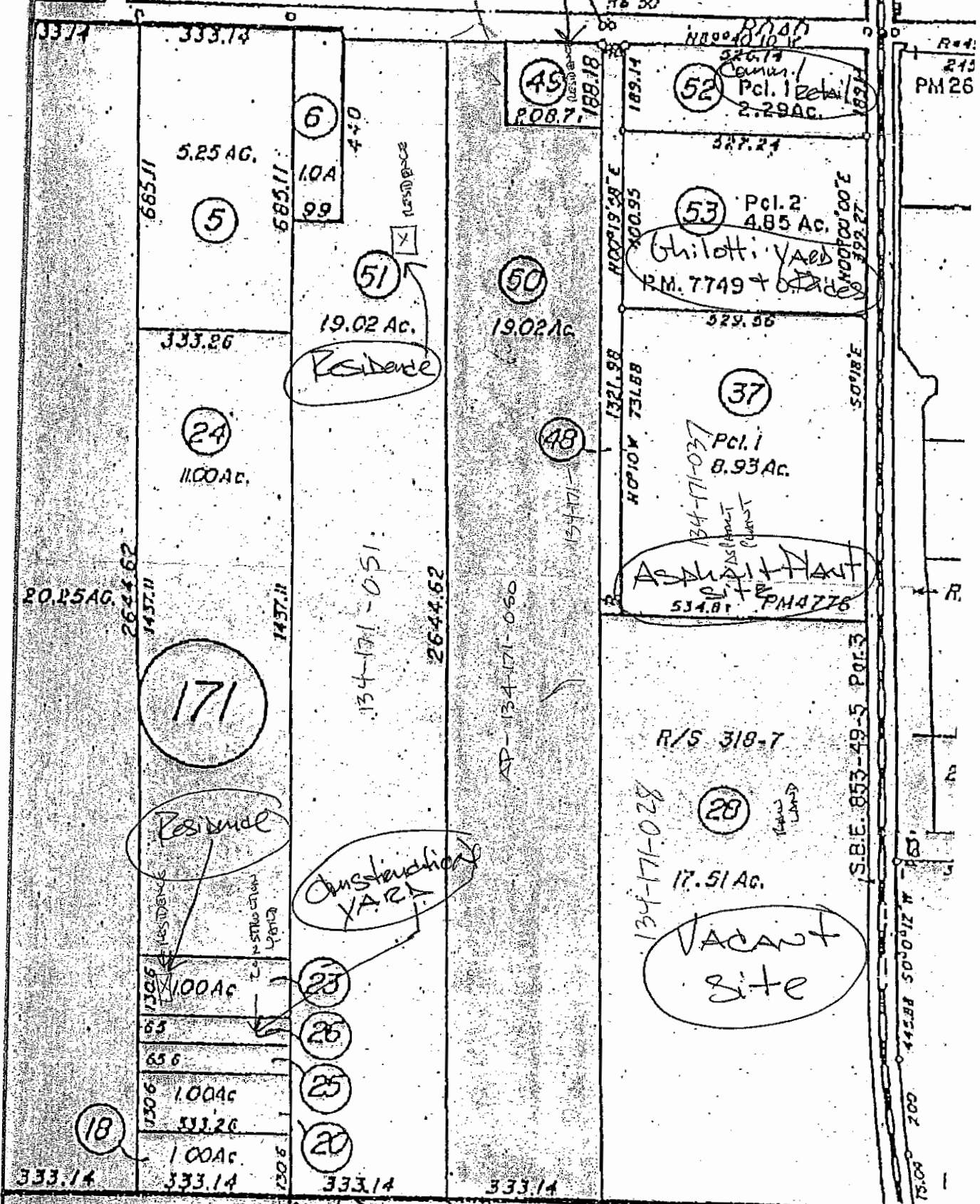
ADDITIONAL INFORMATION: _____

134
10

P.C.I. Map 1776
Bk. 228 P. 1, 20.11/7/75

Parcel Map No. 7749
Bk. 355 P. 9; Rec. 03/21/84

Residence
N.Y. CORNER
SECTION 11
16 30



R#4:
213
PM26

R

R

R

R

R

R

R

R

R

R

R

DEGRADED END

0.45-012-001
0.45-013-001
355 045.03-001
Scales
VACANT Lot
Parcel Map 2629
1" = 200'

SITE



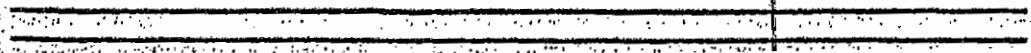
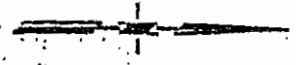
GHILOTTI AVE.

TODD ROAD

STANDISH

RAILROAD

HIGHWAY 101



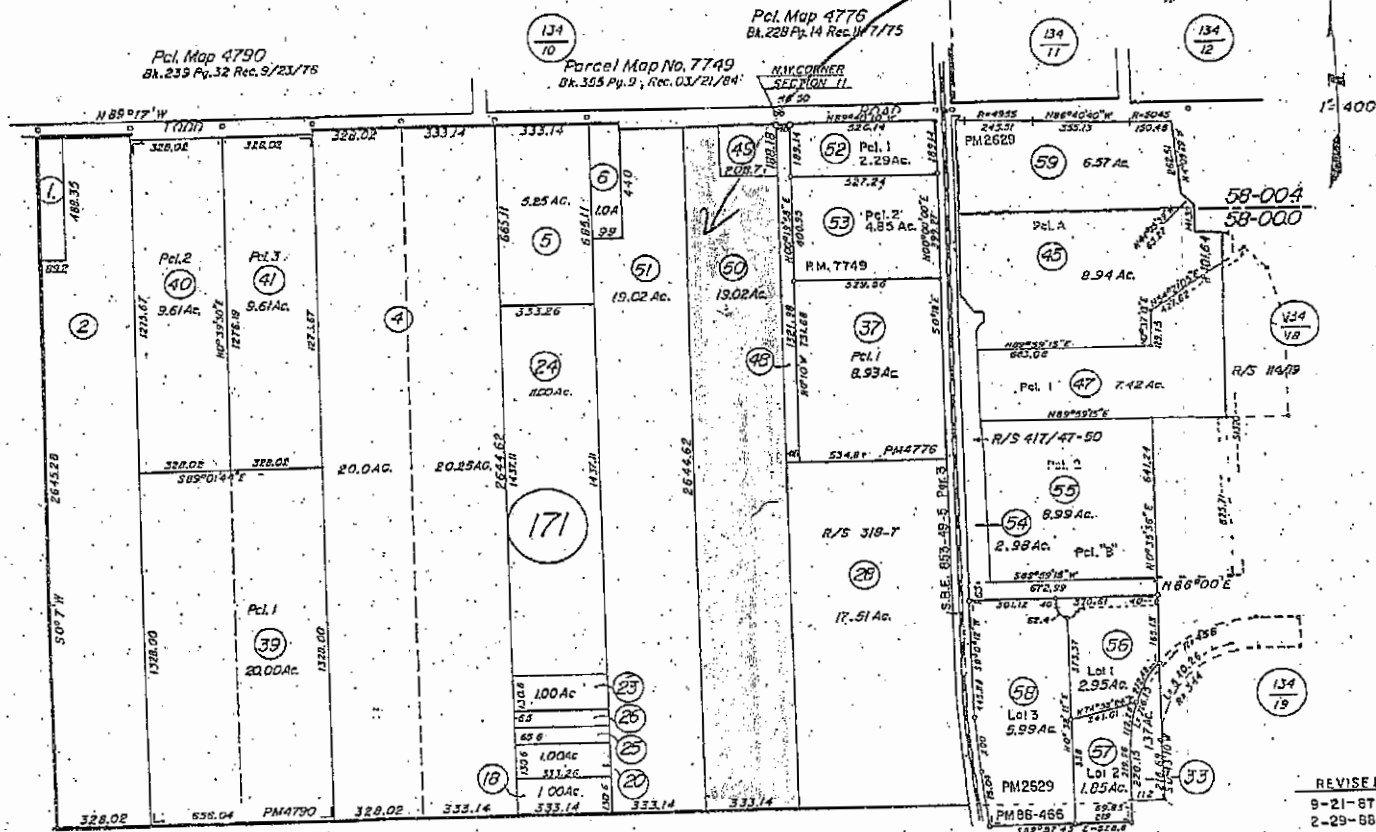


SCALE IN 1/10 OF AN INCH

COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
58-000
58-004

134-17



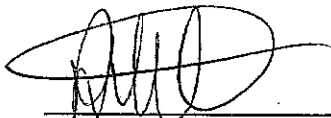
NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREON.

REVISED
9-21-87 = 54 KT
2-29-88 = 55 LSL
4-28-92 = 58 LSL
4-16-96 = 59 RM

Assessor's Map Bk. 134 pg. 17
Sonoma County, Calif.

INDEMNIFICATION AGREEMENT

"As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect."



Applicant

Same as applicant
Property Owner (if other than applicant)

10/19/01
Date

WPE 01-0181
File No.

NOTE: The purpose of the Indemnification Agreement is to allow the County to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

INDEMNIFICATION AGREEMENT



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

To: Interested Agencies

January 8, 2002

The following application has been filed with the Sonoma County Permit and Resource Management Department.

UPE01-0181

Todd Road Partners

304 Todd Rd, Santa Rosa

A.P.N. 134-171-050

Request for a Use Permit to legalize a processing site used for 1) the recycling of asphalt and concrete, 2) storage of contractors equipment and 3) stockpile of rock rip-rap materials on 18.0 acres.

We are submitting the above application for your review and recommendation. Additional information is on file in this office.

Responses to referrals should include: (1) statement of any environmental concerns or uncertainties your agency may have with the project; (2) any comments you wish to make regarding the merits of the project; and (3) your proposed conditions and mitigations for this project. Responsible agencies under CEQA are requested to indicate whether permits will be required for this project.

Your comments will be appreciated by **January 22, 2002** and should be sent to the attention of **UPE01-0181, Ken Ellison (kellison@sonoma-county.org)**.

Please send a copy of your comments to the applicant(s) or their representatives.

Please check the appropriate box and return or reply by e-mail to the address above.

No comments Comments attached Comments to be forwarded
 Please send meeting/hearing notices regarding this project.

- | | |
|---|---|
| <input type="checkbox"/> County Surveyor | <input type="checkbox"/> County Communications - Joe Perez |
| <input checked="" type="checkbox"/> Health | <input checked="" type="checkbox"/> Fire Marshal |
| <input type="checkbox"/> E/H Consumer Prot. - Jerry Meshulam | <input checked="" type="checkbox"/> Fire District - Rincon Valley |
| <input type="checkbox"/> Sanitation | <input checked="" type="checkbox"/> School District - Bellevue Elem. |
| <input checked="" type="checkbox"/> Land Develop-Road | <input type="checkbox"/> Santa Rosa School District |
| <input checked="" type="checkbox"/> Public Works-Roads | <input type="checkbox"/> Water District - |
| <input type="checkbox"/> Ag Commissioner | <input type="checkbox"/> State Coastal Commission |
| <input checked="" type="checkbox"/> Flood & Drainage Review | <input type="checkbox"/> Caltrans (State) |
| <input type="checkbox"/> PRAC Planner | <input checked="" type="checkbox"/> State Fish & Game |
| <input type="checkbox"/> General Plan Staff | <input type="checkbox"/> State Department of Forestry |
| <input checked="" type="checkbox"/> Northwest Information Center, S.S.U. | <input type="checkbox"/> State Department of Health |
| <input checked="" type="checkbox"/> Milo Baker Chapter Conservation Committee | <input type="checkbox"/> State Parks and Recreation |
| <input type="checkbox"/> Public Works - Transit | <input checked="" type="checkbox"/> Regional Water Quality Control-Northern |
| <input checked="" type="checkbox"/> Building Inspection | <input checked="" type="checkbox"/> Regional Air Pollution Control-Bay |
| <input checked="" type="checkbox"/> Army Corps of Engineers | <input type="checkbox"/> Regional Parks Department |
| <input type="checkbox"/> P.G. & E. | <input checked="" type="checkbox"/> City of Santa Rosa Planning Dept. |
| <input type="checkbox"/> Pacific Bell | <input type="checkbox"/> Treasurer/Special Assessment |
| <input type="checkbox"/> Sheriff - Crime Prevention | <input checked="" type="checkbox"/> Assessor |
| <input checked="" type="checkbox"/> LAFCO | <input type="checkbox"/> Landmarks Commission |
| <input type="checkbox"/> ALUC/CLUP - Bob Gaiser | <input checked="" type="checkbox"/> Other: Southwest Area Design Team |
| <input type="checkbox"/> Board of Supervisors - Supervisor | <input type="checkbox"/> Other: |

USE PERMIT - SUPPLEMENTAL APPLICATION INFORMATION

EXISTING SITE CHARACTERISTICS:

Existing use of property: STORAGE OF EQUIPMENT MATERIALS + PROCESSING Acreage: 18

Proximity to creeks, waterways and impoundment areas: _____

Vegetation on site: UNDISTURBED GRASSES ON SLOPES

General topography: FLAT

Surrounding uses to North: RESIDENCE (1EA) South: N/A

East: ASPHALT PLANT / CONSTRUCTION West: RESIDENCE AG.

New buildings proposed (size, height, type): N/A

Number of employees (total): N/A

Operating days: MON-SAT Hours of operation: 7 AM - 6 PM

Number of vehicles per day: 40

Water source: N/A Sewage disposal: N/A

Provider, if applicable: _____ Provider, if applicable: _____

Noise generated: _____

Grading required - Cut Max.: SEE FILL PERMIT Fill Max: N/A

Fill Area: N/A Approx. total yds.: N/A

Vegetation to be removed: N/A

Will proposal require annexation to a district in order to obtain public services? Yes _____ No X

Are there currently any hazardous materials (chemicals, oils, gasoline, etc.) stored, used, or processed on this site? Yes _____ No X

Were there any hazardous materials used, stored, or processed on this site any time in the past? Yes _____ No X

Will the use, storage, or processing of hazardous materials occur on this site in the future if this project is authorized? Yes _____ No X

ADDITIONAL INFORMATION: _____

Proposal Statement

12/11/01

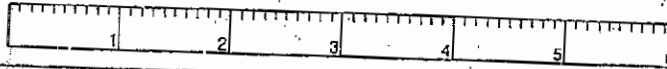
304 Todd Road
Santa Rosa, CA 95407

Currently the property is in use as a 1) temporary contractor's equipment storage site 2) stockpile location for rock rip-rap material and 3) processing site for broken asphalt and concrete materials for recycling and reuse purposes as base rock. As this property is zoned for this use, the owners wish to obtain a use permit per the allowed zoning uses of M1 Limited Rural Industrial District. This application is to bring the current use into compliance pursuant to the Notice of Violation received from the County PRMD dated 8/9/01.

The use for equipment storage is intermittent as there is an equipment storage yard across the access road to the East that primarily stores the equipment. Equipment storage would be temporary for pieces that will be transported from projects nearby until they can be transported to the next project location. Minor equipment repairs may take place at this location as well.

The use for material processing would be multi-functional. Storage of rock rip-rap for re-use on projects will take place from time to time as will trucking offhaul of the rock rip-rap to project sites. Stockpiling and processing of asphalt grindings, concrete and base rock materials will occur from time to time and is a use that will coincide primarily with the construction season, from spring to early winter. Processing of these materials will be for trucking to and re-use in on-going countywide projects. Both stockpiling and processing of materials is on an as needed basis. Stockpiling of the materials on site will occur during the week and on Saturdays between the hours of 7:00 AM to 6:00 PM. Processing of materials will be performed during the week and on Saturdays between the hours of 7:00 AM to 6:00 PM. Processing of the materials will involve the use of three to four operated pieces of equipment and an operated portable crushing plant. We approximate the processing of base rock materials would be in the range of 25,000 tons annually. The types of trucks that will be used to truck the material in and out are semi-end dumps, semi-bottom dumps and transfer trailers. The number of trips per day will vary based the time of year and on import and export of the materials. An estimated range of trips would be from 0 to 50 per day.

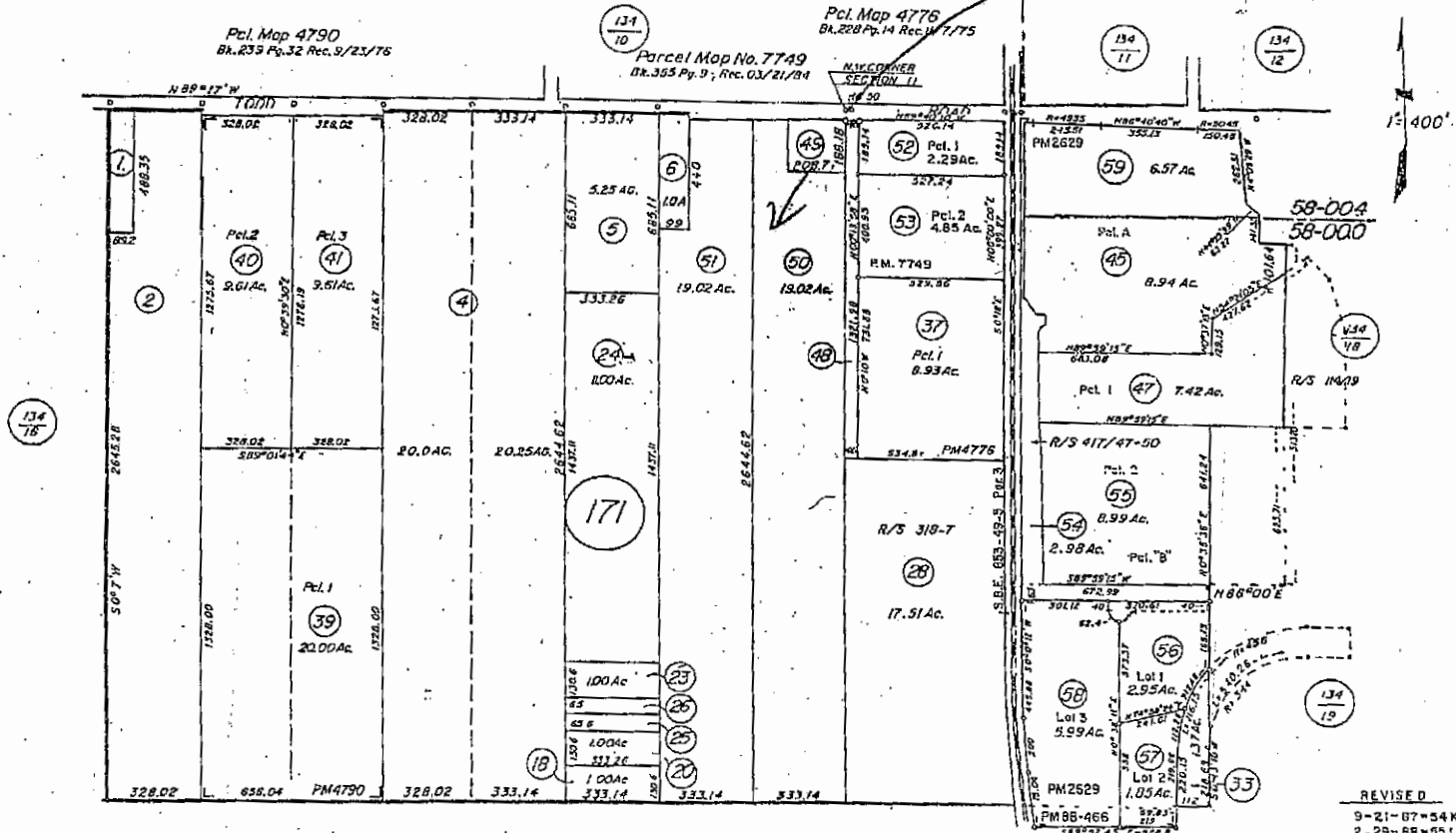
There will be no substantial changes in traffic as the adjacent access road and properties are an asphalt plant and a main office and storage yard for a construction company. Trucking of materials in and out of the asphalt plant occurs during daylight and nighttime hours and ranges from 0 to 100 trips per day. From time to time the asphalt plant also processes and recycles concrete and asphalt materials with a portable crushing plant similar to the use proposed on the 304 Todd Road property therefore there will not be substantial changes in noise. Site appearance will change from time to time as materials are stockpiled, processed and hauled off the property.



SCALE IN 1/10 OF AN INCH

COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
58-000
58-004
134-17



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREON.

REVISED
9-21-07=54 KT
2-29-88=55 LSL
4-28-92=58 LSL
4-16-96=59 RM

Assessor's Map Bk 134 pg. 17
Sonoma County, Calif.

“Standard Subdivision Conditions”

Recommended “Building” Conditions of Approval:

1. A grading permit shall be obtained from the Permit and Resource Management Department prior to the start of any earthwork, unless exempted under Appendix Chapter 33 of the 1998 California Building Code. The grading plan, prepared by a civil engineer who is registered by the state, shall be submitted for review and approval by the Permit and Resource Management Department prior to grading permit issuance. Any structures to be constructed as part of the required grading, such as retaining or sound walls, shall require separate building applications and permits.
2. Prior to submission of the final subdivision map, the subdivider shall file with the Permit and Resource Management Department a preliminary soil report, prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations at the subdivision.
3. If any changes to plans, drawings, documents or specifications required pursuant to any conditions here-in specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.

“Standard Use Permit Condition”

Recommended “Building” Condition of Approval:

1. The applicant shall apply for and obtain building related permits from PRMD for the proposed project. The necessary applications appear to be, but may not be limited to, site review, building permit and grading permit.

for equipment repair facility and on-site electrical work

Or, if no grading permit appears to be needed:

1. The applicant shall apply for and obtain building related permits from PRMD for the proposed project. The necessary applications appear to be, but may not be limited to, site review and building permit.

Sent 8-13-02



COUNTY OF SONOMA PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

DATE: August 13, 2002
 TO: Permit and Resource Management Department, Project Review Section, Planning
 ATTN: Ken Ellison

FROM: Jon Tracy, R.E.H.S., Project Review Section, Health

PROJECT TYPE: Use Permit

SUBJECT: Project Address: 304 Todd Road
 Project#: UPE01-0181
 Name: Todd Road Partners
 AP# 134-171-050
 Purpose: Request for a Use Permit to legalize a processing site used for 1) the recycling of asphalt and concrete, 2) storage of contractors equipment, and 3) stockpile of rock rip-rap materials on 18.0 acres.

The application has been reviewed by this Division (see x1 through x4).

- X2) Prior to a Negative Declaration, further information as indicated below is needed before we can respond to the project.
 - D) A sound study by a qualified noise consultant addressing: Noise impacts of heavy equipment operation, asphalt/concrete crushing and handling of asphalt/concrete on the two adjoining residences.

Comments:

1. A sound study by Illingworth & Rodkin, Inc, dated May 22, 2002, was received August 12, 2002. The study projected that with berms 5 feet taller than the crushing unit in place, Table NE-2 of the General Plan would not be met during operation of the crusher. Additional mitigation is required or the project must be found inconsistent with the General Plan. Additionally, it is not clear that the sound study addressed the impacts of backup alarms or trucks passing the residence on the Southwest corner of Todd Rd and the access road (Ghilloti Road).
2. Restroom facilities will be required for employees on this site. You are strongly advised to immediately employ a qualified septic system consultant to address shallow groundwater tests and/or wet weather percs that may be required for this site. Failure to do so may result in this project being delayed until the next wet weather testing period (beginning January 2003).

Please feel free to contact Jon Tracy, Project Review Health Specialist at (707) 565-1683, Monday through Friday, should you have any questions on the above information.

Cc: District Specialist
 Applicant Todd Road Partners
 Owner Carlile Macy
 Other

Revised 11/00

From: "Liam Davis" <LDAVIS@dfg.ca.gov>
Date: 1/26/02 4:56PM
Subject: UPE01-0181and illegal grading

Dear Ken Ellison:

I visited 304 Todd Road and am unable to view the project successfully from the road to appreciate any possible impacts to California tiger salamander habitat and associated wetland plants. It is obvious that water has been previously channelized from the road vantage point. Since this is an 18 acre project and there is still considerable resources on adjacent properties and possible also on this property, the Department would appreciate an opportunity to visit the property ? Is this possible?

Thank you.

Liam H. Davis
Department of Fish and Game
P.O. Box 47
Yountville, California 94599

office: (707) 944-5529
FAX: (707) 944-5563
Cell: (707) 477-6819
email: ldavis@dfg.ca.gov



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

DRAFT HEALTH USE PERMIT CONDITIONS

DATE: January 22, 2002
TO: Permit and Resource Management Department, Project Review Section, Planning
ATTN: Ken Ellison

FROM: **John Tracy, R.E.H.S., Project Review Section, Health**

PROJECT TYPE: Use Permit

SUBJECT: Project Address: 304 Todd Road
Project#: UPE01-0181
Name: Todd Road Partners
AP# 134-171-050
Purpose: Request for a Use Permit to legalize a processing site used for 1) the recycling of asphalt and concrete, 2) storage of contractors equipment, and 3) stockpile of rock rip-rap materials on 18.0 acres.

The application has been reviewed by this Division (see x1 through x4).

- X2) Prior to a Negative Declaration, further information as indicated below is needed before we can respond to the project.
- D) A sound study by a qualified noise consultant addressing: Noise impacts of heavy equipment operation, asphalt/concrete crushing and handling of asphalt/concrete on the two adjoining residences.

Comments:

1. Restroom facilities will be required for employees on this site. You are strongly advised to immediately employ a qualified septic system consultant to address shallow groundwater tests and/or wet weather percs that may be required for this site. Failure to do so may result in this project being delayed until the next wet weather testing period (beginning January 2003).

Please feel free to contact Jon Tracy, Project Review Health Specialist at (707) 565-1683, Monday through Friday, should you have any questions on the above information.

Cc: District Specialist
Applicant Todd Road Partners
Owner Carlile Macy
Other

Revised 11/00



COUNTY OF SONOMA
DEPARTMENT OF EMERGENCY SERVICES
FIRE SERVICES o EMERGENCY MANAGEMENT o HAZARDOUS MATERIALS

VERNON A. LOSH II, DIRECTOR

To: Ken Ellison

FROM: Jerry Faddis, Fire Plan Check Specialist II.
(707) 565-2410, FAX 565-1972, or JFADDIS@SONOMA-COUNTY.ORG
2550 Ventura Ave. Santa Rosa Ca. 95403

DATE: Jan. 29, 2002

Subject: UPE01-0181 304 Todd Rd.

This project shall comply with all applicable Fire and Life Safety Codes as prescribed by the Uniform Fire Code, Uniform Building Code, State Fire Marshal Regulations, So. Co. Ordinances and Standards, and Local Fire District Regulations. Where such codes and ordinances conflict the more restrictive shall apply. Compliance shall include, but not be limited to, the following aspects of the project.

1. Emergency vehicle access: Required to all structures and combustible storage.
2. Water supply and appliances (includes fire hydrants, underground fire lines, fire pumps, water tanks, ponds): Required for all structures and combustible storage.
3. Fire sprinkler system
4. Fire alarm system
5. Places of public assembly
6. Vegetation management
7. High piled storage
8. Hazardous materials: Compliance with State and Local codes and ordinances.
9. Tanks for flammable or combustible liquids or gases

cc: file
applicant

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
LAKE

MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO

SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1303 Maurice Avenue
Rohnert Park, California 94928-3609
Tel: 707.664.0880 • Fax: 707.664.0890
E-mail: nwic@sonoma.edu

18 January 2002

No.: 01-SO-193

Mr. Ken Ellison
County of Sonoma
Permit and Resource Management Dept.
Planning Division
2550 Ventura Avenue
Santa Rosa, Ca. 95403

re: UPE01-0181: APN: 134-171-050: 304 Todd Road

Dear Mr. Ellison:

Records at this office were reviewed to determine if this project could adversely affect historical resources. The review for possible historic buildings, however, was limited to references currently in our office. The Office of Historic Preservation has determined that any building or structure 45 years or older may be of historic value. Therefore, if the project area contains such properties they should be evaluated by an architectural historian prior to commencement of project activities. **Please note that use of the term historical resources includes both archaeological sites and historic buildings.**

___ The proposed project area contains or is adjacent to the archaeological site(s) (). A study is recommended prior to commencement of project activities.

___ The proposed project area has the possibility of containing unrecorded archaeological site(s). A study is recommended prior to commencement of project activities.

___ The proposed project area contains a listed historic structure (). See recommendations in the comment section below.

___ Study # identified one or more historical resources. It is recommended that a qualified archaeologist assess the status of the site and provide project specific recommendations.

___ Study # identified no historical resources. Further study for historical resources is not recommended.

___ The guidelines for implementation of the California Register of Historical Resources (Cal Register) criteria for evaluation of historical properties has been developed by the State Office of Historical Preservation. For the purposes of CEQA, all identified archaeological sites should be evaluated using the Cal Register criteria.


XX There is a low possibility of historical resources. Further study for historical resources is not recommended.

XX Our review is based on scientific information. In addition, we recommend you contact the local tribe(s) regarding traditional, cultural, and religious values.

___ Comments:

If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 664-2494.

Sincerely,

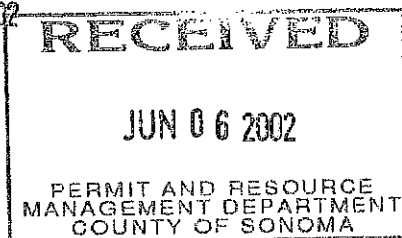

Leigh Jordan
Coordinator

PLANNING AND RESOURCE
DEPARTMENT



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

MAY 31 2002



Regulatory Branch

Subject: File Number 26934N

Mr. Paul Donaldson
Todd Road Partners
246 Ghilotti Avenue
Santa Rosa, California 95407

Dear Mr. Donaldson:

This is in reference to your permit application, UPE01-0181, dated December 13, 2001, with the County of Sonoma, Permit and Resource Management Department, concerning your project with Todd Road partners at 304 Todd Road, Santa Rosa, Sonoma County, California (APN 134-171-050).

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

Your proposed work appears to be within our jurisdiction and a permit may be required. Application for Corps authorization should be made to this office using the application form in the enclosed pamphlet. To avoid delays it is essential that you enter the file number at the top of this letter into Item No. 1. The application must include plans showing the location, extent and character of the proposed activity, prepared in accordance with the requirements contained in this pamphlet. You should note, in planning your work, that upon receipt of a properly completed application and plans, it may be necessary to advertise the proposed work by issuing a public notice for a period of 30 days.

If an individual permit is required, it will be necessary for you to demonstrate to the Corps that your proposed fill is necessary because there are no practicable alternatives, as outlined in the U.S. Environmental Protection Agency's Section 404(b)(1) Guidelines. A copy is enclosed to aid you in preparation of this alternative analysis.

However, our nationwide or regional permits have already authorized certain activities provided specified conditions are met. Your completed application will enable us to determine whether your activity is already authorized. You are advised to refrain from commencement of your proposed activity until a determination has been made that it is covered by an existing permit. Commencement of work before you received our notification may be interpreted as a violation of our regulations.

If you have any questions, please call Katerina Galacatos of our Regulatory Branch at telephone 415-977-8440. All correspondence should reference the file number at the head of this letter.

Sincerely,

ORIGINAL SIGNED
BY
CHIEF, SOUTH SECTION
FOR
Calvin C. Fong
Chief, Regulatory Branch

Enclosures

Copy Furnished (w/o enclosures):

Sonoma County
Permit and Resource Management Department
Attn: K. Ellison
Santa Rosa, CA



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, CORPS OF ENGINEERS
333 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2197

JAN 31 2003

CERTIFIED MAIL

Regulatory Branch

Subject: File Number 26934N

Mr. Paul Donaldson
Todd Road Partners
246 Ghilotti Avenue
Santa Rosa, California 95407

Dear Mr. Donaldson:

Thank you for your submittal of the Wetland Investigation dated November 16, 2002 for 304 Todd Road, Santa Rosa, Sonoma County, California (APN 134-171-050). Mr. Charles Patterson prepared this report to estimate the extent of wetland habitat prior to current fill activities of recycling asphalt and concrete, storage of contractor equipment and stock pile of rock riprap materials.

Enclosed is a jurisdictional map dated January 23, 2003 showing the extent and location of Corps of Engineers jurisdiction on 304 Todd Road before current fill activities. We have based this jurisdictional delineation on Mr. Patterson's Figure 3 of the November 16, 2002 Wetland Investigation. Digital planimetry of Mr. Patterson's Figure 3 indicate the presence 4.54 acres of wetlands on this property. This jurisdictional delineation will expire in three years from the date of this letter. However, if there has been a change in circumstances that affects the extent of Corps jurisdiction, a revision may be done before that date.

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps of Engineers pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

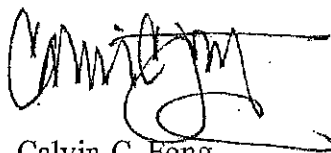
Your work is within our jurisdiction and authorization is required. Application for Corps authorization should be made to this office using the application form in the enclosed pamphlet. To avoid delays it is essential that you enter the file number at the top of this letter into Item No. 1. The application must include plans showing the location, extent and character of the proposed activity, prepared in accordance with the requirements contained in this pamphlet. You should note, in planning your work, that upon receipt of a properly completed application and plans, it may be necessary to advertise the proposed work by issuing a public notice for a period of 30 days.

If an individual permit is required, it will be necessary for you to demonstrate to the Corps that your proposed fill is necessary because there are no practicable alternatives, as outlined in the U.S. Environmental Protection Agency's Section 404(b)(1) Guidelines. A copy is enclosed to aid you in preparation of this alternative analysis.

You are advised that the Corps has established an Administrative Appeal Process, as described in 33 CFR Part 331 (65 FR 16,486; Mar. 28, 2000), and outlined in the enclosed flowchart and "Notification of Administrative Appeal Options, Process, and Request for Appeal" form (NAO-RFA). If you do not intend to accept the approved jurisdictional determination, you may elect to provide new information to the District Engineer for reconsideration or submit a completed NAO-RFA form to the Division Engineer to initiate the appeal process. You will relinquish all rights to appeal, unless the Corps receives new information or a completed NAO-RFA form within sixty (60) days of the date of the NAO-RFA.

If you have any questions, please call Katerina Galacatos of our Regulatory Branch at telephone 415-977-8440. All correspondence should reference the file number at the head of this letter.

Sincerely,



Calvin C. Fong
Chief, Regulatory Branch

Enclosures

Copies Furnished with enclosures:

Mr. Richard Ghilotti
Todd Road Partners
Santa Rosa, California

Ms. Leah Goldberg
Hanson Bridgett
San Francisco CA

Mr. Tony Korman
Windsor, CA

Copies Furnished without enclosures:

US Attorney, S.F., CA

US EPA, S.F., CA

US F&WS, Sacramento, CA

CA RWQCB, Santa Rosa, CA (Attn. Andrew Jensen)

Sonoma County Permit and Resource Management Department, Santa Rosa, CA (Attn. K. Ellison)

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
RECOMMENDED CONDITIONS OF APPROVAL

DATE: March 11, 2002

TO: Ken Ellison

FROM: Charlie Ozanich

FILE: UPE 01-0181

APPLICANT: Todd Road Partners

ADDRESS: 304 Todd Rd., Santa Rosa

APN: 134-171-050

I. STUDY

- ___ 1. The Developer/Applicant shall provide a _____ study of the _____, in a form approved by the Department of Transportation and Public Works, discussing, _____

II. RIGHT-OF-WAY REQUIREMENTS

2. The Developer/Applicant shall offer right-of-way to the County of Sonoma, free of encumbrances, and of sufficient width:

- a. As necessary to create public right-of-way a total of forty-three (43) feet wide on the Developer/Applicant's side of the road, as measured from the existing pavement centerline, for the full length of the property's frontage on Todd Road
- right-of-way*
- This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.*

___ b. To create a public right-of-way described as follows:

_____, on the Developer/Applicant's side of the road for the full length of the property's frontage on _____.

This condition shall be void if the existing right-of-way meets or exceeds the minimum requirement(s) described above.

___ c. _____ () feet in width, for the full length of the following new road(s): _____

___ d. To create public right-of-way a total of _____ () feet wide along the full length of the Developer/ Applicant's property frontage on

___ e. To create public right-of-way a total _____ () feet wide as measured from the centerline of the new alignment of _____, as shown on the preliminary design plan on file in the Department of Transportation and Public Works, dated _____, for the full frontage of the Developer/Applicant's property, to contain the improvements described on the Tentative Map for this subdivision.

___ f. To construct and maintain thirty-two (32) foot radius curb faces, sidewalks, utilities, etc. at all intersections.

___ g. To contain Emergency Vehicle and/or Pedestrian/Bicycle Access. The precise alignment of the Emergency Vehicle Access and/or Pedestrian/Bicycle Access shall be subject to the approval of the Department of Transportation and Public Works.

h. To contain all Public drainage facilities.

___ i. To contain a Standard Turnaround, including but not limited to Cul-de-sacs and Hammerhead(s), to be located at the end of

- ___ j. To contain the _____
_____.


- ___ 3. The Public right-of-way described above shall be widened as necessary to contain the improvements required by this approval, such as _____
_____, including all cuts and fills necessary to construct these facilities.

- ___ 4. Prior to approval of the Improvement Plans, the Developer/Applicant shall request the legal vacation of _____

necessary to accommodate the project as designed. If the vacation is approved, the Developer/Applicant shall accept this right-of-way for use as access to the project. If, for any reason the vacation (or abandonment) proceedings are terminated or if they result in a sale or vacation (or abandonment) to someone other than the Developer/Applicant, this project review shall be amended appropriately.
Nothing set forth in this condition or in the County's approval of this project shall in any way obligate the County of Sonoma to complete any vacation (or abandonment) proceedings requested by the Developer/Applicant pursuant to this condition.

- ___ 5. The Right-of-Way requirements for _____, shall be void if the existing right-of-way meets or exceeds the minimum requirements described above.

- ___ 6. Right-of-Way shall be dedicated for Public use on the face of the Final/Parcel Map.

-  7. Right-of-Way shall be dedicated using a Grant Deed. The Developer/Applicant shall have prepared a Grant Deed, together with the required descriptions and shall submit them to the County Surveyor for review and approval. **A copy of the recorded Grant Deed shall be submitted to the Land Development Section of the Permit and Resource Management Department PRIOR to clearance of these conditions.**

III. REQUIRED IMPROVEMENTS

A. ROADWAYS



8. The Developer/Applicant shall construct or install improvements described as follows:

a. *New roadway* with face-of-curb to face-of-curb width or edge-of-pavement to edge-of-pavement width on
Road name:

_____ and shall include:

- 1) _____ () foot wide paved travel lane(s).
- 2) _____ () foot wide two-way left turn lane.
- 3) _____ () foot wide right turn lane.
- 4) _____ () foot wide parking lane(s). (The two (2) foot wide gutter pan may be used as part of the shoulder or parking lane, but shall not be considered part of the travel lane.)
- 5) _____ () foot wide _____ shoulder. (The two (2) foot wide gutter pan may be used as part of the shoulder or parking lane but shall not be considered part of the travel lane.)
- 6) Minimum four (4) foot wide Class II Bicycle lane. This lane may include a maximum of one (1) foot of gutter pan width.
- 7) _____ () concrete curb and gutter on one/both sides of the road. (The gutter pan shall not be considered part of any travel lane.)
- 8) _____ () foot wide sidewalk, including facilities for persons with disabilities, along the _____ side(s) of the road.
- 9) The final road shall have sufficient structural section to provide for a Traffic Index of _____.

The improvements may vary depending upon the location and of the existing improvements. Depending on the existing conditions, the improvements may consist of widening, reconstruction, overlay, etc., all as necessary to create the required widths and structural section(s).

- e. Overlay with a minimum of 2.5 inches of asphaltic pavement the full width of the following road(s) for the full length of ~~the Developer/Applicant's frontage on~~
 Road name: Todd Road, from the westerly edge of Standish Avenue to the railroad crossing.
- f. Widen _____
 in conformance with the preliminary design developed by the Department of Transportation and Public Works, Engineering and Design Section.
- g. Supplement existing pavement to create the equivalent of a "Fire-Safe Standards" Turn-out at location(s) approved by the Department of Transportation and Public Works, roughly described as _____
 With written approval of the Department of Transportation and Public Works, turnouts may be modified to fit existing local conditions.
- h. Construct road improvements necessary to create a Right-turn pocket for _____ bound traffic on _____
 at the intersection with _____,
 all in conformance with Caltrans Standards.
- i. Construct road improvements necessary to create a Left-turn pocket for _____ bound traffic on _____
 at the intersection with _____,
 all in conformance with Caltrans Standards.
- j. Construct road improvements necessary to create a _____ () foot long Left-turn/ Deceleration lane in the _____ bound direction of _____
 _____, all in conformance with Caltrans standards.
- k. Construct road improvements necessary to create a Center Acceleration lane on _____, immediately to the _____ of the intersection with _____, all in conformance with Caltrans Standards.
- l. Construct road improvements to allow single-unit trucks to make their turns without having to enter the opposing lane of traffic at the intersection of Ghilotti Road and Todd Road.
 These improvements may be limited to the westerly corner of the intersection. The improvements shall conform to AASHTO Standards and shall consist of either a simple turn with pavement having a radius of 49 feet or a turn with a radius of 39 feet, with 1:10 tapers preceding and following it.

___ m. *Turn-around(s)*, including, but not limited to Cul-de-sacs, Offset cul-de-sacs, and Hammerhead Turn-arounds, in conformance with Department of Transportation and Public Works standards.

___ 9. The *structural section* of all road improvements shall be designed using a soils investigation which provides the basement soil's R value and Expansion Pressure test results. A copy of the soils report shall also be submitted with the first set of improvement plan check prints. The Traffic Index (TI) to be used for the pavement design of
Road name _____ is _____.

___ 10. The *minimum structural section* of required oiled-gravel shoulder improvements shall be six (6) inches of Class II aggregate base rock, compacted to a minimum relative compaction of 95%.

~~X~~ 11. The Developer/Applicant shall repair those failed portions of the existing pavement, as necessary to make a smooth transition between the existing pavement and the new pavement.

~~X~~ 12. The Developer/Applicant shall mill, repair and overlay the existing pavement as necessary to make a smooth transition between the existing pavement and the new pavement.

III-B. STORM DRAIN FACILITIES

~~X~~ 13. The Developer/Applicant shall have designed and constructed storm drainage facilities in accordance with Sonoma County Water Agency design standards. Drainage facilities shall be reviewed and cleared by the Drainage Review Section of the Permit and Resource Management Department.

___ 14. No trenching shall be allowed on _____ without the express written consent of the Department of Transportation and Public Works. Any utility work on this road shall be installed by boring under the pavement.

~~X~~ 15. The Developer/Applicant shall implement the requirements of the National Pollutant Discharge Elimination System (NPDES) Program, and shall submit a copy of the Notice of Intent to the Permit and Resource Management Department PRIOR to approval of this application. (*This condition is required of projects in the Santa Rosa Municipal Basin.*)

(Commercial driveway with a higher volume of truck traffic using the driveway, and intersecting an urban road with curb and gutter.)

- ~~X~~ 36. To allow for the smooth and safe movement of *passenger vehicles* and *occasional single unit trucks* entering and exiting the public road that provides access to the property, the Developer/Applicant shall construct an at-grade driveway, including curb and gutter, with:
- Entrance curve-returns having a radius of 35 feet and a throat width of at least 24 feet (this assumes a shoulder at least 5 feet wide on the public road). If the shoulder is less than this, the radius of the curve-return shall be increased to meet the requirements of AASHTO Single Unit Vehicle design.
 - The driveway shall enter the public road as close to perpendicular as possible, but in no case shall the driveway enter the public road at more than 20 degrees from perpendicular.
 - The minimum sight distance for vehicles entering and exiting this driveway shall be in accordance with AASHTO requirements for the actual speed traveled on the public road servicing the property.
 - The Developer/Applicant shall surface the entry with asphaltic pavement between the edge of the existing pavement and the right-of-way line or a minimum of 20 feet, whichever is greater.
 - This condition shall be void if the existing entry already meets these standards.
 - The driveway improvements shall be in place prior to occupancy or commencement of the new activity.
 - Location: *driveways onto Todd Road*
- ~~This driveway shall be aligned with and directly opposite _____~~
Plans for this driveway shall
be coordinated with the Sonoma County Department of Transportation and
Public Work's plans to improve the intersection of _____
and _____

III-F. TRAFFIC CONTROL DEVICES

___ 39. The Developer/Applicant shall contribute a "fair-share" toward the future signalization of the intersection of _____ with _____, by the Department of Transportation and Public Works. For the purposes of this permit, the "fair-share" amount shall be considered _____ percent of the cost of signalizing the intersection. The Department of Transportation and Public Works shall determine the actual cost from a study performed by the Department of Transportation and Public Works. The Developer/Applicant shall enter into a written agreement with the County for payment of the Developer/Applicant's share of the signalization costs.

~~X~~ 40. The Developer/Applicant shall install:

~~X~~ a. Traffic control devices as required by the Department of Transportation and Public Works, including items such as traffic signs, roadway striping, pavement markers, etc.

___ b. Traffic barricade(s) placed at an angle, where road pavement narrows to create a tapered transition to the existing narrower section of pavement, as required by the Department of Transportation and Public Works.

___ c. Traffic barricades where road pavement ends, as required by the Department of Transportation and Public Works.

___ d. Signing indicating that no vehicle parking will be permitted along _____

___ e. Traffic Control Devices as required by the Department of Transportation and Public Works, and described as: _____

III-G. EROSION CONTROL DEVICES

___ 41. An **Erosion Control Plan** (winterization plan) shall be prepared for the site and submitted as part of the Improvement Plans. Erosion control measures shall be installed as described in the **Erosion Control Plan**.

IV. IMPROVEMENT STANDARDS

53. All improvements shall be constructed in accordance with the Department of Transportation and Public Works Road policy.
54. All improvements shall be constructed in accordance with the requirements of the City of Santa Rosa Standards, unless the Sonoma County Department of Transportation and Public Works Standards are higher. Where the Sonoma County Department of Transportation and Public Works' Standards are higher, the improvements shall be constructed to the Department of Transportation and Public Works Standards.
55. Developer/Applicant shall employ a Registered Civil Engineer, licensed in the State of California, to develop plans for the required improvements. The scale of these improvement plans shall be *1 inch equals 40 feet*, and shall be submitted for review on 24 inch by 36 inch sheets. The plans shall include roadway cross-sections, at a maximum interval between cross-sections of 50 feet.

V. FEES

56. Plan checking fees and Inspection fees, including those involving off-site frontage improvements, shall be paid to the Permit and Resource Management Department, prior to signature of the Improvement Plans by the Director of the Department of Transportation and Public Works.
57. Prior to issuance of any building permit which results from approval of this application, a development fee (Traffic Mitigation) shall be paid to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code.
58. Prior to occupancy of any new building or new use of an existing building which results from approval of this application, the Developer/Applicant shall pay Traffic Mitigation fees to the County of Sonoma, as required by Section 26, Article 98 of the Sonoma County Code. **Evidence of payment shall be submitted to the Land Development Section of the Permit and Resource Management Department PRIOR to clearance of these conditions.**
- Note on Map:**
59. New construction on the parcels associated with this approval is subject to payment of a development fee (Traffic Mitigation) to the County of Sonoma before issuance of any building permits, as required by Section 26, Article 98 of the Sonoma County Code.

VI. PROCESSING

___60. The Developer/Applicant shall submit improvement plans for all required improvements to the Permit and Resource Management Department for review and approval. **Prior to the issuance of any Grading, Building or Encroachment permits, the Improvement Plans shall be signed by the Director of the Department of Transportation and Public Works.**

X

61. Prior to construction of any improvements that are to be made within County Road Right-of-way, the Developer/Applicant shall obtain an Encroachment Permit from the Permit and Resource Management Department.

VII. COMPLETION OF REQUIRED IMPROVEMENTS

___ 62. Prior to the filing of the Final/Parcel Map, the Developer/Applicant shall either:

a) Complete construction of the required improvements. (If the required construction is completed prior to filing of the subdivision map, the Developer/Applicant shall enter into an **Improvement Maintenance Agreement** and post security with the County of Sonoma, to guarantee the improvements for a period of one (1) year),

or,

b) Enter into an **Improvement Agreement** and post acceptable security with the County of Sonoma, agreeing to complete the required construction within the 24 month period following filing of the Final/Parcel Map. Included in this **Improvement Agreement** shall be a requirement that the Developer/Applicant enter into an **Improvement Maintenance Agreement** and post security with the County of Sonoma, to guarantee the improvements for a period of one (1) year after acceptance of the improvements as being complete, by the County of Sonoma.

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS

Revised Conditions

DATE: March 11, 2002

TO: Ken Ellison

FROM: Charlie Ozanich

FILE: UPE 01-0181

APPLICANT: Todd Road Partners

ADDRESS: 304 Todd Rd., Santa Rosa

APN: 134-171-050

~~PLEASE ADD ATTACHED CONDITION(S)~~

~~X~~ PLEASE ADD CONDITION(S) SHOWN BELOW.

In lieu of constructing the foregoing improvements, the Developer/applicant may enter into an agreement with the Sonoma County Department of Transportation and Public Works, agreeing to pay to the County of Sonoma an amount equal to the cost of the deferred improvements. The County of Sonoma will deposit these funds into an account to pay for construction of future Todd Road improvements.

VIII. USE PERMITS AND DESIGN REVIEWS

- ___ 63. Prior to occupancy of any new building or new use of an existing building which results from approval of this application, the Developer/Applicant shall complete construction of all the required public improvements. *(In certain cases where there will be a significant impact on safety, the security option is not available, and completion of the improvements shall be required prior to occupancy.)*
- ___ 64. The Developer/Applicant shall complete construction of all the required public improvements or enter into an **Improvement Agreement** and post acceptable security with the County of Sonoma, agreeing to complete the required construction within the 24 month period following the approval of the Application for this project. Included in this **Improvement Agreement** shall be a requirement that the Developer/Applicant enter into an **Improvement Maintenance Agreement** and post security with the County of Sonoma, to guarantee the improvements for a period of one (1 year) after acceptance of the improvements as being complete by the County.



ADVISORY NOTE:

65. The Sonoma County Department of Transportation and Public Works may modify these conditions if the Applicant can demonstrate that the conditions are infeasible due to unforeseen field constraints or lack of property rights and that the goals of these conditions can be safely achieved in some other manner. However, the threshold for any modification is high and therefore modification of conditions is not common.
- ___ 66. Prior to the issuance of building permits, and for the purposes of mitigating the cumulative traffic impacts of the project that are in addition to those identified in the Airport Industrial Area Specific Plan EIR, the Developer/Applicant shall be responsible for paying the County Wide Traffic Impact Fee as described in Section 26-98-600, for all project trips in excess of those projected for the site by the Specific Plan EIR. For the purposes of determining the actual traffic generation on site, the 6th edition of the Institute of Traffic Engineers Trip Generation Manual shall be used. (Note: in this case, the Specific Plan EIR projected 40 Average Daily Trips (ADT) from the site, or, 1 acre x 40 trips per acre = 40 ADT.)



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

REFERRAL OF ILLICIT DISCHARGE

March 9, 2004

John Short, Sr WRCE
Watershed Protection, Russian River Unit
North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

SUBJECT: Notification of illicit discharge into drainage ditch

Dear Mr. Short,

On February 5, 2004 County staff witnessed employees from Roto-Rooter discharging the contents of their pumping vehicle (license plate # 6Y42714) at the top of bank immediately adjacent to a drainage ditch on the western portion of the Ghilotti Construction property located at 246 Ghilotti Avenue in Santa Rosa. The drainage ditch is a tributary to the Todd Flood Control Channel.

County staff approached the Roto-Rooter employees and inquired about the contents being discharged at the top of bank. The response was water collected from cleaning storm drains. However, it is well known that Roto-Rooter frequently pumps sanitary systems which contain pathogens that may have been present in the discharge in question.

This letter serves as notification to the Regional Water Board by the County of Sonoma Illicit Discharge Detection in accordance with Provision C.17 of the California Regional Water Quality Control Board, North Coast Region, Order No. R1-2003-0062, NPDES No. CA0025054.

For further information regarding this matter, please contact me at (707) 565-3746. Thank you.

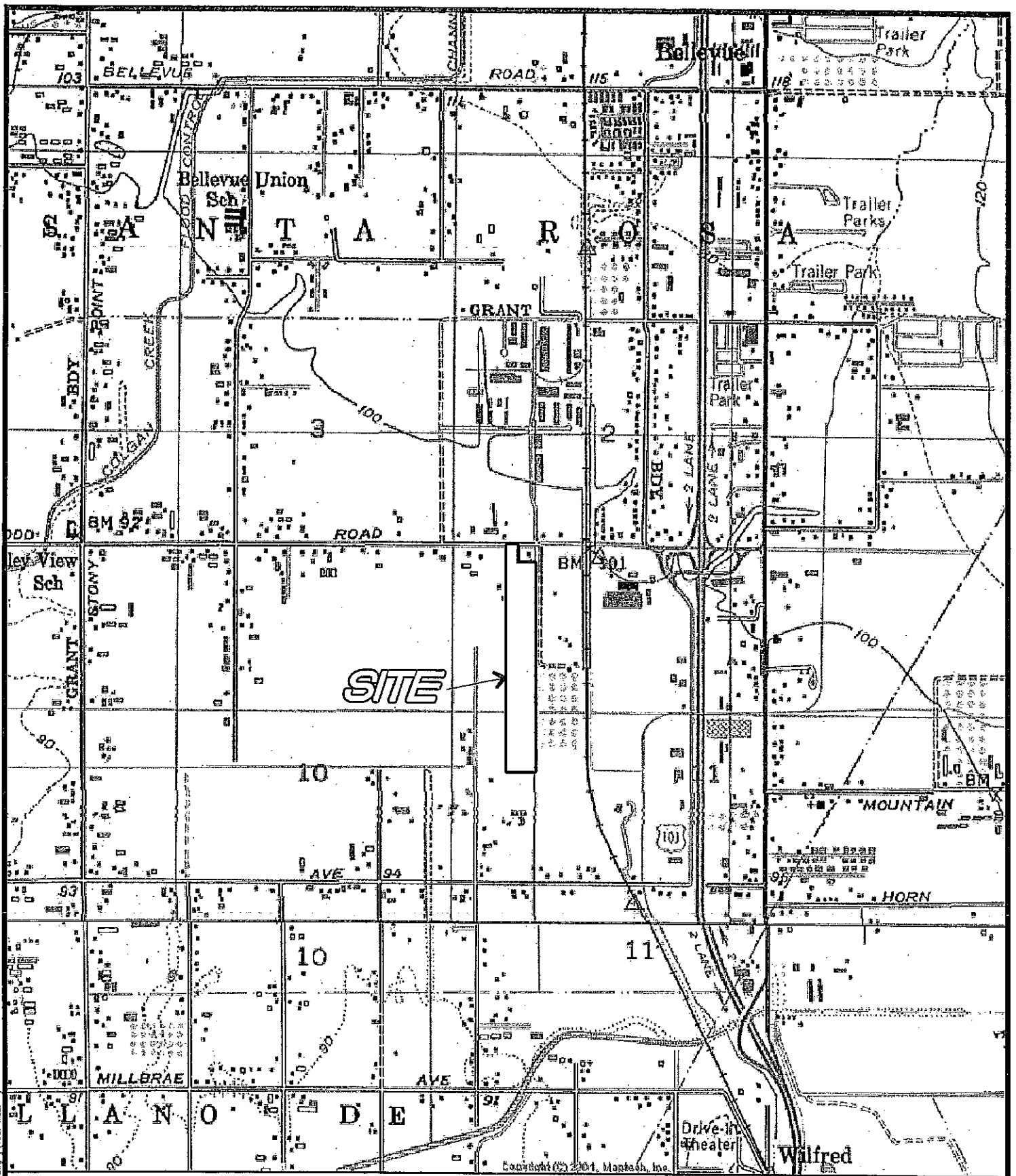
Sincerely,

Alex Rosas

enc: 5 Photographs taken at the time the incident was witnessed

cc: Roto-Rooter
Ghilotti Construction
Code Enforcement, Ben Neuman
Engineering Division Manager, Mary Jo Yung
Environmental Health, Jeff Lewin

NPDES Section, File
Project Review, Ken Ellison



USGS EXHIBIT
GHILOTTI PROPERTY

304 TODD ROAD, SANTA ROSA
 SONOMA COUNTY, CALIFORNIA

Copyright (C) 2004, Maptech, Inc.

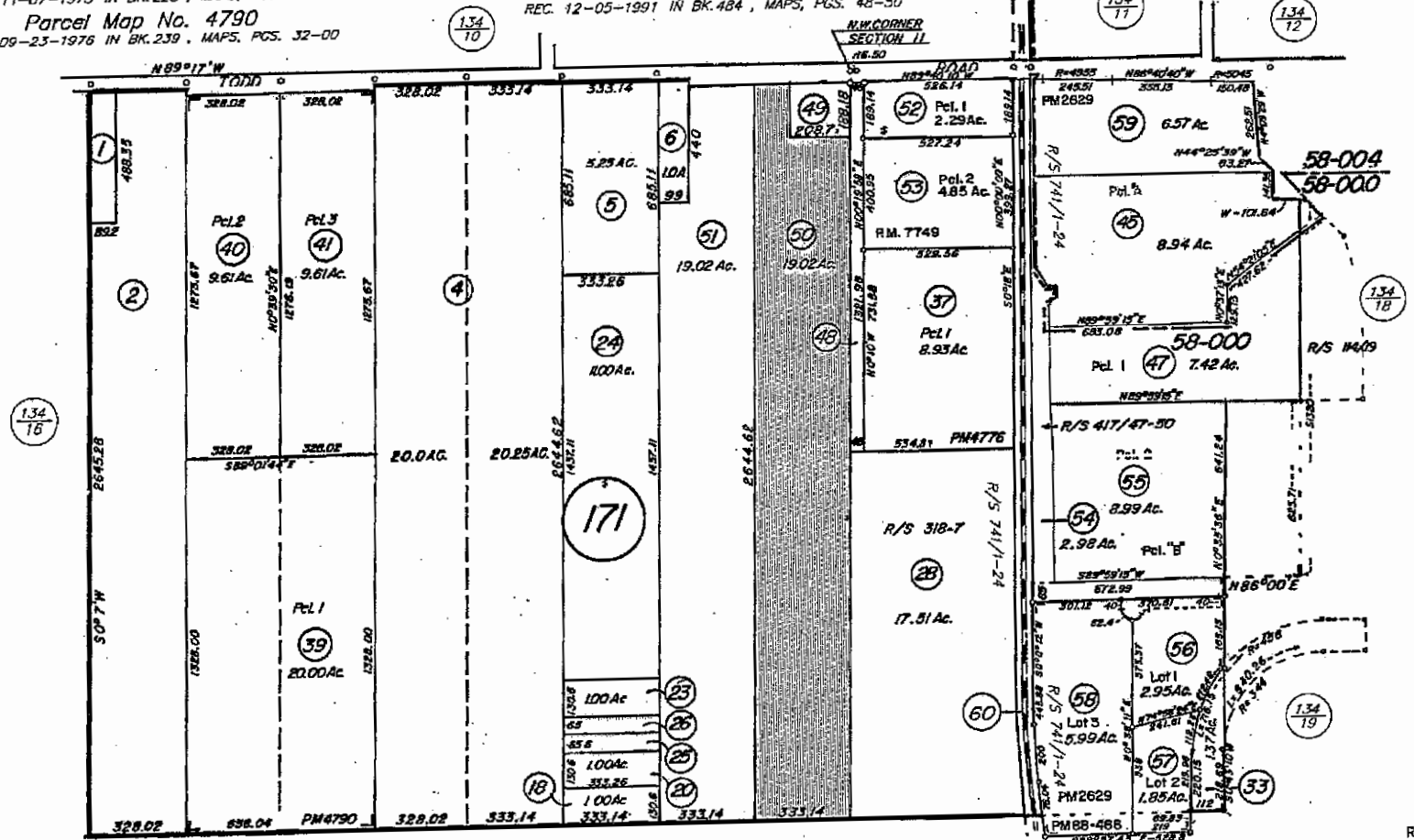
COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
58-000
58-004

134-17

Parcel Map No. 2629
REC. 02-23-1972 IN BK. 167, MAPS, PGS. 27-28
Parcel Map No. 4776
REC. 11-07-1975 IN BK. 228, MAPS, PGS. 14-00
Parcel Map No. 4790
REC. 09-25-1976 IN BK. 239, MAPS, PGS. 32-00

Parcel Map No. 7749
REC. 03-21-1984 IN BK. 355, MAPS, PGS. 09-00
Parcel Map No. 88-466
REC. 12-05-1991 IN BK. 484, MAPS, PGS. 48-50



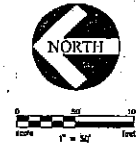
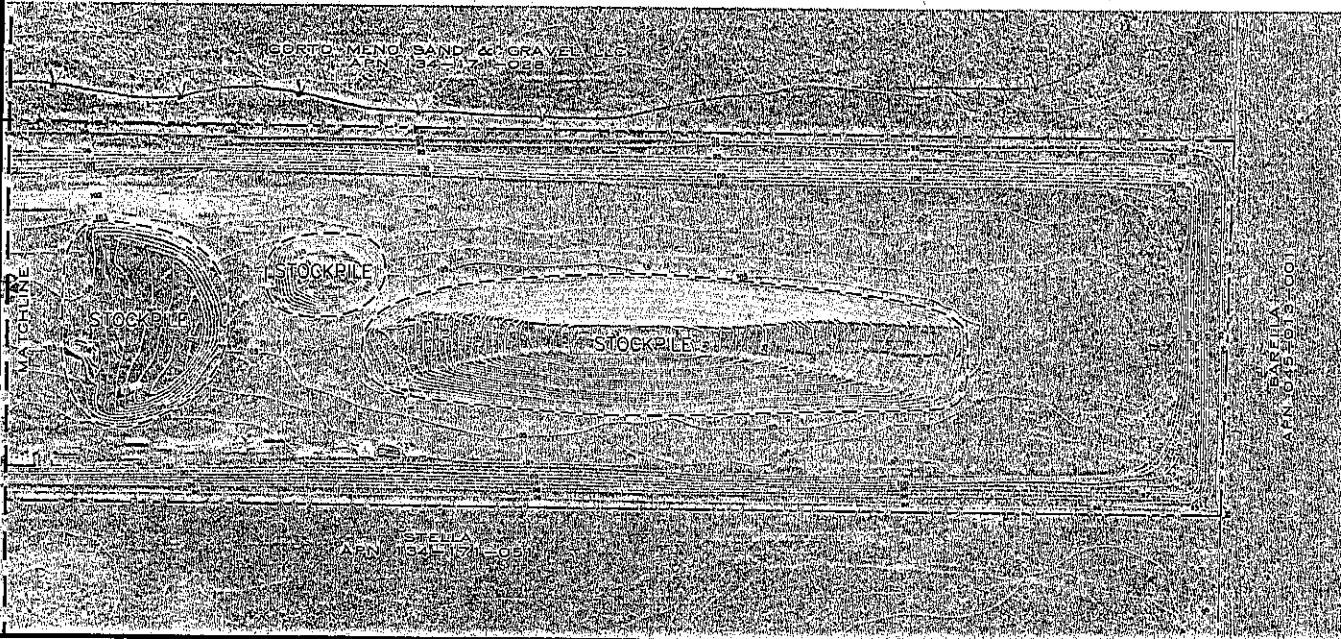
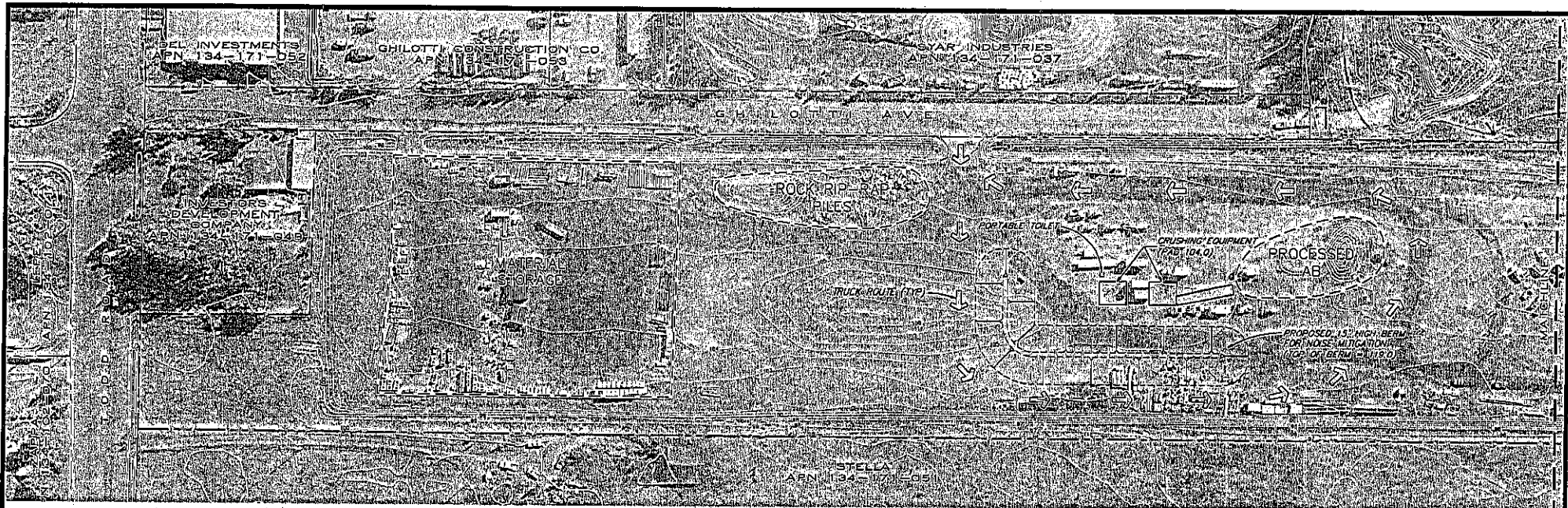
SCALE: 1"=400'

NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps, recorded deeds, prior assessment maps, etc.)

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.

REVISED
04-16-96=59-RM
04-23-97=60-LSL
01-26-11=R/S-KB

Assessor's Map Bk. 134, Pg. 17
Sonoma County, Calif. (ACAD)
hybrid 1-26-11 kb



SITE PLAN
GHILOTTI PROPERTY

APN 134-177-050
 304 TODD ROAD, SANTA ROSA
 SONOMA COUNTY, CALIFORNIA
 AUGUST 23, 2011



PREPARED BY
CARLILE & MACY
 CIVIL ENGINEERS • URBAN PLANNERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS
 15 Third Street, Santa Rosa, CA 95401
 TEL (707) 542-6451 FAX (707) 542-5212

PROJECT NO. 110807-01

SHEET 1 OF 1

UPE 01-0181
304 Todd Rd

**GHILOTTI TODD ROAD SITE
SANTA ROSA, CALIFORNIA**

May 22, 2002



Prepared for:

Tony Korman
Korman Development
PO Box 782
Windsor CA 95492

Prepared by:

Richard R. Illingworth, P.E.

ILLINGWORTH & RODKIN, INC.

Acoustics • Air Quality

505 Petaluma Blvd. South

Petaluma, CA 94952

(707) 766-7700

Job No.: 00-045

Introduction

This report is an environmental noise assessment for Ghilotti's proposed portable concrete and asphalt recycling crushing operation to be located on the parcel of land opposite the entrance to their existing Todd Road offices. The area where the proposed crusher would be located is shown on attached Figure 1. The proposed operation would consist of trucking concrete and asphalt to the site, stockpiling the material, and then, when enough material has been collected, crushing it so that it can be reused. It is estimated that the plant would be used for several weeks every four to five months. The equipment used on the site would consist of the portable crusher and associated screens, and a front loader.

In this report, we evaluate the noise of the operation against the noise control requirements of the Noise Element of the Sonoma County General Plan and recommend mitigation measures which would reduce the noise emission from the plant.

Noise Control Requirements

The Noise Element of the Sonoma County General Plan sets forth guidelines for the noise that would be generated by new stationary noise sources, such as the Todd Road plant. Policy NE-1c sets forth the guideline for non-transportation sources.

NE-1c: Control non transportation related noise from new projects. The total noise level resulting from new sources an ambient noise shall not exceed the standards in Table NE-2 as measured at the exterior property line of any affected residential land use. Limit exceptions to the following:

- 1) If the ambient noise level exceeds the standard in Table NE-2, adjust the standard to equal the ambient level.
- 2) Reduce the applicable standards in Table NE-2 by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.
- 3) Reduce the applicable standards in Table NE-2 by 5 decibels if they exceed the ambient level by 10 or more decibels.

TABLE NE-2

Maximum Exterior Noise Level Standards, dBA			
Category	Cumulative Duration of Noise Event in any one-hour period (minutes)	Daytime 7 am to 10 pm	Nighttime 10 pm to 7 am
1	30-60	50	45
2	15-30	55	50
3	5-15	60	55
4	1-5	65	60
5	0-1	70	65

Existing Conditions

There are three residences near the proposed site. Noise measurements were conducted in the vicinity of each of these on Wednesday, May 8, 2002. During the measurements, the existing Syar Asphalt Batch Plant was in operation and winds were calm. The following table shows the noise levels measured at each location. The quietest noise levels are measured in the vicinity of Site 2. After the appropriate adjustments are made per the Noise Element guidelines, the allowable noise levels at these three residences are as follows:

**Allowable Noise Levels
Per Sonoma County Noise Element**

Cumulative Duration of Noise Event in any One-Hour Period (Minutes)	Site 1	Site 2	Site 3
30-60	52	50	55
15-30	55	55	58
5-15	60	60	60
1-5	65	60	65
0-1	45	65	70

Project Noise Sources

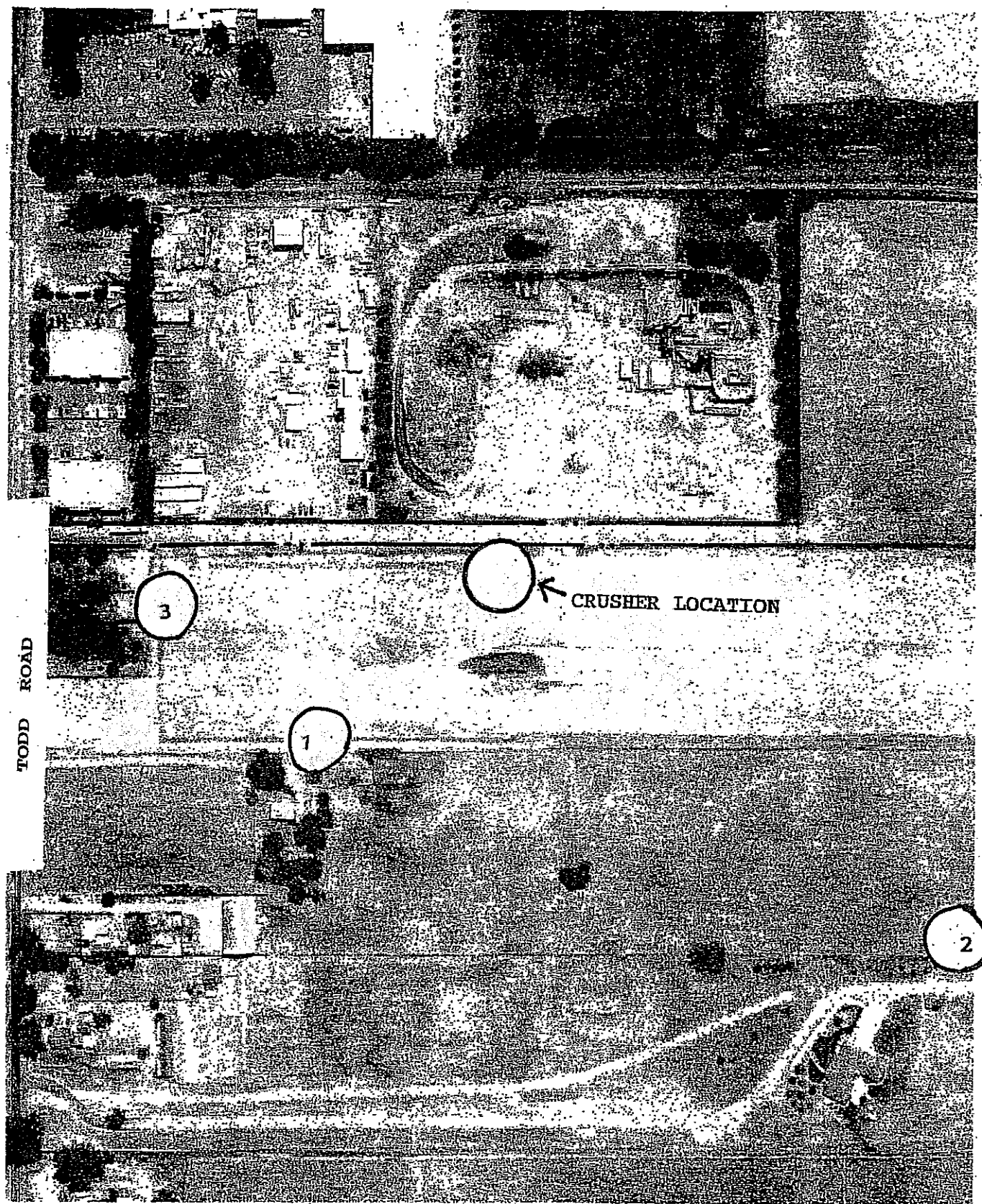
The major noise sources associated with the project would be the concrete and asphalt recycling crushing plant and the secondary noise sources would include the front loader and trucks operating on the site. Based on information supplied by the manufacturer of the concrete/asphalt recycling crusher and measurements that we have conducted at similar facilities, we estimate that the following noise levels would be expected under typical operating conditions:

Concrete/asphalt recycling crushers and screens	91 dBA at 100 feet
Front loader	80 dBA at 100 feet
Trucks	75 dBA at 100 feet

Since noise decreases with the distance between the source and the receiver, we have assumed that the crushing plant would be placed as far east on the property as possible. This would place the operation as far as possible from the home represented by Site 3, which also has the most restrictive noise level standard because of the lower ambient noise levels at this location. The operation would be about 700 feet from this residence, 400 feet from Site 1, and 550 feet from Site 2. At these distances with no mitigation, sound levels would reach 79 dBA at Site 1, 76 dBA at Site 2, and 74 dBA at Site 3. During the use of the crusher, noise levels would exceed the allowable noise levels in all of the categories set forth in the Sonoma County Noise Element. Mitigation would be required.

Mitigation Strategies

Noise levels could be reduced dramatically by installing a barrier between the crushing plant and the surrounding homes. The barrier should have a minimum height of 5 feet above the crushing plant and could consist of stockpiled concrete and asphalt or crushed material. This berm would reduce noise levels by 20 dBA, resulting in noise levels of 59 dBA at Site 1, 56 dBA at Site 2, and 54 dBA at Site 3. Even with the mitigation, noise levels could still exceed the standards set forth in the Noise Element of the Sonoma County General Plan. However, since the plant would not operate continuously, the impact of the plant would be minimized.



PROJECT SITE AND NOISE MEASUREMENT LOCATIONS

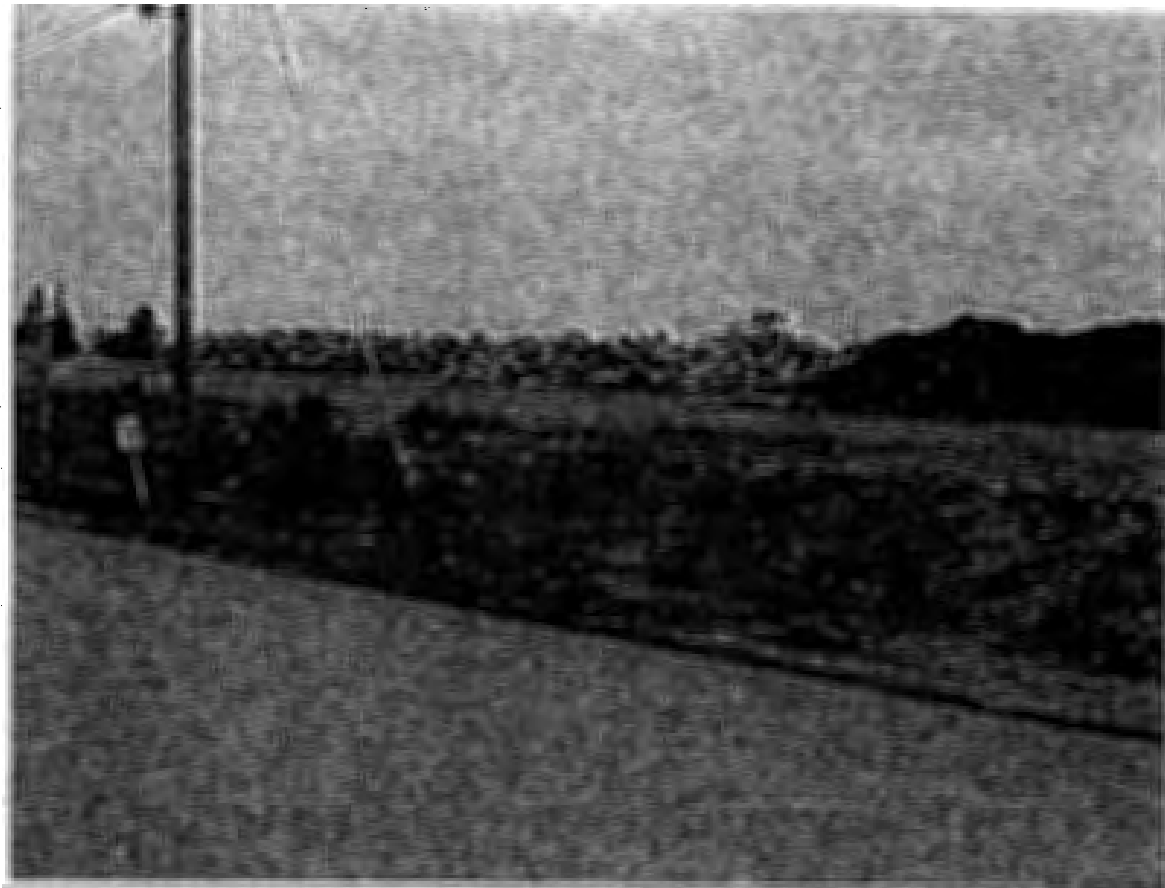
Figure 1



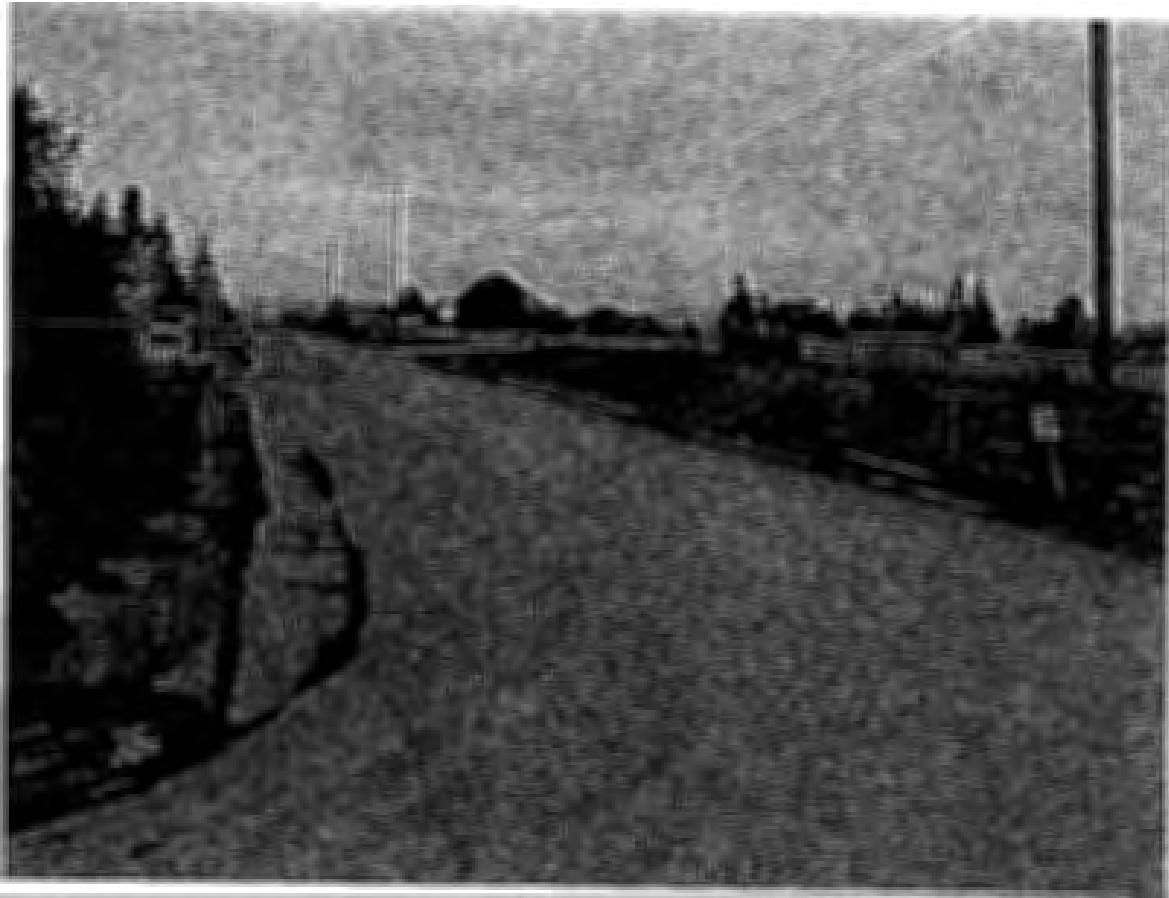
LOOKING SOUTH
STOCKPILE OF CRUSHED MATERIAL



LOOKING NORTH ON GILLOTT AVENUE
DRAINAGE SWALE AND DRIVEWAY w/ STORM
DRAIN PIPE



LOOKING SOUTHWEST
STOCKPILE OF ROCK RIF RAP



LOOKING SOUTH ON GHILOTTI AVENUE

Standard Urban Storm Water Mitigation Plan Questionnaire

NPD-004

PURPOSE: Storm water is the largest source of pollution in creeks and rivers. Projects are required to prevent storm water pollution and clean storm water before it leave a project site. This form is used to determine if a project is subject to special regulation on storm water.

Applicant: Owner Engineer Architect
 Landscape Architect Contractor Developer

Rick Carlile

Name

15 Third Street

Mailing Address

Santa Rosa

CA 95401

City/Town

(707) 542-6451

State/Zip

(707) 542-5212

Phone

Fax

Project Site Information:

304 Todd Road

Street Address

Santa Rosa, CA

City/Town

134-171-050

Assessor's Parcel Number

Permit Number(s)

QUESTIONNAIRE:

To determine if a project is subject to the requirements of SUSMP, please answer the following questions. If you are unable to answer any questions or if you checked unknown, you may consult a PRMD National Pollutant Discharge Elimination System (NPDES) staff member, or your design professional.

Yes No Unknown

1. Is the project within either of the two NPDES boundaries? Check the box below for either the North Coast Regional Water Quality Control Board or the San Francisco Bay Regional Water Quality Control Board. See attached map.

North Coast San Francisco Bay

Yes No Unknown

2. Does the project create one (1) acre (43,560 square feet) or more of new impervious surface or is it directly adjacent to a waterway or does it require a new storm drain outfall?

Yes No Unknown

3. Does the project require a discretionary permit or any ministerial permit(s) related to a discretionary permit (e.g. a grading or building permit for a project subject to a use permit or other discretionary land use approval)?

ACKNOWLEDGMENT:

I, as the applicant, understand that a Yes answer to all of the above questions means the project is a SUSMP applicable project subject to the requirements of SUSMP guidelines. Any unknown responses must be resolved to determine if the project is subject to SUSMP requirements. The applicant must complete the Preliminary Storm Water Mitigation Plan Worksheet (NPD-005) for all applicable SUSMP projects.

Signature

Date

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ❖ Santa Rosa, CA ❖ 95403-2829 ❖ (707) 565-1900 ❖ Fax (707) 565-1103

MAINTENANCE MANUAL FOR STORMWATER BMPs

JULY 2011

GHILOTTI AVENUE PROPERTY

APN 134-171-050

**304 TODD ROAD, SANTA ROSA
SONOMA, CA**

PROJECT #: 1996087.A0

CARLILE · MACY

15 Third Street, Santa Rosa, CA 95401
Tel: 707 542 6451 Fax: 707 542 5212

CIVIL ENGINEERS

URBAN PLANNERS

LAND SURVEYORS

LANDSCAPE ARCHITECTS

INTRODUCTION

The 19 acre Ghilotti Avenue Property project site is located at 304 Todd Road in Santa Rosa. Currently the property is in use as a 1) temporary contractor's equipment storage site, 2) stockpile location for rock rip-rap material, and 3) processing site for broken asphalt and concrete materials for recycling and reuse purposes as base rock.

This manual was developed to assist the Owner in maintaining stormwater BMPs located on the property used to minimize pollutants and improve the quality of stormwater runoff.

PROPOSED IMPROVEMENTS FOR USE PERMIT ACTIVITY

The site will continue to be used as described above. A 15' high berm will be constructed for noise mitigation coming from the crush equipment. There will also be a portable toilet installed at the location of the crushing equipment. There are large stockpiles of soil on the southern half of the property. These stockpiles are currently slated for the fill required on the adjacent Shamrock Property.

There will be BMPs incorporated into the site to protect stormwater runoff from any possible pollutants or sedimentation.

POLLUTANT SOURCE IDENTIFICATION

The following is a list of materials that may be stored and activities that will be performed that will have the potential to contribute pollutants, other than sediment, to storm water runoff:

- Vehicle fluids including oil, grease, petroleums and coolants
- Raw landscape materials and wastes (topsoil, plant materials, herbicides, fertilizers, mulch, pesticides)
- BMP materials (sandbags, liquid copolymer)
- Sanitary waste facilities
- General litter

BMPs SELECTED

The following is a list of the BMPs selected for this project site by number assigned in the California Stormwater BMP Handbook. The locations of the BMPs are shown on the Stormwater Management Plan in Appendix A. Refer to the fact sheets in Appendix B for details describing each BMP.

- EC-2 – Preservation of Existing Vegetation
- SE-1 – Silt Fence
- SE-5 – Fiber Rolls

- SE-13 – Compost Socks and Berms
- TC-1 – Stabilized Construction Entrance/Exit
- NS-10 – Vehicle and Equipment Maintenance
- WM-1 – Material Delivery and Storage
- WM-3 – Stockpile Management
- WM-4 – Spill Prevention and Control
- WM-7 – Contaminated Soil Management
- WM-9 – Sanitary/Septic Waste Management

MAINTENANCE PROGRAM

All BMPs listed will be permanent for as long as the site is active. During the rainy season, from October 15th to April 15th of each year, all BMPs must be inspected weekly and once each 24-hour period during extended storms to ensure they are installed and functioning properly. Additional inspections must be performed within 48 hours prior to any rain even forecast with 50% or greater probability of producing precipitation by the National Oceanographic and Atmospheric Administration (NOAA).

The purpose of these inspections is to identify BMPs that:

- Need maintenance to operate effectively;
- Have failed ; or
- Are at risk of failing to operate as intended.

If deficiencies are identified during BMP inspections, repairs or design changes to BMPs must be initiated within 72 hours of identification and need to be completed as soon as possible

The following maintenance tasks should be performed on a regular basis:

- Removal of sediment from barriers and sedimentation devices;
- Replacement or repair of worn or damaged silt fence fabrics or fiber rolls;
- Repair of damaged soil stabilization measures; and
- Other control maintenance as defined in each BMP fact sheet.

APPENDIX A

STORMWATER MANAGEMENT PLAN

Blake Hillegas

From: Karen Brocco [karenbrocco@aol.com]
Sent: Monday, October 31, 2016 12:40 PM
To: Blake Hillegas
Subject: COMPLAINT

COMPLAINT

Blake Hillegas
PRMD
Sonoma County

Dear Mr. Hillegas,

It has come to my attention when dealing with the Ghilotti Construction Company's illegal yard site issues, that Shamrock Materials Inc. has submitted a request for a special use permit under M3 zoning on the property at 290 Todd Road (APN 134-171-028) (file number: PLP 01-0088.)

I want you to know that I adamantly oppose the issuance of that use permit. Currently, and illegally, the 40 foot mound on the Ghilotti yard site to the west of the proposed Shamrock plant, does little or nothing to mitigate the noise from the Syar plant operating to the north of the proposed Shamrock plant. So how could a 15 foot noise berm at the Shamrock site really be enough to mitigate the sounds of "noise intensive activities, including front end loaders, concrete/asphalt recycling crushers, tub grinders, sand and gravel crushing/screening, and the operation of rail car switching?"

These activities would be "restricted to 7am to 10pm DAILY." As if people only need some quiet time to sleep! Approval of this permit turns our Rural Residential neighborhood into a permanent construction zone!

All other M3 zoned businesses in our neighborhood (except Syar and Ghilotti Construction Company) respect our rural residential zoning. They do business in a quiet way. They respect our right to some peace in our own neighborhood.

I cannot understand the County's assault on our right to a peaceful existence in our own homes.

We already have Syar Industries. Now you want to approve Ghilotti's contractor's yard site and Shamrock Materials noise generating, ear splitting recycling crushers, tub grinders, sand/gravel crushing/screening and front end loaders.

When did M3 zoning automatically become a war zone for local, longtime rural residential citizens?

I formally file a complaint against the issuance of said "use" permit for Shamrock Materials Inc. at 290 Todd Road, Bellevue (APN 134-171-028) and for Ghilotti Construction Company at 304 Todd Road, Bellevue (APN 134-171-050).

And I formally file a noise complaint against Syar Industries at 260 Ghilotti Ave., Bellevue (APN 134-171-037).

Please acknowledge receipt of these complaints.

Thank you for your attention.

Karen Brocco 585-8575

Ghilotti Issue

karenbrocco@aol.com
