

**Elise Semonian**

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**From:** Katrina Russek [REDACTED] >  
**Sent:** Monday, September 20, 2021 12:40 PM  
**To:** Elise Semonian  
**Subject:** Planning Commission Meeting

**CAUTION:** External Sender

Re: 9 Laurel Avenue  
 Proposed 2<sup>nd</sup> Story

Dear Elise,

Kindly forward my email to the Planning commission for tonight's meeting, unfortunately we are not able to attend and wish for our opinion to be heard.

My husband and I live at [REDACTED] Hillcrest Avenue and we are a block and a half away from this proposed 2<sup>nd</sup> story construction home. We have lived in our home for 22+ years and enjoy the beauty, the comfort and the charm of our neighborhood. We are writing to the Commission to **strongly object** to allowing this construction to move forward. Additionally, it is my understanding that the owner/developer of this house wishes to renovate the house in order to flip it, make more money and move out of our area. We are not happy with a 2 story house in an area that it is primarily one story homes (short of the apartments) and allowing this construction to go forward is a slippery slope. I also don't want people from outside SA to turn this town into a location where people can buy a home, tear it down, renovate it and flip it and move on. It has been a terrible issue that a couple of homes on Laurel and Hazel were allowed to be torn down and McMansions built in their place on a very small footprint. We do not wish this practice to continue.

Since we have lived in our home, there hasn't been a day go by that someone is working on a home, seeking to renovate (I suspect without permits as there are no notices posted) and I wish for our Planning Commission to put an end to this work. Now, repairing a leaking roof or a destroyed patio is one thing, but allowing a 2<sup>nd</sup> story construction is simply ridiculous and must stop. I need only cite the home formerly owned by Tim and Lisa Kemp (On Hillcrest Avenue) as one of these no-permit nightmares.

I hope the Commission will see this issue very clearly, saying no to the owner/developer and not allowing him to continue with his pleadings and continuances and taking up any more of our Planning Commission's time. Please count my husband and me as two local residents saying **"NO"** to this non-local residence's request.

If you have any questions or wish to speak with me directly, please feel free to contact me directly.

Otherwise, thank you for taking our opinions into consideration.

Katrina

Katrina Russek  
 [REDACTED]

Dear Planning Director, Elise Semonian, and the Planning Commissioners,

I am the owner of ■ Laurel Ave and a long-time resident, 28 yrs, of San Anselmo. I am opposed to the proposed remodel of 9 Laurel Ave because it has a 2<sup>nd</sup> story. I am in support of a single-story improvement of the property.

**A 2<sup>nd</sup> story addition in this case violates the Town's General Plan and the Town's Housing Elements:**

Town's General Plan expressed in Land Use Goals *1 and 2*  
 The Land Use Map *Object 11, Policies: 11.1*  
 San Anselmo Housing Element, *H2.2, (1) (2) (3)*  
*Full descriptions at the end of this letter*

**LAP**

Myself and my fellow neighbors at 1055 San Anselmo Ave, 8 Laurel Ave #2 & 15 Laurel Ave are the ones most adversely affected if a 2<sup>nd</sup> story is built at 9 Laurel Ave. Our light, air and privacy would be infringed upon. The value of our properties and the quality of lives would be diminished. This violates **San Anselmo Housing Element, H2.2, (1) (2) (3)**

**My Light**

**The developer's shade study is INACCURATE.**

The developer states in his application that suncalc.org data show existing shadows at noon on my house in the winter. This is false as my pictures from this winter prove. Also, I have highlighted the shadows of the story poles on the exterior winter images. I have added screenshots with time stamps for proof since the developer is questioning these pictures. I have light coming in my windows after 3:00pm. The Developer states that the proposed 2<sup>nd</sup> story will cast shade on my house starting at 10:30 am. Shade from 10:30 am to 3 pm or later? **That is an additional 4.5 hours of shade, minimum, on my house. Far different than the 1.5 hr difference he is claiming.** (*images 1 – 5*)

The developer also claims that in Sept existing shadows reach my house at 3:30 pm and the proposed 2<sup>nd</sup> story shadows reach my house at 3:00 pm. Again, this is inaccurate as my photos reveal. I have light on the side of my house and coming in my windows up to 6:00 pm. Very different than his data shows and the 30-minute difference in light he claims. **Actually a 3-hour difference.** (*image 6*)

Unfortunately, I did not take pictures in March to know the impact of shade that would occur but can conclude from my fall & winter pictures that the developer's shade study for spring is also inaccurate and the light coming into my home would be adversely affected 3 seasons, at minimum or all year round.

It is clear the developers' shade study and his statements of additional shade on my house are an attempt to minimize the dramatic difference in my current light and the shade his proposed project would cast. This violates **San Anselmo Housing Element, H2.2, (3)**

**DIMINISH PROPERTY VALUE AND QUALITY OF LIFE**

**Our E/W lots are severely impacted by 2<sup>nd</sup> story construction**

Most houses in San Anselmo are built on N/S oriented lots. This small section of Laurel Ave is E/W oriented. The sun tracks to our south and most of our light comes in our southern windows. A 2<sup>nd</sup> story on an E/W lot is more detrimental to the immediate neighbors than on a N/S lot.

Realtors have told me my property would decrease in value if a 2<sup>nd</sup> story were built at 9 Laurel Ave, *“Your house will definitely depreciate. Who wants to buy a house in the shade?”*  
Aviva Kamler, Sotheby’s.

The developer will not live in the house. This is a flip.  
The developer has stated, plainly, and I quote,  
*“I do not care about the neighborhood or the neighbors.”*  
Hasson Afrookteh, Developer

**OUT OF CHARACTER WITH OUR NEIGHBORHOOD**

**This plan is overbuilding the lot**

The developer’s plan in style and size is out of character and immense for this tiny lot, destroying the character of our neighborhood of charming cottages – quintessential Old Town San Anselmo. Contrary to the Developer’s claim we are NOT a neighborhood of “mixed architectural styles with no particular design aesthetic that predominates”.

Our tiny lots are not compatible with 2<sup>nd</sup> story structures which infringe on the LAP of the immediate neighbors. The proposed project is even taller than the apartment building by 5’4”. If built this project adversely affects everyone in our neighborhood – our quality of life and our property values. This violates **Town’s General Plan expressed in Land Use Goals 1 and 3, The Land Use Map Object 11, Policies: 11.1, and San Anselmo Housing Element H2.2 (1) (2) (3)**

Please do not destroy our charming neighborhood for the profit of these developers who do not care about the neighbors and the neighborhood – which the developer has said outright on our recent zoom call.

Thank you for your time,  
Fran Farmer  
■ Laurel Ave  
■  
■

- Town’s General Plan expressed in Land Use Goals:**  
*The Primary land use goal for San Anselmo is the conservation of the small-town character of the community and its close relationships with the natural beauty of its setting.*
- 1. *The small-town character, scale and pace of life in San Anselmo shall be preserved, as shall the Town’s close connection with the natural beauty of its setting.*
  - 3. *New developments shall be integrated harmoniously into San Anselmo’s existing neighborhoods and commercial areas.*

**The Land Use Map**

3. The current mixture of residential densities immediately west of the Town’s downtown area is to be maintained.

*Object 11. To preserve, maintain and enhance the existing character, scale, and quality of life in San Anselmo’s residential neighborhoods.*

*Policies: 11.1 New development, including rehabilitation and expansion projects, shall be of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood.*

**San Anselmo Housing Element**

H2.2 Design that Fits into the Neighborhood Context. The Town will encourage innovative design that creates housing opportunities that are complementary to the location of the development. It is the Town’s intent to enhance neighborhood identity and sense of community by ensuring that all new housing will (1) have a sensitive transition with the surrounding area, (2) avoid unreasonably affecting the privacy of neighboring properties, or (3) avoid impairing access to light and air on neighboring properties.

Image 1 – from the developers’ application

**DEVELOPER’S SHADE STUDY OF  
“CURRENT SHADOWS” FOR DEC 21 ONTO MY HOME**



EXISTING SHADOWS 1"=40'

| Existing Sun Angles and Shadows |                          |          |          |          |
|---------------------------------|--------------------------|----------|----------|----------|
| HEIGHTS                         | Roof at Eave             |          |          | 10.5     |
|                                 | Lower Ridge              |          |          | 15.5     |
|                                 | Upper Ridge              |          |          | 16.5     |
| December 21                     |                          |          |          |          |
| SUN                             | Time                     | 9 a.m.   | Noon     | 3 p.m.   |
|                                 | Azimuth                  | 136.09   | 177.81   | 220.65   |
|                                 | Altitude                 | 14.41    | 28.58    | 16.62    |
|                                 | Shadow Length Multiplier | 3.89     | 1.84     | 3.35     |
| SHADOWS                         |                          | Existing | Existing | Existing |
|                                 | Eave                     | 40.8     | 19.3     | 35.2     |
|                                 | Lower Ridge              | 60.3     | 28.5     | 51.9     |
|                                 | Upper Ridge              | 64.2     | 30.3     | 55.3     |

Image 2 – exterior winter light

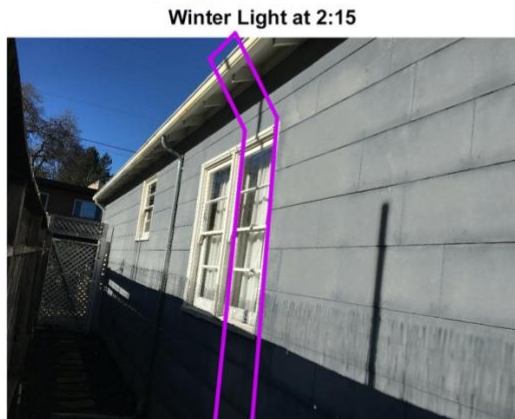
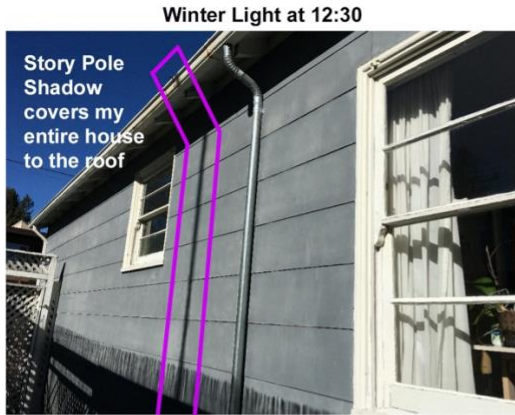


Image 3 – exterior images with timestamps

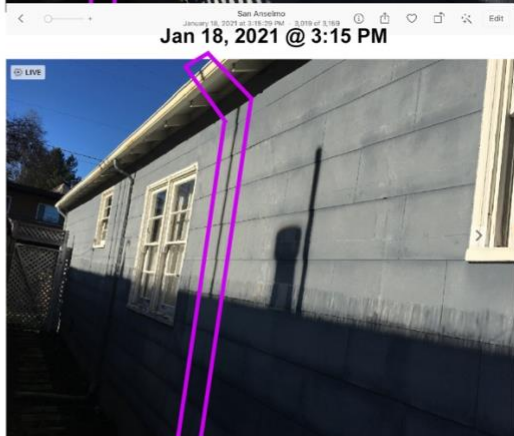
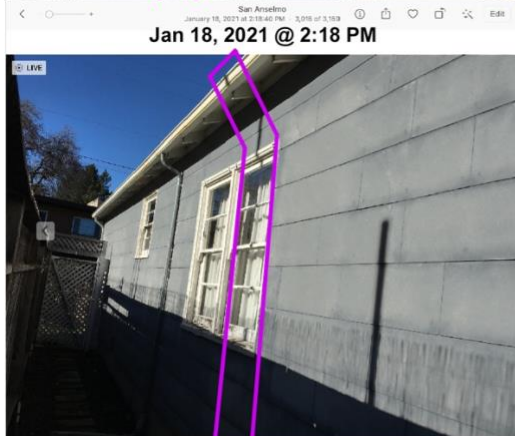
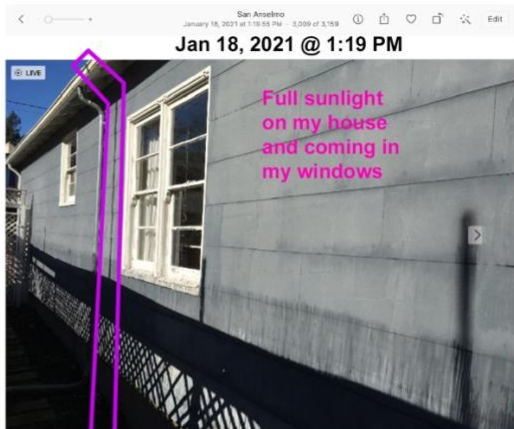
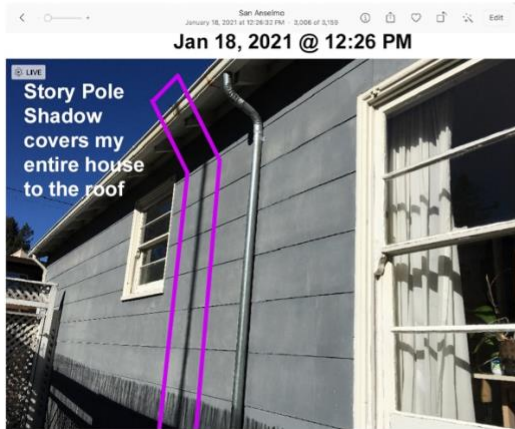


Image 4 – interior winter light

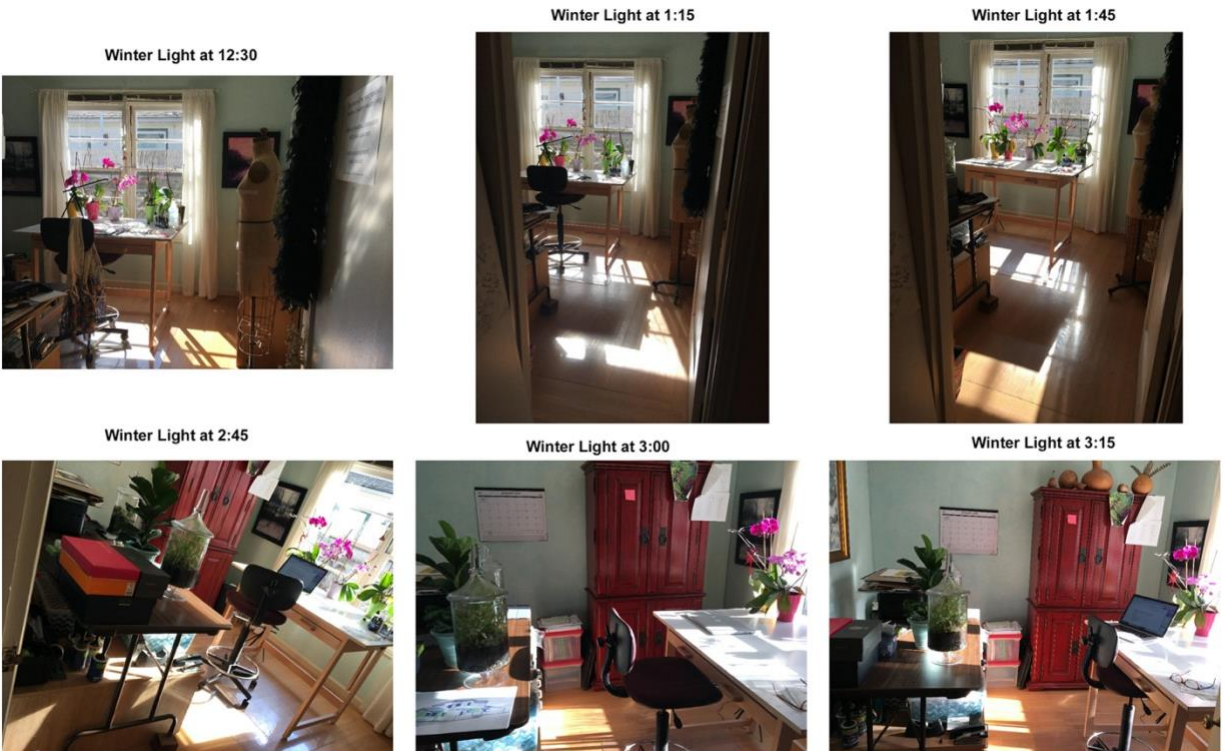


Image 5 – interior images with timestamps

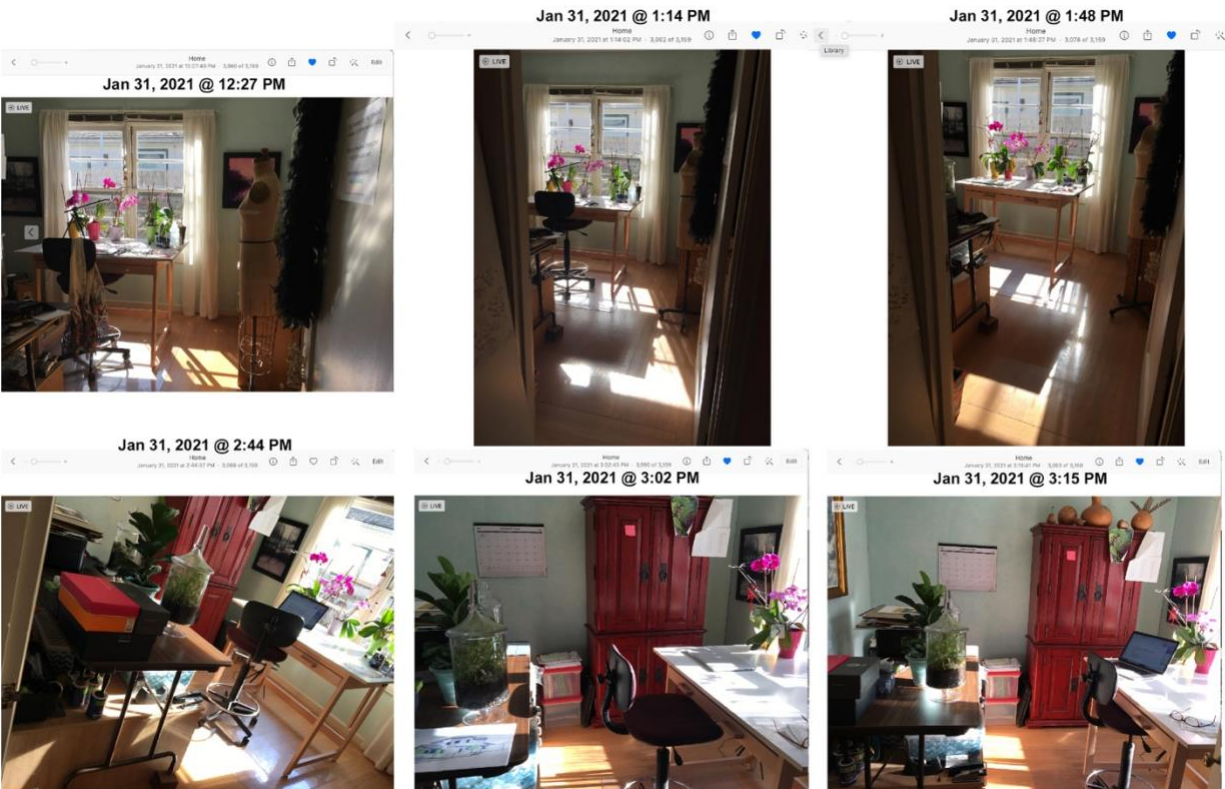


Image 6 – exterior fall light with timestamps



**From:** [Jerri Linn](#)  
**To:** [Elise Semonian](#)  
**Subject:** #9 Laurel Ave.  
**Date:** Friday, September 3, 2021 2:55:54 PM

**CAUTION:** External Sender

Dear Commissioners,

This letter is in response to the proposed plans for #9 Laurel Ave.

My name is Jerri Linn and I live with my husband at [REDACTED] Laurel Ave. I have looked over the new proposed plans for #9 Laurel and appreciate the developers modifications. I am not opposed to his remodeling the existing little house. I also do not mind him adding on a ADU, BUT, I am really opposed to his second story addition, most importantly because it adversely effects the adjacent neighbors.

The new plan proposal goes against the San Anselmo Municipal code according to the Town's General Plan, under San Anselmo Housing Element:

H2.2 Design that Fits into the Neighborhood Context. The Town will encourage innovative design that creates housing opportunities that are complementary to the location of the development. It is the Town's intent to enhance neighborhood identity and sense of community by ensuring that all new housing will (1) have a sensitive transition with the surrounding area, (2) avoid unreasonably affecting the privacy of neighboring properties, or (3) avoid impairing access to light and air on neighboring properties.

The height of the addition blocks the light at #5 Laurel for a good portion of the day so that the owner has no direct light in the studio where she works. It would also hinder her ability to fully utilize solar panels that she wants to put up. It adversely effects #15 Laurel and #1055 San Anselmo by infringing upon their privacy and in the case of #1055 San Anselmo Ave., it also blocks their light in the afternoon. The second story also effects the light in the lower floor apartment across the street.

The fact that the developer wants to create a building that is even taller than the apartment building across the street shows that he is in total disregard of the character of the neighborhood.

I understand his desire to make a profit on an investment, but i think that he could fill that need by building out rather than building up.

I do have a question about his referring to an ADU in his response to the questionnaire regarding the requested variance for moving the parking to the other side of the house. Does he or doesn't he want to build an ADU at a later date?

In closing, I support improvements to the house and property. I also support an additional ADU. I do not support a second story.

I would like to request that at the next meeting the commissioners make sure that the people who speak give their names and their addresses because in the last meeting I was aware that some of the folks that commented on the remodel either didn't live in the immediate vicinity in or didn't even live in San Anselmo.



Thank you, Jerri Linn

Elise, Could you please make sure that the rest of the planning commission gets this letter?  
Thank you again, Jerri

**From:** [Steve Lamb](#)  
**To:** [Elise Semonian](#)  
**Subject:** 9 Laurel Ave  
**Date:** Wednesday, September 15, 2021 11:49:06 AM

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**CAUTION:** External Sender

Hi Elise,

I'm opposed to the proposed remodel project at 9 Laurel Avenue. I live in the apartment building across the street from the site.

For me it's very simple: this project is the wrong one for this location and this location is the wrong one for this project.

Thanks,

Steve Lamb  
Laurel Avenue

**From:** [Christopher Braun](#)  
**To:** [Elise Semonian](#)  
**Subject:** 9 Laurel Ave 3rd remodel and addition  
**Date:** Thursday, September 16, 2021 11:31:50 AM

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CAUTION: External Sender

Dear Planning Commission Members:

My name is Chris Braun and I live at [REDACTED] directly across the street from Hassan Afrookteh's and Brooke Peterson's proposed remodel and addition at 9 Laurel Ave.

I am totally opposed to the 3rd attempt by the developers to build the second story they are asking for. I feel it is the developers' property and they have the right to remodel if they choose to, however, there is a Town Plan, ordinances, and laws which they have to follow to protect us as property owners and renters. Not one person in my neighborhood is for this plan.

This plan has serious effects on people's lives, especially those living at #5 Laurel., #15 laurel, 1055 San Anselmo Ave , and myself.

The 24' 6" second story dwarfs all the other one story houses on our street and is taller than my apartment building which is 19' 6".

From my apartment directly across the street, the Second Story addition will act like a wall. When i look out of my apartment at what is now sun, sky and trees, I will see a blank wall with a deck and window looking down into my apartment. The light at all times of day all year will be affected.

The height of this addition does not fit in any way in our neighborhood which as you know goes against the Town Plan of harmoniously integrating into a neighborhood. The developers say that because it has a slanted roof it fits into the neighborhood. My apartment building does not have a slanted roof. The problem is the plan is just too big, too tall to fit in. This is demonstrated by the drawing in his plan, page A13, and all the things the developers are trying to do to solve the problems it creates: privacy hedges, which cause shade issues, and taking out all the windows on the south side of the second story to solve privacy problems with #15 Laurel. Who is going to spend 1.6 million dollars at least on a house with no windows on one side of the second story. The second story is too tall.

The Town requires shade studies at 9AM, noon and 3 PM. There is no question my apartment will be affected by the shade from the second story except in June, the summer and warmest time. The light will be effected all year round.

I will note that using the developers' tool SunCalc, there were discrepancies found in the length of shadows. Please refer to the letter of Marstin Tallant on this topic. I also tried using the SunCalc tool and through Elise asked the developers for clarification twice, but heard nothing in return.

Shadow studies at 6AM, 6PM and 9PM, though not required by the town, demonstrate how the second story shadows seriously affect my sunlight and as well as 1055 San Anselmo and #5 Laurel. Studies at these times are important because the effect is substantial because of the second story. i request the Commission look at these times, because the shade at these times is severe in comparison to the required times, because of the Second story. Who decided on these limited times in a place where there are so many angles of sunlight from houses in the valley to on the hills.

The developers will not live in our neighborhood. The last time they said they were going to rent the house. This plan is purely for the developers' profit. The extent that the 3 adjacent houses, myself, and the other tenants in my apartment will be drastically, I say drastically, affected by this second story,, are among the reasons it was denied the 1st time. These factors still exist this 3rd time. The reason the second proposal received a continuance was because the ADU made the buildings over the FAR. If this second story is not denied, the developers can just apply for a permit for the ADU later, without having to go before the Planning Commission. Why the 3 parking spaces?

It is my hope that the letters explaining why all of us are individually opposed to this plan, and as a neighborhood

are united in opposition, will prompt the Commissioners to come and view the story poles ,and property from in our homes. This will eliminate any "he said she said", but will establish the truth. The SunCalc studies for all day starting at 6AM to 9PM need to be looked at by the commission because of this situation and to fairly judge the validity of this plan's shade, light and air effects. The developers have been kindly asked 6 times to clarify their shade studies and have not responded.

I, and I'm sure all of my neighbors, would be happy to invite you into our homes, to come and see for yourself the many, serious problems with this proposed remodel and addition at 9 Laurel Ave.

I am requesting that at the Planning Commission meeting on Sept 20th, those people who call in at the end, are required to give their address. Last meeting there were people who called in who did not even live in San Anselmo.

Thank you very much,

Chris Braun

[REDACTED]

San Anselmo

[REDACTED]

TO: San Anselmo Planning Commission **ATTN: ELISE SIMONIAN**  
 RE: Comments on the Proposal for a second story addition to 9 Laurel Ave.

My wife and I are the owners and residents of [REDACTED] for 38 years. We **oppose** the project at 9 Laurel Ave. to the extent that it includes a second story addition and disrupts our neighborhood with respect to privacy, light and air and character. We accept the ADU, if added.

**Privacy and light:**

We have suffered the consequences of inappropriate second story additions.

We live next to two, 2-story homes at 29 (lot size 3150 sq. ft.) and 27 (lot size 2960 sq. ft.) Rowland Ct. These were once single story homes built on less than 4000 sq. ft. lots. This in essence mirrors the situation at 9 Laurel Ave. These additions passed approval in an unknown manner. They exclude sunshine, airflow and adequate gathering areas. We have added plexiglass to our eaves to let sunshine into our living room. The two houses are featured in the developer's "Red Outlined" two story houses in the area. They were submitted in an attempt to justify approving the developer's proposal. One cannot assume that all additions were excellent. Past mistakes don't justify future, similar developments. The needs of the one (the developer) should not outweigh the desire of the many – our entire neighborhood.

The two-story homes next to us changed our neighborhood. We don't want to see the 9 Laurel proposal change the character of the Laurel Ave. residences. We, the neighbors, are speaking up to state emphatically that we **oppose a 2-story addition**. We accept the ADU if it is added.

Though the developer has taken pains to ensure privacy, he has also erected barriers to viewing sky and trees. He proposes to build a "billboard of a south facing wall" as part of the second story addition adjacent to 15 Laurel. It essentially blocks use of the sky and view. In addition, the proposed hedge to the rear of 9 Laurel is meant to bring privacy, but it blocks 1055 San Anselmo Ave. of sun. In essence, it is a "green wall of exclusion" once grown to its full potential.

**Light: the developer needs to demonstrate to the neighborhood and the Planning Commission how he obtained his data. SunCalc.org doesn't show it all.**

Shade studies that were submitted by the developer cover just three times of the day: 9 AM, noon, and 3 PM.

On page 9 of his "Application Materials" item no. 7, he states "Studies of existing and proposed shadows (sheets A20 and A23) are visualizations of data collected from SunCalc.org **taken on the first days of spring, summer, autumn and winter** at 9AM, 12noon and 3PM. Looking at the referenced sheets indicate they on NOT the first days as the developer states, but are all taken on the 21st of the each quarter. Omitted are the times of day for 6 AM, 6 PM and 9 PM. The times chosen maximize solar panel efficiency. Looking at the later times one finds shadows creeping over 5 Laurel and 1055 San Anselmo Avenue homes in the afternoon. This two-story proposal deprives those homes of light and sun. We have requested, on three different occasions, shadow studies for those additional three times. We have had no response from the developer. The developer needs to make his shade studies **clearer** by **including those new times**, and **enlarging the drawings** such that **one picture covers an entire page**. It is very difficult to read the shadows due to colors he has chosen. What does he have to hide? To help us understand the developer's shade studies using SunCalc.org (the program he included in a letter), **the developer needs to demonstrate to the neighborhood and the Planning Commission how to use this program.** An architect has access to more sophisticated shade studies that we can afford.

Regarding the figures he cites for light and reduction . . . (1) Are there any errors? (2) How would we know? (3) Has he purposefully gamed the system to favor his proposal? (4) How would we know? See "Findings for Design Review" submitted by the developer. In response to statement no. 7, page 9, the developer cites the amount of sunlight affected. In actuality, **on December 21 the entire house of 5 Laurel is swept by shade. And the shadow cast at noon is 45.47 ft not the 30.3 feet he indicates.** Big mistake. How did he arrive at 30.3 feet? Show us. How many more errors are there?

On page 9, of the "Application Materials," the developer indicates that the "shadow studies show no impact to 15 Laurel and 1055 San Anselmo Ave **during those times.**' If you look at the shadow studies after 3PM, which is not "one of those times," you will find, surprise, shadows, particularly on 1055 San Anselmo Ave. The developer's studies are smoke and shadow to obfuscate the truth.

**Perhaps, in addition to explaining how to best use SunCal, the developer might create a simple animation to show shadows around 9 Laurel Ave. as thy proceed through the year or in the least, each quarter on the 21st for each of 6 daylight periods sunrise to sunset!**

On page 8, No. 3, of the "Application Materials," the developer cites a Harvard study entitled, "Good Home Improvers Make Good Neighbors." To borrow a Yiddish word, it is all **bupkiss** – goat droppings. Only two data periods were used and for the the years 1996 and 2004. The study used selected cities that had populations of 100,000 or more. San Anselmo hardly qualifies and the study is now **17 years old!** The title sounds good: spend more on your home, make more money. Isn't that obvious? **But a nice one story 9 Laurel would work wonders in keeping with the character of the neighborhood. The developer would still reap a handsome profit, leave a well-designed home and all without the excessive investment.**

On page 8, No. 6 of "Application materials' states: Is consistent with the Town General Plan. "New developments shall be integrated harmoniously into San Anselmo's existing neighborhoods and commercial area." If it is two stories, it does not fit in our neighborhood.

**A suggestion for front "lawn":** for the front yard, exchange the 500 + sq. ft. of "plastic lawn" for crushed rock, soil and xeric, low water, plants. This would conserve water and reduce runoff to lower Rowland Ct., which experiences periodic flooding.

There is little to commend a two story addition. We are saddened by our neighbors' distress and interruption to a "normal" neighborhood. These are our neighbors. They don't deserve the pain. The developer does not visit us to gain a better understanding of our situation. Let him build for beauty and integration rather than profit.

We, along with our neighbors, oppose this 2 story addition. **One story** in keeping with the neighborhood's architecture, is O.K... **One ADU** is O.K. even the proposed parking works. This is a hallowed neighborhood to us, and historically significant. The developer will not live here to bear witness to poor planning, we will. Changes in privacy, light and air cause us to strongly oppose the rest of **the proposal. It deserves a NO vote.**

*Marstin Tallant*

Sincerely, Marstin Tallant, [REDACTED], San Anselmo 5 September 2021

TO: The Planning Commission of San Anselmo *ATTN. ELSE SIMONIAN*  
FROM: Linda Benney, [REDACTED] San Anselmo, CA  
RE: Proposal for 9 Laurel Ave. San Anselmo

5 September 2021

My husband and I have lived at, and owned, 31 Rowland Court for 38 + years. We love "The Court" for its charm, but it has not always been this way. Two adjacent houses at No. 29 and No. 27 are two-story. They have not always been that way. They both occupy lots notably smaller than 4000 sq. ft. @ 3150 and 2960 sq. ft. respectively. They were, built in 1922, and later approved to be modified more than 38 years ago - before the importance of light, privacy, air and character were considered important. The proximity of No. 29 has denied us of light that impacts our garden, of sky views and reduced the flow of breezes for hot days and fresh air. Privacy is notably impacted. We have installed clear eaves on one side to gain more light. The shadows cast in fall, winter and spring deprive us of warm sun and thus increase heating bills. A Hazel Ave. (parcel no. 007-112-16) second unit poses similar problems. Living quarters were added to make this two stories. It sits 3 feet from our property line. Light (for garden and home), air and privacy are gone. These three structures are prime examples of overbuild.

The proposal for 9 Laurel Ave. presents similar issues as to its effect on light, privacy, air and character for the adjacent neighbors and neighborhood. The shade studies need be re-examined. Surely, shadows are cast before 9AM and after 3PM. Where are the studies?! What do they affect? While the damage done to Rowland Ct. cannot be undone, you, the Planning Commission, can prevent the damage that will be done if this 2- story structure is allowed to be built. A short walk to Rowland Ct. to view the results of overbuild, a "living lab," will be worth the short time it takes. The location is different but the impact is the same. Please don't allow this to be a monument to poor planning. This proposal is a size 12 foot being forced into a size 9 shoe. And that is what the addition of the 9 Laurel proposal could do to the Laurel Ave. neighborhood. The needs of one developer should not outweigh the needs of our neighborhood.

**I oppose this two story addition and fewer variances. I accept a need for an ADU at one story.**

Sincerely,



Linda Benney

**From:** [Dennis Mowbray](#)  
**To:** [Planning](#)  
**Subject:** 9 Laurel Ave  
**Date:** Thursday, September 16, 2021 9:26:44 AM

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**CAUTION:** External Sender

Dear Planning Commission

9 Laurel Ave has been a rental for the past 50 years. It would be wonderful if it could be owned by someone who lived there and lovingly cared for it, improving it.

Some projects need to be vacated with extensive work by professionals. 38 San Rafael Avenue is a good example. What was a large awkward residence was transformed into a lovely charming welcoming home, an improvement to our town. It is an example of how very project should be an improvement.

There have been several proposals for 9 Laurel by the new owner. All have a second story. Because the lot and the adjacent lots are small, the second story towers above the three adjacent homes, blocking the sun and view. Even the siding is vertical, just to emphasize the second story height.

The neighborhood has asked if the increased square footage could be on the first floor, but the owner is determined to do what he wants to do. I think every owner should be able to do what they want. But I do not understand why anyone would want to be inconsiderate of the physical and social surroundings. He has made a small investment in a small lot. If he wants to make a larger profit, he needs to invest in a larger lot.

I do not envy your position. He has threatened the town with his lawyers. But if we give in to every bully with lawyers, what will our town become?

Sincerely  
Dennis Mowbray  
[REDACTED] Avenue



**From:** [Herb Miller](#)  
**To:** [Elise Semonian](#)  
**Subject:** 9 Laurel Avenue  
**Date:** Thursday, September 2, 2021 4:24:54 PM

**CAUTION:** External Sender

Ms. Semonian:

Below is our letter concerning the proposal for 9 Laurel Avenue. We oppose the proposal to the extent it includes a second story addition. Please forward the letter to all members of the Planning Commission.

Thank you.

Herb Miller  
Holly Gadsby

Herb Miller  
Holly Gadsby

94960

Via E-Mail

Elise Semonian  
San Anselmo Planning Department  
San Anselmo Planning Commissioners

We, the owners and residents of [REDACTED] Laurel Avenue, oppose this proposed project to the extent it includes a second story addition.

**Effects on Neighbors:** The residents of the houses on three sides of 9 Laurel Avenue (5 Laurel Ave., 15 Laurel Ave., 1055 San Anselmo Ave.) and in the apartment building across the street have reported adverse effects, including the loss of sunlight and privacy, resulting from the addition of a second story. These include the loss of the opportunity to add solar panels and interference with enjoyment of their outdoor spaces, such as patios and decks. These reports are all credible. We are friends with all the affected people and do not wish for them to suffer these losses.

**Character of the Neighborhood:** Many of us have argued that the second story does not fit into the character of the neighborhood, which consists of small, charming houses on small lots (approximately 4,000 square feet each), that are necessarily close to each other. These arguments have so far not been completely successful, as the Planning Commission has not entirely rejected a second story. However, at the April 19, 2021, Commission Meeting on an earlier proposal for this property, the Planning Department Staff Report included the recommendation that the main entry to the house be moved from the side of the house to the front to conform to surrounding houses, which have front doors and porches facing the street. So, the character of the neighborhood is important. The recommendation in the report is great. But having all the houses in proportion to each other must be more important than the

orientation of the main entrance.

ADU: The proposal in question on April 19 included the conversion of the existing garage to an accessory dwelling unit (ADU). In the narrative for the current proposal, the applicant states that the redesign responds to the Commission's "specific direction" on April 19 to remove the second story or the ADU. It's not clear that the Commission made such a stark choice. But the applicant chose to remove the ADU, despite his lawyer's statements at that meeting that the State of California favors ADUs and that the proposal should therefore be accommodated. Neighbors expressed support for the ADU, and to our knowledge, no one in the neighborhood opposes it. Still, the applicant removed the ADU from the plans, even though an ADU would be an asset to the property, the neighborhood, and the community at large, and the applicant does not need the second story as he does not plan to live in the house.

In conclusion: We support the improvement of the one-story house. We support the addition of an ADU. We oppose a second story addition to the house.

Thank you for your attention.

Herb Miller  
Holly Gadsby

Rosalind Jackson & Terry Curley  
[REDACTED]  
San Anselmo, CA 94960

April 14, 2021

San Anselmo Planning Commission  
525 San Anselmo Ave  
San Anselmo, CA 94960

**Re: Proposed Remodel at 9 Laurel Ave**

Dear Planning Commission,

We live at [REDACTED], which shares a property line with 9 Laurel Ave. We are writing today to again respectfully request that you reject the 9 Laurel remodel project as proposed given the negative impact that a development of this scale would have on our property's privacy and light as well as the character of the neighborhood.

Regarding privacy, we want to express particular concern about the likely acoustic privacy impacts of having a second-story deck off of the master bedroom at 9 Laurel that would be located in close proximity to our side yard and our bedroom – both spaces where we especially value privacy and quiet. Living in close quarters already with our neighbors, we know how easily sound carries between our small properties. This deck, ostensibly designed to be a place for the future dwellers to use before bed and upon waking up, is very likely to be a particular source of nuisance noise for us. We have raised concerns about this particular design feature multiple times and have yet to see it addressed in the proposed design. We also continue to have concerns about the effectiveness and longevity of tall plantings as a solution to obstructing views from the proposed second story into our home and yard.

As for sunlight, we consider every square foot of our property usable living space, and having made a move from San Francisco to seek out better weather and outdoor living in San Anselmo, we especially prize our little home's yard. The proposal talks about minimal shadows cast on our building during the required 9 AM- 3 PM period, but we ask the Commission to also consider the impact on sunlight in our side yard, which is an area of our small property that we highly value and regularly use as an extension of our home – for grilling, dining and gathering with friends. If approved, the shadows and sightlines from this project would have a meaningful, negative impact on our enjoyment of this outdoor space and our quality of life.

Finally, the mass of this project remains out of character with our neighborhood of predominantly small single-story homes on small lots. The latest proposal now meets the FAR requirement, that reduction in square footage has been achieved by removing a planned ADU that can instead be added later without Commission review – but leaves the issue of primary

concern, the two-story expansion, largely untouched. we highly value the role that the smaller properties of our neighborhood play in enabling first-time buyers, those living on fixed-incomes, and others to be able to call our community home amidst the Bay Area's affordability crisis. Instead, this proposal still seeks to maximize square footage and developer profits at the expense of the neighbors and our town's important stock of small-but-charming starter homes.

We fully support smart property improvements at 9 Laurel, but it should not come at the cost of a rare opportunity for affordability in our community, the charm of our unique neighborhood, and the well-being of the property's immediate neighbors. Again, we urge you to reject this plan and to encourage the developer to work with his neighbors to improve his property with a one-story expansion / improvement that does not have negative impacts on those surrounding 9 Laurel.

Thank you for your consideration.

Sincerely,

Rosalind Jackson and Terrence Curley

[REDACTED]

[REDACTED]

Matthew & Colleen Noel

Sent Via Email

[REDACTED]

[REDACTED] 94960

September 15, 2021

San Anselmo Planning Commission

525 San Anselmo Avenue

San Anselmo, CA 94960

Dear Planning Commission Representatives:

This letter is to oppose the permit application for 9 Laurel Avenue by Hassan Afrookteh and Brooke Petersen (“Developers”). Preliminarily, we would like to note that we still have not received a response from the Developers or their attorney as to whether they intend on encroaching on or demolishing the existing fence between 15 Laurel Avenue and 9 Laurel Avenue. This is an issue that we feel should be addressed at the public hearing set for September 20, 2021 since we still do not know whether this will have to be litigated. The Planning Commission previously stated that this was a consideration in evaluating proposed projects and a concrete answer to this inquiry would be probative as part of such an evaluation.

In addition, it also needs to be noted that several vertical PVC pipes (aka “story poles”) have been allowed to remain erected at the subject property since February, 2020 (nineteen months.) There appears to be no reason why these poles could not have been taken down and re-erected throughout the Developers’ various iterations of their proposed project.

However, since the poles remain erected, we strongly encourage all of the members of the Planning Commission to visit our property so that you can personally view the impact that this proposal, as presently constituted, would impact our property and the surrounding neighborhood. We are also authorized to make this request on behalf of Fran Farmer (5 Laurel Avenue), Chris Braun (8 Laurel Avenue #2) and Rosalind Jackson and Terry Curley (1055 San Anselmo Avenue.) These are the homes most directly impacted by the proposed project.

Regarding the revised plan, salespeople sometimes use a tactic called “door in the face” where they try to sell a customer something that they know will be rejected. After the salesperson is rejected, they then present something more moderate which looks more reasonable relative to what was originally offered. That is precisely what transpired here. The Developers initially presented something that bordered on the absurd in their initial plans. Although we acknowledge that the Developers have made modifications to their proposal, the current proposed design should have been the starting point as opposed to a finished product.

We maintain that the proposed project is simply not in line with the character of the neighborhood. The proposed structure is simply too large in scale in relation to the other homes in the neighborhood and is a complete overbuild for the lot.

Further, the impact on our family's air (our view of the sky will be significantly impacted to the north of our property) and privacy (the project's second story windows provide a clear view of our back deck), we object to the proposed plan. Please see the attached photos which demonstrate the project's impact on our home.

While we certainly appreciate the fact that the Developers have an interest in making improvements to the property, we feel that the adverse impact on the neighbors should outweigh the interests of property developers who have made it clear that their primary goal is to profit off of this project. They can still reap a tremendous profit by completing a tasteful one-story remodel that does not adversely impact the air, privacy and light rights of the surrounding neighbors.

Finally, please consider that there is not one person in the immediate neighborhood who is supportive of this proposal. Please further consider that at the previous hearing, practically all of those who spoke in favor of the project did not reside in the neighborhood, let alone San Anselmo.

#### **View from the rear deck at 15 Laurel Avenue**



**View from the rear deck at 15 Laurel Avenue**



**View from the driveway at 15 Laurel Avenue**



**View from the street of 15 Laurel Avenue adjacent to 9 Laurel Avenue**



Sincerely,

Matthew, Colleen and Claire Noel

[REDACTED]

[REDACTED]



**From:** [Jerri Linn](#)  
**To:** [Planning](#)  
**Subject:** Questions about the decisions  
**Date:** Wednesday, April 21, 2021 8:15:34 AM

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**CAUTION:** External Sender

To Commissioners Elise Semonian, David Swaim, Thomas Tunny, Susan Cronk, Tim Helman,  
Leila Hilmi, Daniel Krebs, and Gary Smith,

As someone who witnessed the planning commission's decisions about the proposed plans for 26 Rutherford and 9 Laurel Ave remodel, I was struck by the inconsistency with your findings, therefore I would love to know how you came to those decisions.

In the Rutherford deck expansion, you seemed to be concerned primarily with the impact it had on the immediate neighbors so you asked for modifications. In the 9 Laurel decision, your biggest concern was the variance request and not how it adversely impacted the three neighboring home owners. Especially how it greatly diminished the existing light for #5 Laurel. That seemed to not only reduce the property value but also the ability of the owner to be part of the clean energy initiative in California. Also the fact that there are legal challenges to the property lines of the neighboring property seems to be important.

Granted, the proponents and some of the opponents of these plans were primarily focused on the aesthetics of the building, and were overwhelming, I would have thought that the adverse effects of the 9 Laurel remodel on the adjacent neighbors would be an important reason to have the developer rework his plans, especially because he clearly stated that he doesn't want to live there and his main focus is to maximize his profit either by renting or selling the property.

So, could you please enlighten me on the criteria that the commission bases its decisions on? I am sincerely confused and would love a response to my questions.

Thank you, Jerri Linn

[REDACTED]  
[REDACTED]

**From:** [Marstin Tallant](#)  
**To:** [Fran FARMER](#); [CALDWELL](#); [Michael Ferrelli](#); [Jerri & Terry LINN](#); [Terrence Curley](#); [Rosalind Jackson](#); [Bradly Long](#); [Herb & Holly MILLER](#); [Dennis Mowbray](#); [Jerri Linn](#); [MARSTIN C TALLANT](#); [Elise Semonian](#)  
**Subject:** REQUEST Shade Studies for 9 Laurel  
**Date:** Tuesday, September 7, 2021 5:36:42 PM

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**CAUTION:** External Sender

We, the above group, request a more thorough shade study as it will show additional shade cast from 9 Laurel building that is not apparent from the shade study provided by Hassan Afrooktah, the developer. We also request larger, single page shadow studies. Those provided are much too small to extract any meaningful data. SunCalc does not reveal the type of study the developer provided. We need an explanation of how the developer used the SunCalc program to project the shadows he provided.  
Sincerely, Marstin Tallant

**From:** [Christopher Braun](#)  
**To:** [Elise Semonian](#)  
**Subject:** Shade Studies for 9 Laurel 3rd proposal  
**Date:** Monday, September 6, 2021 2:11:53 PM

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**CAUTION:** External Sender

Elise,

In working with some other members of our neighborhood on the SunCalc tool which Hassan used to calculate his shade studies,

we would like you to ask Hassan to present an explanation as to our concerns about its accuracy.

We think Hassan's presentation should include the planning commission also.

We are simply asking for clarification to extend the times beyond 3 PM and before 9 AM.

Marstin Tallant has contacted Hassan 3 times for clarification and information and he has never gotten back to him.

We think this is important to the main issues involving his proposal and would be helpful for everybody to be on the same page.

We hope that he will comply and could you please get back to me with what he says.

Thank you very much,

Chris Braun



**From:** [Christopher Braun](#)  
**To:** [Elise Semonian](#)  
**Subject:** shadow study clarifications.  
**Date:** Sunday, September 12, 2021 11:47:15 PM

**CAUTION:** External Sender

Elise, this an expert from Marstin Tallant's letter to the planning commission:

On page 9 of his "Application Materials" item no. 7, he states "Studies of existing and proposed shadows (sheets A20 and A23) are visualizations of data collected from [SunCalc.org](#) taken on the **first days** of spring, summer, autumn and winter at 9Am, 12noon and 3PM. Looking at the referenced sheets indicate they on NOT the first days as the developer states, but are all taken on the 21st of the each quarter. Omitted are the times of day for 6 AM, 6 PM and 9 PM. The times chosen maximize solar panel efficiency. Looking at the later times one finds shadows creeping over 5 Laurel and 1055 San Anselmo Avenue homes in the afternoon. This two-story proposal deprives those homes of light and sun. We have requested, on three different occasions, shadow studies for those additional three times. We have had no response from the developer. The developer needs to make his shade studies **clearer** by **including those new times**, and **enlarging the drawings** such that **one picture covers an entire page**. It is very difficult to read the shadows due to colors he has chosen. What does he have to hide? To help us understand the developer's shade studies using SunCalc.org (the program he included in a letter), **the developer needs to demonstrate to the neighborhood and the Planning Commission how to use this program**. An architect has access to more sophisticated shade studies that we can afford. Regarding the figures he cites for light and reduction . . . (1) Are there any errors? (2) How would we know? (3) Has he purposefully gamed the system to favor his proposal? (4) How would we know?

See "Findings for Design Review" submitted by the developer. In response to statement no. 7, page 9, the developer cites the amount of sunlight affected. In actuality, **on December 21 the entire house of 5 Laurel is swept by shade**. And **the shadow cast at noon is 45.47 ft not the 30.3 feet he indicates**. Big mistake. How did he arrive at 30.3 feet? Show us. How many more errors are there?

On page 9, of the "Application Materials," the developer indicates that the "shadow studies show no impact to 15 Laurel and 1055 San Anselmo Ave **during those times**.' If you look at the shadow studies **after 3PM**, which is not "one of those times," you will find, surprise, shadows, particularly on 1055 San Anselmo Ave. The developer's studies are smoke and shadow to obfuscate the truth.

**Perhaps, in addition to explaining how to best use SunCal, the developer might create a simple animation to show shadows around 9 Laurel Ave. as thy proceed through the year or in the least, each quarter on the 21st for each of 6 daylight periods sunrise to sunset!**

Elise, This email is backing Marstin Tallant about getting the developer to explain the discrepancies in his shade studies „At the last planning commission zoom meeting I mentioned these times 6AM, 6PM,& 9PM, with photos of the sun early in the morning behind the story poles. This was ignored as were, the shade, privacy and light issues,because the focus of the commission was on the size, that the proposal was too big for the lot. On that front the whole issue has always been the obvious point that this huge addition of a second story absolutely does not fit into our neighborhood of small one story houses, and all the problems it causes, privacy, light & air, among others.This proposal as everyone knows is even taller than my apartment building. In using his tool, SunCalc now we find discrepancies to his shade calculations. Also They are on the 21st of every quarter, not the 1st as he says.. The demolition of the ADU bring the privacy air and shade issues back and now are more important, why he has made such an effort to solve them. Well there are still issues with them, EX) the shade from the privacy hedges. I am asking the developer to put his best foot forward and explain why in using the same tool SunCalc we find different lengths of shadows. Also if Marstin has asked to make them clearer that is not a big or unfair thing at all to ask of him. We

are dealing with peoples lives, investments in homes, not expected to be so adversely affected by a plan that does not follow the town plan and ordinances. This is completely clear. You know as a neighborhood we have tried from the very beginning to work with the developer as he is coming into our neighborhood protected by the town plan and ordinances. Privacy, Light and Air are issues his second story effects so dramatically causing drastic measures he is trying to take to eliminate them, even to the point of leaving out windows on the south side. The question is are they successful. Well in the shade studies we have found some real dicreamcies. I feel that this a chance for him to put his best foot forward and explain how he arrived at them. On a logical note, I understand the town requires the times of 9AM, noon, & 3PM , but what about the other times of the day? Why are they excluded? In using SunCalc it shows clearly issues of shade were the develeper says there is none. He would go a long way to mending his actions over this time by coming forward, how he arrived at his present studies ,on the 21st of each quarter not the 1st like he says. The additional times not required by the town create shadow issues so they should be looked at, and brought to the attention of of the commission without question if the rights the of residents are being considered. Isn't that what the Town Plan and different ordinaces are for? if they as they are going to really affect peoples lives which they will, why not look at them. I honestly hope he will step forward, and comply with our asking him to explain the discrepancies we found. They are going to come out anyway. Why not? It's simply being honest, and if there is no problem then he will be helping himself. It is just simple clarification.

Thank you very much,  
Chris Braun [REDACTED]