1811974871

1/3

# EXCAVATION CALCULATIONS

FOR PROPOSED SINGLE FAMILY RESIDENCE :

OWENS-DULLAGHAN RESIDENCE 190 FRUSTUCK AVENUE FAIRFAX, CA 94930 APN: 003-193-02



APR 0 9 2004

COMMON SENSE DESIGN PETE GANG, ARCHITECT 145 KELLER STREET PETALUMA CA 94952 707-762-4838

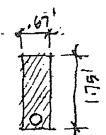
## EXCAVATION CALCULATIONS

2/3

PER TOWN CODE SECTION 12.20.080: PLANNING COMMISSION MPPROVAL REQUIRED ... "WHERE THE APPLICATION SHOWS GUCH EXCAVATION OR FILL TO INVOLVE THE MOVEMENT OF OVER ONE HUNDRED CUBIC YARDS OF MATERIAL..."

PER INSPECTION, EXCAVATION WILL CLEARLY EXCITED FILL. THEREFORE QUANTITY OF EXCAVATED MATERIAL IS THE CRITICAL NUMBER.

1) TRENCHES:  $6^{\circ} 4 4^{\circ} 4 570 RM DRMN$  40' + 31' + 42' + 30' + 53' + 20' + 32' + 8' = 264'  $CUT = (.67')(1.75')(264') = 309.5 PT^3$   $= 309.5/27 = 11.5 40^3$ 



2) 800 GAL TANK  $CUT = 5 \times 8 \times 5 = 200 \text{ FT}^3$  $= 200/27 = 7.5 \text{ YD}^3$ 



3) PIERS

NOTE: PLAN, SHEET #A-5, SHOWS PIERS @ 10 FT O.C., GEOTECH REPORT CALLS FOR PIERS @ 20 FT O.C. => THE ACTUAL NUMBER OF PIERS -- AND LENGTH OF GRADE BEAMS--WILL LIKELY BE LESS THAN WHAT IS SHOWN ON SHEET # A-5 I

EA PIER =  $(.75)^2$ H = |.77 Fr<sup>2</sup>/LF (ASSUME 12' DEPTH) |.77 Fr<sup>2</sup>/LF × 12 LF = 21 Fr<sup>3</sup> 21/27 = 0.8 Yo<sup>3</sup> PER PIER

37 × 10,8 = 101 403

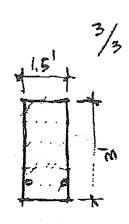
4) GAS, H20, TEL, ELEC TRENCHES 35'+21'+28' = 84 LF.

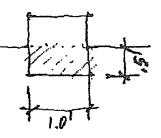
## EXCAVATION CALCULATIONS

- 4) (CONT'O). CUT = 3' × 1.5' × 84' = 378 PT3 = 378/27 = 14 403
- 5) GRADE BEAMS & TIE BEAMS

  LNOTE = TIE BEAMS ARE |2" × 12"]
  (3 × 32) + (4 × 30) + 6 + 5 + 13 + 12 +
  7 + 7 + 24 + 10 + 20 + 2 + 3 +
  (21.5 × 2) + (3 × 17) + 20 +
  21 + 22 + 17 + 17 = 516 L.F.

Cut = (.5') × (1.0') × (516') = 258 Ft3 = 258/27 = 9.5 403





CUT AT WALL 'A' = 18 403

CUT AT WALL 'A' = 7

TOTAL

CUT AT WALL 'C' = 7

TOTAL

15 403

## SUMMARY OF EXCAVATED MATERIAL =

1) TRENCHES	11.5 403
2) TANK	7.5
3) PIERS 4) UTILITY TRENCHES	29. 14.
5) GRADE & TIE BEAMS	9.5
6) RETAINING WALL CUTS	攻,

TOTAL =

96.5 403

AGMIN, PER NOTE ABOVE, THE ACTUAL # OF PIERS AND GRADE BEAMS / THE BEAMS WILL LIKELY BE LESS THAN SHOWN ON SHEET #A-5. THE QUANTITY OF EXCAVATED MATERIAL WILL THEREFORE BE LESS THAN 96.5 4P?



# TOWN OF FAIRFAX

142 BOLINAS ROAD. FAIRFAX. CALIFORNIA 94930 (415) 453-1584/FAX (415) 453-1618

#### MEMORANDUM

To: Linda Neal - Senior Planner

Date: April 5, 2003

From: Ray Wrysinski

Town Engineer

123 3 1 2001

Subject: Proposed Residence

190 Frustuck Avenue

TOWN OF THE PAX

A.P. 003-193-02

Fairfax, CA

I received your 3/16/04 transmittal with project information submitted for review. The information received included plans by Common Sense Design, 6 sheets, dated 3/5/04, a Boundary and Topographic Survey by J. L. Engineering dated 5/14/01, a Drainage and Erosion Control Plan by ILS Associates dated 3/3/04, a 3/9/04 letter by the applicants and 3/13/04 drainage calculations by ILS Associates.

Recommendations are given below for conditions for the project construction plans. These are conditions to be resolved before the project construction permit is issued.

Item 2. of my 12/16/03 memorandum asked for earth movement quantities. Quantities for 25 cubic yards of cut and 16 cubic yards of fill are shown, on sheet A5, along with 9 cubic yards of excess soil. It is stated on that sheet, the pier and grade beam excavation is neglected and that excess soil is to be redistributed in the under-floor area. For review purposes, my estimate of the of the neglected quantities of excavation is 70 cubic yards for piers, grade beams and utility and drainage trenching. This is a steep site and redistribution of the excess soil on site would produce an unstable soil mass. Placing that excess excavation on site would also bring the total soil movement quantity into the code requirements for more than 100 cubic yards. This plan only provides for placing 16 cubic yards of fill, to be approved by the Planning Commission, unless the plan is modified to show additional engineered fill. I recommend a condition that all excess soil be removed from the site.

Code section 17.38.080, C., 3. requirement for easements must be shown.

The fence, shown to satisfy item 9, of the 12/16/03 memo, must meet guard rail loading and height requirements.

The drainage improvements shown satisfy the drainage requirements in the 12/16/03 memo. The detention tank must include an easily serviced filter that will prevent plugging of the 1.5" outlet.

I recommend that the processing of this application proceed.

Ray Wrysinski, P. E.

Town Engineer



## TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930 (415) 453-1584/FAX (415) 453-1618

#### **MEMORANDUM**

To: Linda Neal - Senior Planner

Date: December 16, 2003

From: Ray Wrysinski

Town Engineer

Subject: Proposed Residence

190 Frustuck Avenue

Fairfax, CA

A.P. 003-193-02

The following is my response to your transmittal, requesting review, for this project. Information with the transmittal included a nine sheet set of plans with five sheets of architectural plans by Common Sense Design, dated November 7, 2003, a record of survey, dated 7/01, a Boundary and Topographic Survey by J. L. Engineering, dated 5/14/01 and a Drainage and Erosion Control plan, two sheets, dated 11/13/03 by ILS Associates, Inc.. Also transmitted was a folder with a Construction Management Plan, a drainage analysis by ILS Associates, Inc., dated 11/10/03, a Geotechnical Report by John C. Hom & Associates, Inc., dated 11/11/03, an Arboricultural Assessment by Moritz Arboricultural Consulting, dated 8/28/03 and a Preliminary Title Report, dated 5/2/03.

A site visit was done 11/26/03 and a review, by phone, was done with Bill Whitney 12/5/03.

My comments and recommended conditions are given below.

Town Code Section 17.38.080 provides a basic set of submittal requirements for hillside development.

- 1. Topographic and Boundary Survey: The submittal requirement for this has been satisfied.
- Site Plan: Some additional information is needed for the site plan. A better indication of foundation types is needed so that retaining walls and related fill work can be seen and excavation and fill quantities including structure excavation and structure backfill can be calculated. Earth movement quantities must be calculated and the quantities of excavation, fill and material removed from the site must be shown on the plan so these quantities can be checked against Code Section 12.20 requirements. The drainage facilities shown must be modified in accordance with comments to follow. The required notation about easements must be shown and that should include dealing with the utility anchors on the lower part of the site. The required sanitary sewer, water and storm drain lines must shown and labeled with their sizes. A tree committee report is needed and

clarification is needed between the topographic survey, architectural plans and the Arboricultural Assessment. The trees shown or described on the above plans and report either do not match as to what trees exist, which trees are on the property and which trees are to be trimmed, removed or dealt with for Sudden Oak Death Syndrome.

- Soil Engineer Report: The required report has been submitted and provides the information called for including soil drainage, site geology and foundation information.
- 4. Drainage Analysis: The drainage report submitted provides the required watershed boundary and drainage pattern information.
- 5. Erosion Control Plan: The submitted erosion control plan provides the required information.
- 6. The submitted construction management plan responds to Code Section 12.28 requirements. This is a very narrow road so avoiding obstructing the road during construction will require constant effort.
- 7. Frustuck Avenue at the upper and lower street frontages of this site is a moratorium street under Code Section 12.24.100 and the required permit must be obtained. All utility connections are required to be underground.
- 8. To limit problems with future street improvements or street widening work, the slope of the new driveway and parking surface, in the street right of way, is required to be no steeper than 8% slope. The driveway structure and parking structure in the street right of way must have an encroachment permit as required in Code Section 12.32.
- 9. To limit problems with the steep slope at the edge of pavement, a guard rail is required at the uphill and downhill sides of the driveway for a minimum distance of eight lineal feet along the existing Frustuck Avenue pavement.

In item 2. above, the need for changes to the drainage plan was noted. New construction of roofs, driveways and other low permeability surfaces and placement of storm water conduits that increase water flow velocities both increase storm water runoff and usually increase peak storm flows. The Town Code calls for determining the effect of new development runoff on existing drainage systems. If it is found that the existing system cannot carry existing flows plus the added flows from the new development, for a 100 year storm, a detention system or some other solution, approved by the Town Engineer, must be provided. Based on a review with Bill Whitney, it is very likely that a complete analysis of the existing storm drain system, downstream of this site, will show that the system will not carry the 100 year storm flow. On previous project reviews it has been found that providing a detention system appeared to be the most economical solution to this problem. I suggest that a detention system be proposed for this project.

The drainage analysis submitted shows a runoff coefficient of 0.92 for the existing site. I find this to be too high. A coefficient of 1.0 would be suitable if the site was covered by concrete and the 0.92 is fairly close to that. Recently we have had civil engineers propose a runoff coefficient

Design Manual, I find the runoff coefficient to be 0.68-and multiplying that by the Manual frequency factor coefficient of 1.25 for a 100 year storm gives a coefficient of 0.85. The effect of this coefficient difference with the submitted drainage analysis is to give an increase in runoff that is doubled due to this development. The submitted study gives a flow increase of 0.02 cubic feet per second and I find that 0.04 cubic feet per second is appropriate. If a detention basin is proposed, for this project, to contain that increased flow for the design storm time of concentration and meter it out so no increased flow occurs, that will resolve the increased flow issue. The proposed drainage plan shows a pipe discharge at pavement edge below this site. Based on a review with Bill Whitney some additional drainage improvements are needed. To complete the drainage improvements a drainage inlet (County Dwg. 232) and a pipe crossing the road to the existing drainage inlet are needed. The pipe is to be 12" class five concrete with rubber joints. The six inch pipe from the house site must have a minimum of 18 inches of cover in the street right of way area and it will drain into the new #232 inlet noted above.

I recommend that the processing of this application be delayed until the above noted issues are resolved.

Ray Wrysinski, P. E.

May Wrysinsks

Town Engineer



## TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930 (415) 453-1584/FAX (415) 453-1618

#### MEMORANDUM

To: Linda Neal - Senior Planner

Date: April 5, 2003

From: Ray Wrysinski

Town Engineer

Subject: Proposed Residence

190 Frustuck Avenue

Fairfax, CA

A.P. 003-193-02

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Recommendations are given below for conditions for the project construction plans. These are conditions to be resolved before the project construction permit is issued.

Item 2. of my 12/16/03 memorandum asked for earth movement quantities. Quantities for 25 cubic yards of cut and 16 cubic yards of fill are shown, on sheet A5, along with 9 cubic yards of excess soil. It is stated on that sheet, the pier and grade beam excavation is neglected and that excess soil is to be redistributed in the under-floor area. For review purposes, my estimate of the of the neglected quantities of excavation is 70 cubic yards for piers, grade beams and utility and drainage trenching. This is a steep site and redistribution of the excess soil on site would produce an unstable soil mass. Placing that excess excavation on site would also bring the total soil movement quantity into the code requirements for more than 100 cubic yards. This plan only provides for placing 16 cubic yards of fill, to be approved by the Planning Commission, unless the plan is modified to show additional engineered fill. I recommend a condition that all excess soil be removed from the site.

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The drainage improvements shown satisfy the drainage requirements in the 12/16/03 memo. The detention tank must include an easily serviced filter that will prevent plugging of the 1.5" outlet.

I recommend that the processing of this application proceed.

Ray Wrysinski, P. E.

Town Engineer



## TOWN OF FAIRFAX

142 BOLINAS ROAD, FAIRFAX, CALIFORNIA 94930 (415) 453-1584/FAX (415) 453-1618

TOWN OF FAIRFAX PLANNING COMMISSION NOTICE/AGENDA FAIRFAX WOMEN'S CLUB 46 PARK ROAD 7:30 P.M., THURSDAY, APRIL 15, 2004

CALL TO ORDER
ROLL CALL
APPROVAL OF AGENDA
APPROVAL OF MINUTES

Minutes from the March 18, 2003, Planning Commission meeting.

OPEN TIME FOR PUBLIC EXPRESSION COMMISSIONER COMMENTS/REQUESTS CONSENT ITEMS

There are no consent items scheduled for this meeting agenda.

#### **UBLIC HEARING ITEMS**

- 1. 51 Mountain View Road; request for a use permit to convert a storage area beneath an existing garage into an artist studio; Jackson Butler, applicant; Felix McKnight and Joel Quinteros, owners; application # 04-16; Assessor's Parcel No. 1-063-32; Residential Single-family RS 6 Zone; CEQA categorically exempt per section 15301(a).
- 2. 92 Willow Avenue; request for a modification of a previously approved variance to convert a storage area above a garage into a bedroom and bathroom; Ron and Vivien Asleson, applicant/owners; application # 04-15; Assessor's Parcel No.1-205-14; Residential Rd 5.5-7 Zone; CEQA categorically exempt per sections 15301(a) and 15305(a).
- 3. 190 Frustuck Avenue; request for a Hill Area Residential Development, Excavation and Encroachment permits to construct a 2,523 s.f. single-family residence with an attached 430 s.f. garage; John Owens and Diana Dullaghan, applicants; John Wickham, owner; application # 04-14; Assessor's Parcel No. 3-193-02; Residential Single-family RS 6 Zone; CEQA categorically exempt per sections 15303(a) and 15305(b).
- 4. Residential Second Unit Ordinance; review and action on a proposed amendment to Chapter 17.26 of Title 17, adopting regulations for the establishment of residential second units and incorporating a process for the review of applications at the ministerial level; Categorically exempt from the provisions of the California Environmental Quality Act of 1970 as amended per section 16061(b)(3).

#### DISCUSSION ITEMS

5. Discussion of house size regulations pertaining to slope development requirements, lot coverage definition and potential "tear down" ordinance.

# PLANNING DIRECTOR'S REPORT ON TOWN COUNCIL MEETING AND/OR ON-GOING ITEMS

#### ADJOURNMENT

All interested persons are invited to attend and participate in the public hearings. In order to give all interested persons an opportunity to be heard, and to ensure the presentation of all points of view, members of the audience should:

(1) Limit presentation to three minutes; (2) Always address the Chair; (3) State name and address; (4) State views and concerns succinctly; (5) Documents presented at the meeting must be submitted first to the Planning Staff, to be entered into the record.

Court Challenges: If you challenge the matter(s) described above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to the above referenced public hearing [Govt. Code section 65009(b)]. If you need accommodation to attend or participate in this meeting due to a disability, please contact the Town Clerk at (415) 453-1584.

If an item is continued, it is the responsibility of interested parties to note the new meeting date. Notices will not be sent out for items continued to a specific hearing date.

John Owens and Diana Dullaghan 177 Frustuck Avenue, Fairfax CA 94930 Tel 456 8064 Cell phone 717 7621 E-mail johnoph@aol.com

February 23, 2009

Appeal of the Planning Commission's decision on 2/19/09 to deny the second unit application at 177 Frustuck Avenue.

1. Commissioner Ketchum's Motion: Motion to deny. The project does not comply with the three story height limit of the Town of Fairfax 17.08.06A. That the definition of a second unit under the Town Code or Second Unit Amnesty does not suggest or convey a <u>waiver</u> of those requirements.

<u>Fact</u>: The second unit and second unit amnesty programs do not suggest or convey any specific exceptions. They state that exceptions to the ordinances require securing a <u>variance</u>. The Town has shown a willingness to grant multiple variances to the three second units approved to date. We requested the appropriate <u>variances</u> in the application, not <u>waivers</u>.

#### Examples:

- (A) November 20, 2003. 88 Dominga. This application was **approved** outside of the second unit amnesty. Approval to convert an existing 324 sq. ft. garage into a second unit. The unit and the parking space were located in the side yard set-back and both needed variances. (I believe only one variance was allocated to the project to expedite a much needed second unit.)
- (B) April 17, 2008. 17 Vista Way. Unit was **approved** under the second unit amnesty. This project required <u>three variances</u>. A size variance, a side yard set-back variance, and a parking variance.
- (C) September 18, 2008. 130 Mono Avenue. Approval under the second unit amnesty. This project required a side yard set-back variance for an existing parking space. The second unit square footage also exceeded the 700 square foot or 30% of the main unit ordinance.
  - 2. Commissioner Ketchum's Motion: Motion to deny. Granting of a fourth story would grant special privilege to this property, and in the long term deny similar privileges to properties that are upslope rather than downslope.

<u>Fact</u>: There is no evidence to support that the fourth story would be a grant of special privilege. A fourth story variance is the same as any other variance. Multiple variances have already been approved for the three second units to date. Every second unit application on any existing house is a unique application, as demonstrated by the range of variances already approved. We are not adding a story. The unit is to infill an existing space under our house. The

variance is called a "height variance". The height of the building will not change. There is no evidence to support upslope houses would suffer by approving this unit.

3. Commissioner Lacques' Motion: "Friendly Amendment" "I would like to make a friendly amendment that further finding is that the piece-meal nature of this application is such that if the project was originally proposed as is now being constituted with a covered garage, four stories, a second unit, given the square footage; the house would not have been approved because the project in its totality requires far too many variances."

<u>Fact</u>: Quite the contrary if the house, garage, and second unit application were submitted together in 2004 the project could have been approved <u>without requiring any variances</u> ( with a slight modification of the design of the second unit parking space). The combined square footage of the house with the second unit would be 2653 square feet.

Fact: The house size is still smaller than 175 or 183 Frustuck - the two adjacent houses. The Floor Area Ratio of our lot would allow a 3900 square foot residence to be built without variances. Fairfax has approved quite a few residences 3500 square foot and larger. This current project only requires two variances. One less variance than the unit at 17 Vista Way. "Piece-mealing" is not a crime, nor is it against any local ordinance. If there has been any "piece-mealing" since the inception of this project, it was due to the actions of the Planning Commission, who in 2004 denied a fully compliant house and garage that required no variances.

Staff Report: The approval of the second unit complies with the goals of the 2006
 Town of Fairfax Housing Element.

Goal H3 - To create high quality, well designed, and sustainable affordable housing. Goal H8 - To create opportunities for the development of accessory dwelling units.

The approval of the second unit meets the purpose of the second unit ordinance
 17.26.010

"The purpose of this chapter is to implement the housing element of the general plan in order to increase housing opportunities for all economic segments of the community. The intent is to provide for retention in the housing stock of existing units that comply with health and safety standards and to encourage construction of new accessory residential units in full compliance with such standards. Furthermore, it is the purpose of this chapter to allow the more efficient use of the town's existing housing stock of dwellings, to provide rental housing units for persons who are elderly or disabled, to provide economic support for resident families of limited income, and to protect the single-family character of a neighborhood by ensuring that residential second units are installed under such additional conditions as may be appropriate to further the purposes of this chapter. This chapter establishes standards for units and procedures to accomplish the following:

Identify and legalize existing units through permit procedures in order to ensure a healthy and safe living environment;

Develop new units through permit procedures that set standards to mitigate neighborhood and environmental impacts."

- 6. Staff Report: The construction of this second unit will protect the single family character of the neighborhood. It provides two off street parking spaces for the second unit. One space already exists, the second will not have any visual impact. The unit is to be built below the existing living space. All windows and doors are below and not visible to the adjacent neighbors at 175 and 183 Frustuck Ave. The unit and the outdoor patio area will be located more than 86 feet from neighbors on Hickory. The unit and patio will be screened from Hickory by shrubbery.
- Non-Opposition: There has been no neighborhood opposition to the construction of this unit. One neighbor spoke in favor of the unit.
- 8. Staff Report: The denial of the application would result in <u>unreasonable hardship to</u> the owners by eliminating their ability to provide an affordable second living unit which has been determined desirable by both the Planning Commission and the Town Council, as evidenced by their adoption of the Fairfax Housing Element.

And, also evidenced by pertinent comments from minutes of public meetings that John Owens personally attended – see below.

#### Planning Commission October 20, 2005

Continued discussion of General Plan Item. The Town considered charging an "In lieu of affordable housing fee" to all new construction over 2000 square feet. The minimum fee would be \$10,000 increasing as the house size increased. It was suggested that the fee be waived for new construction that included an affordable housing unit. The Planning Commission was encouraging affordable units to be built within new construction projects.

### Town Council Meeting Minutes 9/19/07

Appeal of the Planning Commission approval to construct a new home at 183 Frustuck Avenue. (next door to us) Appellant Calderaro 165 Frustuck; stated that the Town was under stress and was losing open space and affordable housing. That when such a large house was built, the builder should be required to contribute to the creation of affordable housing; that he would welcome a plan that included affordable housing; and that the (existing) project should be denied.

Council Meeting January 30, 2008 — appointment of Planning Commissioners.

Pam Meigs, Shelbey Lamotte, Peter Ramsay and Terry Goyan in their speeches to the Council all proclaimed they were supporters of Green Sustainable Building, and Affordable Housing. At the same meeting, Councilmember Bragman spoke on the subject of modifying the FAR of hillside homes and making exceptions for sustainable building.

Fact: The two variances should also be granted because of the promised exceptions Councilmember Bragman has said on many occasions would be made for sustainable building. Our house is to date the most sustainably built house in Fairfax. Producing 100% plus of its electricity, 70% of hot water. Add to that three biodiesel vehicles, and a long list of Green features. It is also the lowest carbon footprint residence in Fairfax. The second unit is to be sustainably built and will include a 1.3 killowatt PV system located on the roof of the garage.

#### Council Meeting January 9, 2008

When Councilmember Bragman spoke in regards to the draft ordinance reducing the FAR of hillside homes. He said exceptions would be made for Sustainable Building. Mr. Bragman has spoken on many occasions about the exceptions to be made for Green Sustainable Building in Fairfax. He advocated affordable housing when he created the Second Unit Amnesty Program.

9. Planning Commission Chairman Lacques reviewed the wrong house. He went to 183 Frustuck Avenue, which is approximately 30% larger than our house, and has a garage 40% larger than our proposed garage. It is significantly more massive than our house. 183 is a plywood box without windows or doors. His first question to applicant was "are you going to occupy the house?" Our house was completed and has been occupied by our family since June 2006. His opinions and vote were based on the wrong property. He obviously has little understanding of plans or construction. A sheet of photographs showing the house and driveway are part of the set of plans submitted. Our street numbers are clearly visible at the edge of our driveway. When the Chairman of the Planning Commission commands the meeting based on his mis-perceptions from 183 Frustuck, it brings the whole proceedings and vote into question.

#### Summary

Our sustainable house and sustainable affordable second unit are exactly what the Town has continually asked for. Approval of our second unit is the affirmation of the Town's desire for Sustainable and Affordable Housing. Denial of the second unit displays extreme hypocrisy and ongoing extreme bias toward the Owens family.



Date: April 15, 2009

To: Town Council

Town of Fairfax 142 Bolinas Road Fairfax, CA 94930

From: Pete Gang, AIA, LEED-AP

Common Sense Design 145 Keller Street Petaluma, CA 94952

Re: Planning Application for proposed second unit and garage:

177 Frustnek Avenue Fairfax, CA 94930 APN: 003-193-02

Dear Members of Town Council,

I am a licensed architect, a co-founder (in 2001) of the Redwood Empire Chapter of the U.S Green Building Council, and a co-founder and core faculty (2003-2008) with Sonoma State University's Green Building Professional Certificate Program, one of the first of its kind in the country.

I have had a long and intimate involvement in the evolving world of green building.

I am also the design architect for the house and carport at 177 Frustuck Avenue which were unanimously approved by Fairfax Town Council in August of 2004. My comments here concern the 'green' credentials of both the existing house and the proposed second unit.

It is understood among the national green building community that the LEED for Homes ('LEED-H') green building rating system represents the highest standard for residential energy and environmental performance. Although the house was designed and built prior to LEED-H, I recently conducted an informal post-construction assessment of the existing house and awarded points in the following categories:

Innovation and Design Process:	1 point
Location and Linkages:	7 points
Sustainable Sites	18 points
Water Efficiency	11 points
Energy and Atmosphere	30.5 points
Materials and Resources	3 points
Indoor Environmental Quality	12 points
Awareness and Education	0 points
TOTAL:	82.5 points

tim a jama samintan malah oleh beriara 🧍

Based on this cursory evaluation the house would easily earn at least the 75 points needed to be certified at the level of LEED Gold.

Common . Sense Design

145 Keller Street Petaluma, CA 94952 (707) 762-4838

Arthredure & Pannin I have also reviewed the drawings for the proposed small second unit. Because this project will benefit from the green features already in place in the existing house and from a more clearly articulated set of green building criteria, I am confident that it could be certified at the LEED Platinum level.

Finally, at this critical point in human history, as we find ourselves beset by the twin realities of global peak oil production and global climate change, if we intend to bequeath to our children a planet that is complete with a functional ecosystem, we must – both personally and as a responsible society — do everything within our powers to reduce the use of non-renewable, carbon-emitting fossil fuels. Small, energy-efficient second units infilled within existing urban settings, like the one proposed at 177 Frustuck Avenue, are exactly the type of project that desperately need.

I urge you to approve this proposed second unit and garage.

Please do not hesitate to contact me if I can provide additional information or clarification in this matter.

Sincerely,

Pete Gang, AIA, LEED-AP COMMON SENSE DESIGN

# John Owens and Diana Dullaghan 177 Frustuck Avenue, Fairfax CA 94930 Tel 456-8064 Cell phone 717-7621 e-mail johnoph@aol.com

April 25th<sup>,</sup> 2009

Sustainable Fairfax

Re: Town Council appeal of second unit application 177 Frustuck

Dear Sustainable Fairfax

My wife and I are trying to get approval for a sustainable affordable second unit to our existing sustainable house. Our house was constructed 2 ½ years ago. It was designed by Pete Gang Architect who teaches Green Building at Sonoma State University. We originally submitted the application for the second unit in February of 2008. The application was resubmitted and then denied by the Planning Commission in March 2009. Our last chance for approval is May 6<sup>th</sup> when the unit will come before the Town Council on appeal.

The house was recently reviewed under the Leed for Homes Green Building Rating System. The existing house exceeds Leed Gold standard, and the proposed second unit would meet Leed Platinum. A complete list of Sustainable Building Features is included on page one of our plans. We own and drive three biodiesel vehicles. We believe our house to be the lowest carbon footprint home in Fairfax.

We would really like to get the support of Sustainable Fairfax behind our project, and have someone speak at the Council Meeting in favor of this unit. Please call us. We would welcome a visit.

Thank you for your consideration,

John Owens

Diana Dullaghan

#### John Owens Diana Dullaghan 177 Frustuck Avenue, Fairfax CA 94930 Tel 456 8064 e mail johnoph@aol.com

April 27th 2009

Town Council Town of Fairfax 142 Bolinas Rd. Fairfax CA 94930

Petition from the workers of Fairfax in support of a legal sustainable second unit to be constructed at 177 Frustuck Avenue.

Regarding Appeal to the Town Council for approval of a sustainable, affordable second unit at 177 Frustuck Ave., Fairfax: Attachment Page o signatures of workers and/or residents of Fairfax who want/need more affordable housing unit approved by the Fairfax Town Council.

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Regarding Appeal to the Town Council for approval of a sustainable, affordable second unit at 177 Frustuck Ave., Fairfax: Attachment Page of signatures of workers and/or residents of Fairfax who want/need more affordable housing in our town and want this affordable housing unit. approved by the Fairfax Town Council.

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Regarding Appeal to the Town Council for approval of a sustainable, affordable second unit at 177 Frustuck Ave., Fairfax: Attachment Page of signatures of workers and/or residents of Fairfax who want/need more affordable housing in our town and want this affordable housing unit approved by the Fairfax Town Council.

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Recording Appeal to the Town Council for approval of a sustainable, affordable second unit at 177 Frustuck Ave., Fairfax: Attachment Page of signatures of workers and/or residents of Fairfax who want/need more affordable housing in our town and want this affordable housing unit approved by the Fairfax Town Council.

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Regarding Appeal to the Town Council for approval of a sustainable, affordable second unit at 177 Frustuck Ave., Fairfax: Attachment Page of signatures of workers and/or residents of Fairfax who want/need more affordable housing in our town and want this affordable housing unit

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