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From: Laraine Voitke, 2 Anton Way, Novato, CA 94945

Date: July 24, 2015

Subject: Comments and Testimony on the Proposed Black Point/Green Point Community Plan -  
Planning Commission Hearing, July 27, 2015

I am Laraine Voitke, a Green Point home owner for 38-years. I have the unique perspective of having served as the Black Point Improvement Club (BPIC) Secretary from mid-2013 to mid-2014. I and others with Green Point interests for purposes of documenting our concerns have accumulated comprehensive written notes and recordings of public meetings of the Advisory Committee, BPIC, and Community Plan workshops, that led up to the plan you are considering today.

The proposed Plan threatens the existence of the Green Point Community. It departs from the workable 1978 plan under which Green Point was built. The proposal is controversial on its face, in its content, and by its development process. If enacted, I fear it would result in irreparable damages to the Community of Green Point and to individual home owners for which there is no remedy.

I am concerned about: the elimination of the separate Community of Green Point with its well recognized geographic boundaries west of Hwy 37; our sense of community; our voice; our right to self determination; our right to participate in a governmental process; severe restrictions on land use; right to agricultural interests; designations that would impair or impede our ability to insure, sell or encumber our properties; taxation without representation; limitations to the repair, rebuild, or replacement of existing improvements; and, parameters limiting or affecting second dwelling units. A viable Green Point Plan would look very different from this proposal.

The Plan ignores dissimilar development histories and distinguishing characteristics of the newer, much larger, and more spacious Community of Green Point compared with the older, smaller, insular and remote Community of Black Point. Unlike Black Point, Green Point developed from gentle orchards, cattle grazing lands and upslope oak woodlands and is today distinguished by large lots; newer larger homes; numerous multi-acre agricultural parcels with outbuildings, pastures for horses, sheep, goats, chickens, vegetable gardens, fruit trees, nurseries and even an Owl Sanctuary. Unlike Black Point, Green Point enjoys excellent newer infrastructure, modern well designed septic systems, and excellent publically maintained thoroughfare roads providing quick access to nearby Novato, Highways 101 and 37, and the Smart train. Green Point is geographically separated from Black Point by HWY 37 and the separate upscale City of Novato Community of Stonetree.

We all enjoy copious wildlife. Good land stewardship with scientifically effective protective measures towards wildlife is desirable. Proposed environmental policies don't make sense. Public access to paper streets should be barred to protect property rights, wildlife habitat and nesting sites etc. I support Audubon's open space designations in the bay plain. Language should confine solar panels to attached rooftop applications in the built environment of Green Point. Stand alone private or commercial solar panels should be barred as they are about to be eclipsed by very different superior new technologies, not tied to subsidies or revenue streams. To avoid blight, solar panel owners should post bonds upon installation for their removal as they become obsolete.

I am concerned about:

- 1) Use of the BPIC to gather and disseminate information about the proposed plan in lieu of direct communication to and from Green Point home owners.
- 2) Use of a politically appointed Community Plan Advisory Committee with uneven representation (3 from Black Point, 2 from Green Point, consisting primarily of BPIC Officers and Chaired by the Director Emeritus and acting Secretary of the BPIC) has prejudiced plan content to the detriment of the Green Point Community's interests.
- 3) Proposed Option 2 - home size limitations in Green Point make no sense and are not being requested by the Green Point Community. For example, there should be no restriction to build a 6,000 sq ft house on a 7 acre parcel. The current County formula works and should not affect second units in Green Point.
- 4) New set back requirements are inappropriate in Green Point. They could negatively affect or preclude new construction, remodel and structural changes to existing improvements, or construction of second units. In areas where slopes exceed 25%, setbacks should be reduced on a case by case basis, particularly with for second units, to accommodate lot topography and features irrespective of neighboring parcels or irrational complaints.
- 5) Sea Level Rise discussions and scenarios should be removed from this small isolated community plan. It is premature and something that would better be addressed countywide.

I ask the Planning Commission to act as follows:

Green Point must be individually identified as the geographic area west of HWY 37 and, more particularly, that it is not combined with, referred to, or associated as a sub-neighborhood of Black Point.

Roll back and redesign the planning process to accommodate the Community of Green Point's voice, proper notice and participation, and to garner conformed consent free from duress. Remove the Advisory Committee. Allow Green Point to develop planning options and policies supportive of its unique needs or Community interests.

Remove all reference to the BPIC from the plan. The County should not impose or recognize the BPIC as having any authority over Green Point.

Remove all reference to new more restrictive setback requirements to Green Point in ARP-2 and remove any language that they should be substantially in "conformance" with A2 zoning in Black Point.

Remove sea level rise scenarios and reference to special assessments that create uncertainty and that could cause home owner liability for real estate disclosures that are unknowable, detrimental, and expose residents to unforeseeable liabilities.

Green Point is nearly perfect with unique planning needs separate from those of Black Point. The plan before you is not appropriate for Green Point. It does not support the property rights or financial interests of Green Point home owners. Green Point gains nothing from the plan.

The separate and substantial upscale Community of Green Point is here to stay. No one will be allowed to change our name or whitewash us out of existence with revisionist history and revisionist maps. No one will be allowed to eclipse our self interests or harm our residents. Green Point residents deserve a plan that projects self interests, our sense of Community, protects our residents, and ensures our enduring character. We need to settle for nothing less.

Respectfully Submitted,

Laraine Woitke