

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

August 23, 2018

TO: Marin County Planning Commission

SUBJECT: Appeal of Project ID: 11-0417
Assessor's Parcel: 168-034-14
Project Address: 21 Barranca Road, Lagunitas
Project Name: Tarigo Design Review (DR 12-42) and Second Unit (SU 12-6)
Draft Initial Study

Dear Planning Commissioners,

The purpose of this memorandum is to provide additional correspondence regarding the Tarigo appeal of the Tarigo Project Draft Initial Study.

ATTACHMENT:

Letter from Aldo Tarigo and Adrienne Terrass dated August 20, 2018

August 20, 2018

Jeremy Tejirian
Community Development Agency
Planning Division
3501 Civic Center Drive, #308
San Rafael, CA 94903-4157

Re: Tarigo project Planning Appeal
APN: 168-034-14

Dear Jeremy,

For the record, we would like to raise a serious concern we have with the Staff Report just released in advance of the hearing before the Planning Commission. It is part of the reason we have asked for a postponement. Under 'Background,' it says that: "In 2006...Dave Nicholson observed that the applicant was illegally constructing a bridge across Barranca Creek to replace an older bridge in the same location. He advised the applicant to stop constructing the bridge and obtain the proper permits before proceeding to completion. The applicant chose to not follow this advice and finished construction of the bridge. A code enforcement case was opened..." The truth is that Dave first visited the site to inspect for adequate parking for a Second Unit Permit under the Amnesty Program which we hadn't applied for until mid 2008, well after the structural portion of the bridge was completed in early November of 2006. At that time he inquired if there had been a permit for the bridge and whether we had constructed it, but didn't say anything more. Several years later, in January of 2012, just after Planning submission, Dave made an unscheduled visit when cosmetic stone work was being done and demanded that the work be stopped and not continue until after a permit was obtained. We were not home but learned of this from the mason. This was an unauthorized entry of the property as the bridge is behind our house and he had not notified us of his intention to visit the site. In any case, no further work has been done since that date. County documents and our dated photographs clearly support this assertion. We never received a notice regarding code enforcement at any time.

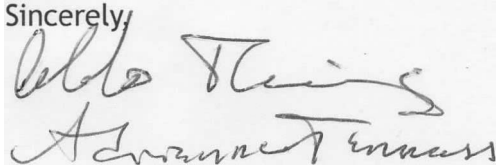
We're stunned and offended, and frankly can't fathom the motive for County staff to have made such assertions not founded in fact. We made an error in judgement in moving forward in haste (even if) to prevent the risk of environmental damage were there to be a full bridge collapse, but that hardly makes us the willful scofflaws we have been treated as by some for the last eight years. It seemed clear to us when we received Planning's letter bringing up the matter after we applied for a permit to rebuild the house that Dave must have put a note in his file at that time and it had lain in wait for us. At no time were we informed of a process to retroactively permit work done on an emergency basis or we would have sought to do so. Given that the old bridge had already partially collapsed into the creek, the high water event in 2006 suggests the strong likelihood that a great deal of silt and organic matter would have washed into the creek even in the absence of a complete wash-out. It should also be borne in mind that the fire department has stated it prefers there to be bridge access on properties where structures are located on the far side.

Please, this is a very serious matter for us while in the process of trying to get a fair assessment of the merits of our project. False assertions have been made in public documents, which should not be treated so cavalierly. We are truly sorry for not having obtained permission for the emergency reconstruction of the bridge; that is our responsibility and we have been paying dearly for it for a

long time. How can we possibly have our project judged on its objective merits when facts have been revised to further punish us for having made a mistake?

Surely there must be a way we can get back to the original intent and purpose of this process. We thought we would have had the chance to discuss the various intricacies of our project with County staff based on facts, science and the Code, and would gladly do so still. Sadly, no one seems interested in listening. Would you consider a meeting to discuss why there is such a disparity between what the Projects Documents intend and how they are interpreted in the Initial Study? Please let us know if this is a possibility.

Sincerely,

A photograph of two handwritten signatures in black ink on a light-colored background. The first signature is 'Aldo Tarigo' and the second is 'Adrienne Terrass'.

Aldo Tarigo
Adrienne Terrass

CC: Lorenzo Cordova, Tammy Taylor