



Agenda Item No. 10a

Staff Report

Date: September 14, 2023

To: Mayor Brekhus and Council Members

From: Alex Lopez-Vega, Assistant Planner

Subject: St Peter Residence, 1 Pomeroy Road

Recommendation

It is recommended that the Town Council adopt Resolution No. 2336 (**Attachment 1**) approving Design Review and a Variance for the subject project as described below.

Property Address: 1 Pomeroy Road
A.P.N.: 072-023-04
Applicant: Gina Weyant
Property Owner: St Peter Family Trust Mitchell & Jeanne St Peter
Zoning: R-1:B-5A
General Plan: VL (Very Low Density)
Flood Zone: X (Moderate Risk)

Project Data

	Code Standard	Existing	Proposed
Lot Area	5 Acres	52,950 SF	No change
Floor Area (FAR)	10%	5,431 SF (10%)	No Change
Building Coverage	10%	4,837 SF (9%)	No Change
Front Setback	25'	23' 9"	No Change

	Code Standard	Existing	Proposed
Left Side Setback	45'	House 19'	No Change (House) 34' 3" (Pool)
Right Side Setback	45'	House 59' 10"	No Change (House) 109' 7" (Pool)
Rear Setback	70'	House 99' 8"	No Change (House) 44' 11" (Pool)
Building Height	30'	22' 1"	No Change
Parking	4 (2 Covered)	4 (2 Covered)	No Change
Impervious Surface Coverage	Minimize and/or mitigate for any increase.	12,308 SF	10,985 SF

Project Description:

The applicant requests approval of Design Review and a Variance. The project involves construction of a new pool/spa within the side and rear yard setbacks of the existing single-family residential property. The proposed size of the pool is 16'x 32' and the size of the SPA is 8'x 8'. The project includes a pool equipment unit within an existing shed located near the north side of the lot. The applicant also proposes to remove the existing concrete driveway and replace it with permeable pavers.

Project plans are included as **Attachment 2**; Project Application and Materials are included as **Attachment 3**.

The proposed project is subject to the following approvals:

- **Design Review Permit is required pursuant to RMC Section 18.41.010** to allow for construction of a new building exceeding 200 square feet of a new floor area; fences and gates greater than 48" in height adjacent to the street right-of-way; a project resulting in more than 50 cubic yards of grading or filling; a project resulting in over 1,000 square feet of new impervious landscape surface; and redevelopment, rehabilitation, and/or renovation of existing landscape over 2,500 square feet,... and other site modifications

that could affect the visual and/or physical character of the site and neighborhood, whether or not a building permit is required.

- **Variances are required pursuant to RMC 18.48.010** to allow for the construction of a new pool/spa within the side and rear yard setbacks.

Background

The project site is a 52,950 square-foot lot on Pomeroy Road. The lot has a single-family residence which includes an attached garage. The property is located on the corner of Pomeroy Road and Newell Road.

Advisory Design Review

Pursuant to Resolution No. 1990, Advisory Design Review is required for all applicants seeking discretionary land use permits, such as Design Review, a Demolition Permit, a Nonconformity Permit, Exceptions for Attics, a Hillside Lot Permit, and/or a Variance.

On August 15, 2023, the proposed project was reviewed by the Advisory Design Review (ADR) group. Most of the ADR members supported the design of the proposed pool as drawn since the location of the pool provides privacy. An ADR member suggested the potential for flipping the pool with the existing patio in order to meet the setback and not need a Variance.

Draft minutes of the August 15, 2023, ADR meeting are included as **Attachment 4**.

Discussion

The proposed project is subject to the following permit approvals pursuant to the Ross Municipal Code:

Design Review

Design Review is intended to guide new development to preserve and enhance the special qualities of Ross and to sustain the beauty of the town's environment. Other specific purposes include: provide excellence of design for all new development which harmonizes style, intensity and type of construction with the natural environment and respects the unique needs and features of each site and area; preserve and enhance the historical "small town," low-density character and identity that is unique to the Town of Ross, and maintain the serene, quiet character of the town's neighborhoods; and preserve lands which are unique environmental resources including scenic resources (ridgelines, hillsides and trees), vegetation and wildlife habitat, creeks, threatened and endangered species habitat, open space and areas necessary to protect community health and safety.

The Town Council may approve, conditionally approve, or deny an application for Design Review. The Town Council shall include, as necessary, conditions necessary to meet the purpose of Design Review pursuant to Chapter 18.41 and for substantial compliance with the criteria set forth in this chapter. If Council intends to approve Design Review, staff recommends that the required

findings for approval be satisfied for the proposed project, as follows:

- **The project is consistent with the purpose of Design Review as outlined in Section 18.41.010. (Section 18.41.070 (b) (1))**
- **The project is in substantial compliance with the design criteria of Section 18.41.100. (Section 18.41.070 (b) (2))**
- **The project is consistent with the Ross General Plan and zoning ordinance. (Section 18.41.070 (b) (3))**

Staff recommends approval of Design Review, as summarized below and as supported by the findings in the attached Resolution (Exhibit "A").

The project provides design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," provides low-density character and identity that is unique to the Town of Ross; preserves lands which are unique environmental resources; enhances the area in which the project is located; and promotes and implements the design goals, policies, and criteria of the Ross General Plan. The proposed project is not monumental or excessively large in size and is compatible with other developments in the neighborhood. The project proposes materials and colors that minimize visual impacts, blend with the existing landforms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. Landscaping protects privacy between properties, all proposed lighting is down lit with covered bulbs. The post-project stormwater runoff rates from the site would be no greater than pre-project rates.

Variance

Pursuant to RMC Section 18.48.010, where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of the zoning ordinance may result from the strict application of certain provisions thereof, variances, exceptions and adjustments may be granted, by the Town Council in appropriate cases, after public notice and hearing as provided in the zoning ordinance. Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

In accordance with RMC Section 18.48.010 (c), a Variance is recommended for approval to construct a pool/spa within the side and rear yard setback based on the following mandatory findings:

1) That there are special circumstances or conditions applicable to the land, building or use referred to in the application.

Analysis: The special circumstances and conditions applicable to the land include the existing steepness and shape of the lot, specifically the rear and side lot lines angles as they approach the rear of the property where the pool is proposed. Additionally, most of the lot is heavily vegetated which makes it difficult to build which is why the area proposed on the lot is the most ideal placement for the new pool and preserves a significant number of trees.

2) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.

Analysis: Pools/spa are commonly enjoyed by owners of residential properties in the immediate vicinity. Granting of the Variance request, in a neighborhood where existing nonconforming setbacks are common, may be deemed necessary for the preservation and enjoyment of the owner's substantial property rights. Granting of the Variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

3) That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Analysis: The proposed new pool/spa would not adversely affect the health and safety of the persons residing or working in the neighborhood as the pool construction is subject to the California Building Code. No members of the general public including owners of adjacent properties have expressed concerns or issues with respect to the project.

Fiscal, Resource and Timeline Impacts

If approved, the project would be subject to one-time fees for a building permit and associated impact fees, which are based on the reasonable expected cost of providing the associated services and facilities related to the development. The improved project site may be reassessed at a higher value by the Marin County Assessor, leading to an increase in the Town's property tax revenues. Lastly, there would be no net funding impact on the Town associated with the project.

Alternative actions

1. Continue the item to gather further information, conduct further analysis, or revise the project; or
2. Make findings to deny the application.

Environmental Review

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Public Comment

Public Notices were mailed to property owners within 300 feet of the project site 10 days prior to the meeting date and no comments were received at the time of writing this report.

Attachments

1. Resolution No. 2336
2. Project Plans
3. Project Application and Materials
4. Draft ADR Meeting Minutes, August 15, 2023

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2336

RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW AND A VARIANCE TO CONSTRUCT NEW A NEW POOL/SPA WITHIN THE SIDE AND REAR YARD SETBACKS AND TO REMOVE THE EXISITNG CONCRETE DRIVEWAY AND REPLACE IT WITH PERMEABLE PAVERS AT 1 POMEROY ROAD A.P.N. 072-023-04

WHEREAS, applicant Gina Weyant on behalf of property owners St Peter Family Trust Mitchel & Jeanne St Peter has submitted an application requesting approval of Design Review and a Variance to construct a new pool/spa within the side and rear yard setback of the existing single-family residential property. The proposed size of the pool is 16'x 32' and the size of the SPA is 8'x 8'. The project includes a pool equipment unit within an existing shed located near the north side of the lot. The applicant also proposes to remove the existing concrete driveway and replace it with permeable pavers at 1 Pomeroy Road APN 072-023-04 (herein referred to as "the Project").

WHEREAS, the Project is determined to be exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

WHEREAS, on September 14, 2023, the Town Council held a duly noticed public hearing to consider the Project; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

NOW, THEREFORE, BE IT RESOLVED the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A" and approves Design Review and a Variance to allow the Project, subject to the Conditions of Approval attached as Exhibit "B".

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 14th day of September 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Cyndie Martel, Town Clerk

Elizabeth Brekhus, Mayor

EXHIBIT "A"
FINDINGS
1 Pomeroy Road
A.P.N. 070-023-04

A. Findings

I. In accordance with Ross Municipal Code (RMC) Section 18.41.070, Design Review is approved based on the following mandatory findings:

a) The project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010.

As recommended by the Advisory Design Review (ADR) Group, the Project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010. It provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," provides very low-density character and identity that is unique to the Town of Ross; preserves lands which are unique environmental resources; enhances the area in which the Project is located; and promotes and implements the design goals, policies and criteria of the Ross general plan.

b) The project is in substantial compliance with the design criteria of RMC Section 18.41.100.

As recommended by the Advisory Design Review (ADR) Group, the Project is in substantial compliance with the design criteria of RMC Section 18.41.100. The proposed pool/spa project would be in harmony with the site and surrounding improvements. The Project would maximize permeability and reduce the overall impervious surface coverage on the property, by removing existing impervious surfaces to more than offset the new development, so that the post-development stormwater runoff rates from the site would be no greater than pre-project rates.

c) The project is consistent with the Ross General Plan and zoning ordinance.

The Project is consistent with the allowed uses and general development standards associated with the Very Low-Density land use designation of the General Plan, the Single-Family Residence and Special Building Site zoning regulations; therefore, the Project is found to be consistent with the Ross General Plan and Zoning Ordinance.

II. In accordance with Ross Municipal Code (RMC) Section 18.48.010(c), Variance is approved based on the following mandatory findings:

a) That there are special circumstances or conditions applicable to the land, building or use referred to in the application.

The special circumstances and conditions applicable to the land include the existing steepness and shape of the lot, specifically the rear and side lot lines angles as they approach the rear of the property where the pool is proposed. Additionally, most of the lot is heavily vegetated which makes it difficult to build which is why the area proposed of the lot is the most ideal placement for the new pool and preserve a significant number of trees.

b) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.

A Pool/spa are commonly enjoyed by owners of residential properties in the immediate vicinity. Granting of the variance request, in a neighborhood where existing nonconforming setbacks are common, may be deemed necessary for the preservation and enjoyment of the owner's substantial property rights. Granting of the Variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

c) That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The proposed new pool/spa would not adversely affect the health and safety of the persons residing or working in the neighborhood as the pool construction is subject to the California Building Code. No members of the general public including owners of adjacent properties have expressed concerns or issues with respect to the project.

EXHIBIT "B"
CONDITIONS OF APPROVAL
1 Pomeroy Road
A.P.N. 072-023-04

1. The building permit shall substantially conform to the plans entitled, "St Peter Residence" dated 8/15/2023, and reviewed and approved by the Town Council on September 14, 2023.
2. Except as otherwise provided in these conditions, the Project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
3. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the Project and will not extend the permitted construction period.
4. The Project shall comply with the Fire Code and all requirements of the Ross Valley Fire Department (RVFD).
5. The Town staff reserves the right to require additional landscape screening for up to three (3) years from project final to ensure adequate screening for the properties that are directly contiguous to the project site. The Town staff will only require additional landscape screening if the contiguous neighbor can demonstrate through pre-project existing condition pictures that their privacy is being negatively impacted as a result of the Project.
6. BEFORE FINAL INSPECTION, the applicant shall call for a Planning staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the Project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent re-inspections.
7. A Tree Permit shall not be issued until the project grading or building permit is issued.
8. The Project shall comply with the following conditions of the Town of Ross Planning and Building Department and Public Works Department:
 - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within

the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.

- b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
- c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the Project. Any additional costs incurred by the Town, including costs to inspect or review the Project, shall be paid as incurred and prior to project final.
- d. The applicant shall submit an erosion control plan with the building permit application for review by the Building Official/Director of Public Works. The Plan shall include a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).
- e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the Project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
- f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director.
- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas. The plan shall demonstrate that on-street parking associated with construction workers and deliveries are prohibited and that all project deliveries shall occur during the allowable working hours as identified in the below condition 8n.

- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the Project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the Project and the construction management plan.
- k. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- l. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- m. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- n. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- o. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.

- p. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and rights-of-way free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand, or other materials that can be blown by the wind.
- q. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- r. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the Director of Public Works pursuant to Ross Municipal Code Section 15.25.120.
- s. The Project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- t. The applicant shall work with the Public Works Department to repair any road damage caused by construction. The applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. BEFORE FINAL INSPECTION, the Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
- i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc., are implemented.

- ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.
 - iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.
9. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding (“action”) against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the Project or alleging any other liability or damages based upon, caused by, or related to the approval of the Project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorney fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

ATTACHMENT 2

1 Pomeroy Road Pool Proposal



GOAL:

- Install a relatively small **16x32' pool** that is consistent with the existing character of the landscape and home & preserve small play area for children.
- The pool **will not be seen** from a neighbor's yard due to a dense screen of Redwood trees lining our property
- The pool equipment **will not be heard** from any neighbors yards as it will be housed inside an existing maintenance room within the house
- Coping materials will match existing bluestone hardscape on the property & the new impermeable space will be offset with permeable driveway pavers.

WHY ARE WE HERE:

Pool will be within the 5 acre zoning rear and side yard setback limitations.

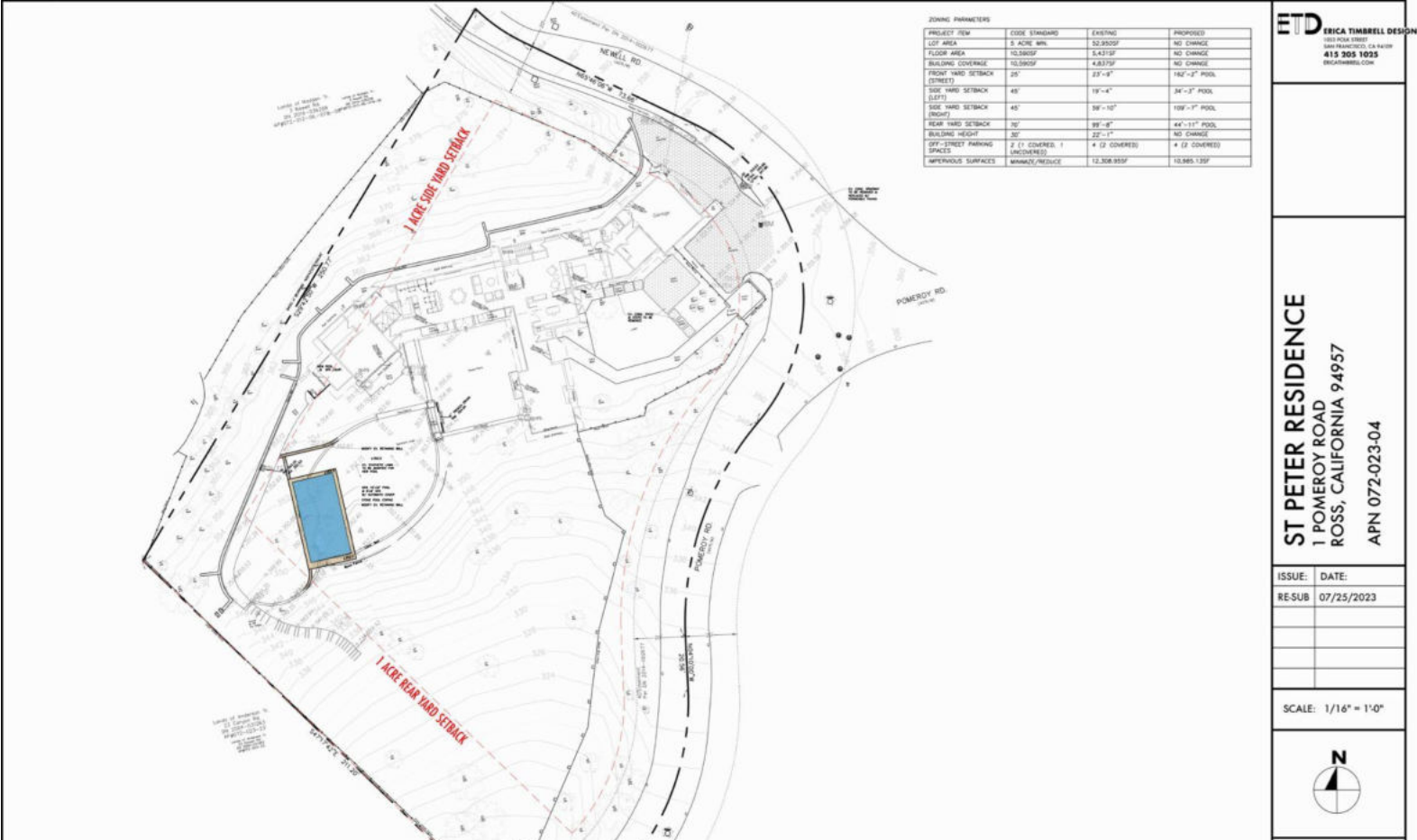
WHY WE SHOULD BE GRANTED A VARIANCE:

1. **HARDSHIP OF ZONING & SLOPE:**
 - We are only a **1.2 acre property, but we are zoned for 5 acre setback limitations and these limitations are creating a hardship** given the 1 acre size of the property and steep slope of most of the land. [70' rear & 45' side]
 - If this were 1 acre zoned parcel, the proposed pool would easily meet the requirements for a property of that size
 - Proposed pool: 45' from rear & 34' from side
 - 1 acre requirements: 40' rear & 25' side
 - A significant amount of our 1.2 acre property is on unusable slope, 9% of the site (4,868sf of the 52,950sf) is flat and usable for pool and play area (not already developed for house and terraces). Only 1,413sf / 2.6% of the flat site available is not in the setback.
2. **PRIVACY & SAFETY:** If we moved the pool site to meet setback limitations, the uphill neighbors will have a direct view of the pool and our children will not have a flat area to play that is safely distanced from the steep slope.
3. **ENGINEERING RECOMMENDATION:** We did soils testing for this location and the location that meets the setback limitations, Miller Pacific Engineering strongly recommended this location given the much shallower depth of bedrock at this proposed site.
4. **NEIGHBORS:** The neighboring property, 3 Newell, received approval for a pool within the setback limitations and it's under construction. Our pools would be abutting- with the steep slope and thick redwoods in between.

Plan showing 5 acre setback limitations:



Site plan showing that the pool comfortably meets the 1 acre zoning setback limitations:



Site Photos – surrounding view from proposed pool location

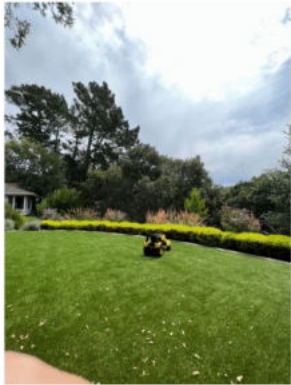


Photo of Pool Equipment Room



ZONING PARAMETERS

PROJECT ITEM	CODE STANDARD	EXISTING	PROPOSED
LOT AREA	5 ACRE MIN.	52,950SF	NO CHANGE
FLOOR AREA	10,590SF	5,431SF	NO CHANGE
BUILDING COVERAGE	10,590SF	4,837SF	NO CHANGE
FRONT YARD SETBACK (STREET)	25'	23'-9"	162'-2" POOL
SIDE YARD SETBACK (LEFT)	45'	19'-4"	34'-3" POOL
SIDE YARD SETBACK (RIGHT)	45'	59'-10"	109'-7" POOL
REAR YARD SETBACK	70'	99'-8"	44'-11" POOL
BUILDING HEIGHT	30'	22'-1"	NO CHANGE
OFF-STREET PARKING SPACES	2 (1 COVERED, 1 UNCOVERED)	4 (2 COVERED)	4 (2 COVERED)
IMPERVIOUS SURFACES	MINIMIZE/REDUCE	12,308.95SF	10,985.13SF

LEGEND:

- BOUNDARY LINE
- FLOW LINE
- WOOD FENCE
- WIRE FENCE
- METAL FENCE
- A. ENGINEERING BOUNDARY LINE
- ENGINEERING SURVEY BOUNDARY LINE (AREA WITHIN)
- A. ENGINEERING MINOR CONTOUR LINE ADJUSTED (2')
- A. ENGINEERING MAJOR CONTOUR LINE ADJUSTED (10')
- ENGINEERING MINOR CONTOUR LINE (2')
- ENGINEERING MAJOR CONTOUR LINE (10')
- TOP OF BANK
- TOE OF BANK
- GRADE BREAK
- TREE AS LABELED
- SPOT ELEVATION
- FRESH FLOOD ELEVATION
- IRRIGATION CONTROL VALVE
- LIGHT POLE
- WATER VALVE
- WATER METER
- GAS METER
- ELECTRIC METER
- DRAINAGE RILET
- HOSE W/
- GAS VALVE
- GAS METER
- POWER POLE
- GUY WIRE
- CONCRETE
- ASPHALT
- GRAVEL
- PAVING

DATE OF FIELD SURVEY:
JUNE 27, 2023

SURVEYOR'S NOTES:

1. THE ORIGINAL TOPOGRAPHIC SURVEY AND BOUNDARY WAS PREPARED BY J.L. ENGBERGER ON AN ADJUTANT VERTICAL DATUM LATED DECEMBER 2012. SUPPLEMENTAL TOPOGRAPHIC SURVEY DATA COLLECTED BY ENGBERGER & ASSOCIATES AS SHOWN HEREON. ELEVATION DATA PROVIDED BY J.L. ENGBERGER WAS ADJUSTED VERTICALLY BY -0.58 FT TO THE NAD83 VERTICAL DATUM.

BENCHMARK NOTE:

THE ELEVATIONS SHOWN HEREON ARE BASED ON SPOT PROCEEDING FROM THE TRIANGLE BUSINESS CENTER USING BAW GPS OBSERVATION OF 24 HOURS USING PROCEESSING BASELINES FROM SPATIAL STATIONS CIVIL, TOWN AND FIRE. THE ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (ENGBERGER) AND THE CALIFORNIA SPATIAL REFERENCE SYSTEM (CORS) REALIZED THROUGH THE POSITIONS OF THE CONTIGUOUS GPS LOCUS STATIONING THAT COMPOSES THE CALIFORNIA SPATIAL REFERENCE NETWORK (CORS) OPNO 2017.05.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS BASED UPON A FIELD SURVEY.

DATE: JULY 25, 2023

LEON E. ENGBERGER
REGISTERED CIVIL ENGINEER #12094

BOUNDARY AND TOPOGRAPHIC SURVEY
1 POMEROY ROAD (A.P.N. 072-023-04)

ENGBERGER & ASSOCIATES
7200 REDWOOD BLVD SUITE 100
SAN FRANCISCO, CA 94121
TEL: 415.774.1111
WWW.ENGBERGER.COM

Acad. Documentalistica 2017/23: 150-1. Primary Note. <http://dx.doi.org/10.1017/S0022216X17000011>. 1511. Maine, Doug.

Privacy concern if WE MOVED

The proposed pool to meet

The 5 acre setback limitations:

3 Newell overlooking view of the pool if positioned
outside the setback limitation



Hydro-Flo™ Estate Pavers



Hydro-Flo™ Estate Pavers

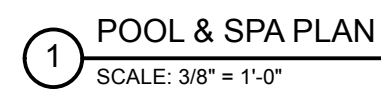
The Pacific Interlock Pavers Hydro-Flo™ Estate Permeable Paver is an ideal complement and a great investment to your home.

The perfect blend of traditional and contemporary styles, the Hydro-Flo™ Estate permeable paver will allow you to create a beautiful driveway, stylish patio or elegant terrace.

As with all of the Pacific Interlock pavers, the Hydro-Flo™ Estate's classic beauty is easy to maintain, durable and ecologically friendly.

The Hydro-Flo™ Estate permeable paver comes in three sizes (Large, Medium and Small) and two thicknesses (60mm and 80mm).

Category: HydroFlo™ Series



NOTES:

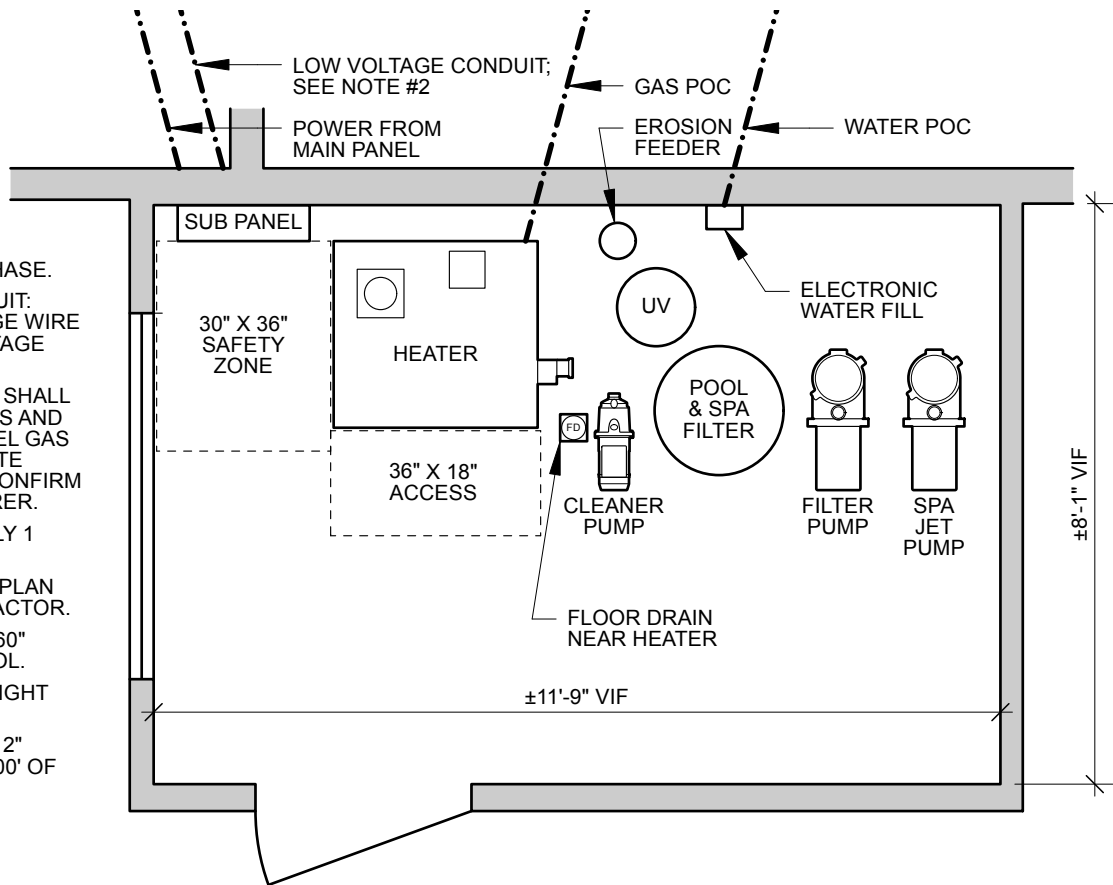
1. ALL ELECTRICAL LOADS ARE SINGLE PHASE.
2. LOW VOLTAGE COMMUNICATION CONDUIT: INTERNET FROM ROUTER, LOW VOLTAGE WIRE TO HOMEWORKS PANEL AND LOW VOLTAGE WIRE TO INDOOR KEYPAD.
3. FOR INDOOR INSTALLATION: VENT PIPE SHALL BE IN ACCORDANCE WITH LOCAL CODES AND THE PROVISIONS OF THE NATIONAL FUEL GAS CODE, ANSI Z223.1, ENSURING ADEQUATE COMBUSTION AIR FLOW IN TO ROOM. CONFIRM MAX RUN LENGTHS WITH MANUFACTURER.
4. HEATER CONDENSATES APPROXIMATELY 1 GALLON PER HOUR.
5. ALL UTILITY FEEDS SHOWN DASHED IN PLAN TO BE INSTALLED BY GENERAL CONTRACTOR.
6. POOL COVER SWITCH TO BE LOCATED 60" ABOVE FG WITH FULL VIEW OF THE POOL.
7. SPA AIR INTAKE TO BE LOCATED WITH LIGHT JUNCTION BOX.
8. LIGHT JUNCTION BOX TO BE LOCATED 12" ABOVE POOL ELEVATION AND WITHIN 100' OF FARTHEST LIGHT.

EQUIPMENT SCHEDULE

TYPE	MODEL	LOADS	NOTES
Pool Filter Pump	IntelliFloVS	240v 16AMP-full rated	
Spa Jet Pump	IntelliFloVDS	240v 16AMP	
Cleaner Pump	BoostRite	230v 8AMP	
Pool Cover	Pool Cover Inc.	120v 15AMP	
Pool Heater	Pentair ETI 400	120v 3AMP	400kBTU 5 amps during startup and 2.5 after firing
Pool & Spa Filter	CCP520	N/A	
Sanitation System	UV BioShield	120v 3 AMP	
Electronic Water Fill	Levolor K-1100	120v 3 AMP	
Pool Control	IntelliCenter	120v 3 AMP	Controller transformer & board run < 1AMP / Sub panel 150AMP MAX
Pool Lights	MicroBrite	120v 4 AMP	4AMP @ startup and color changing. 4 lights MAX per 20AMP circuit

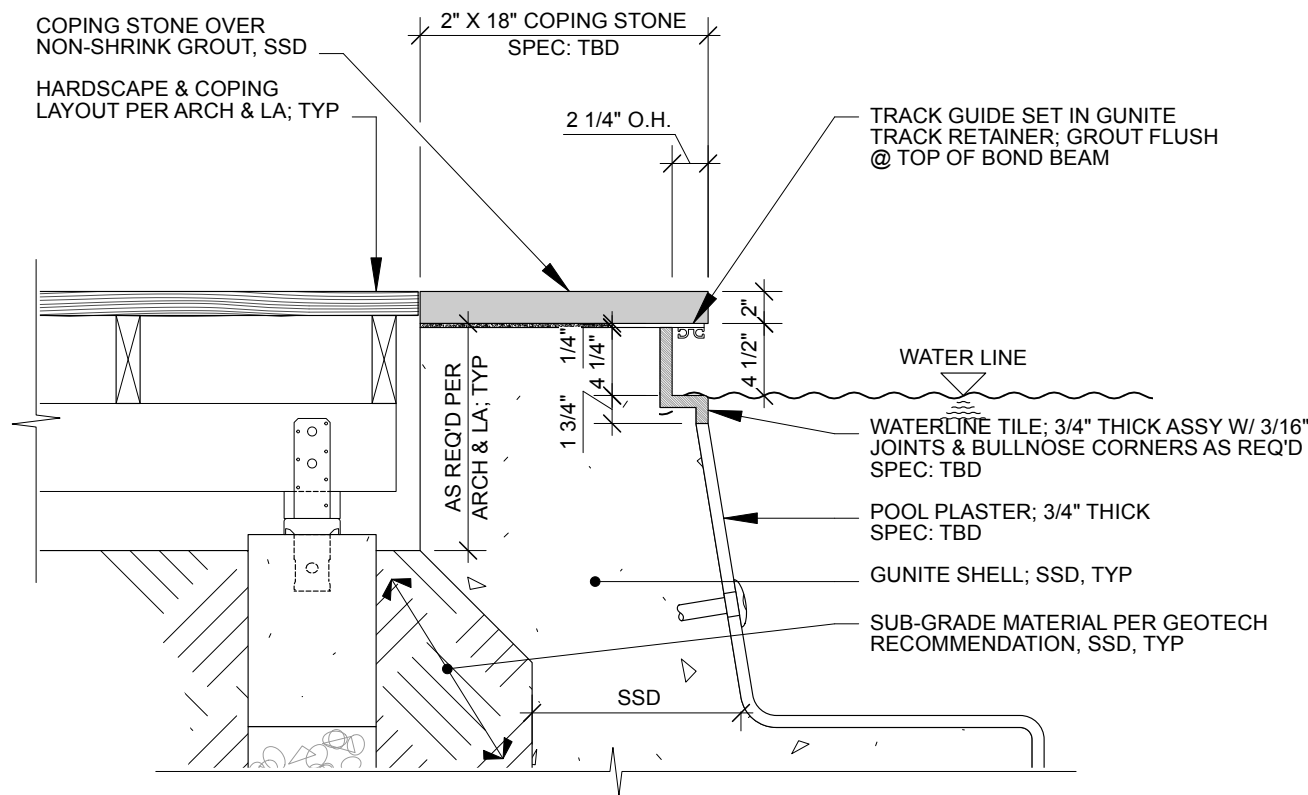
EQUIPMENT PLAN & SCHEDULE

SCALE: 3/8" = 1'-0"



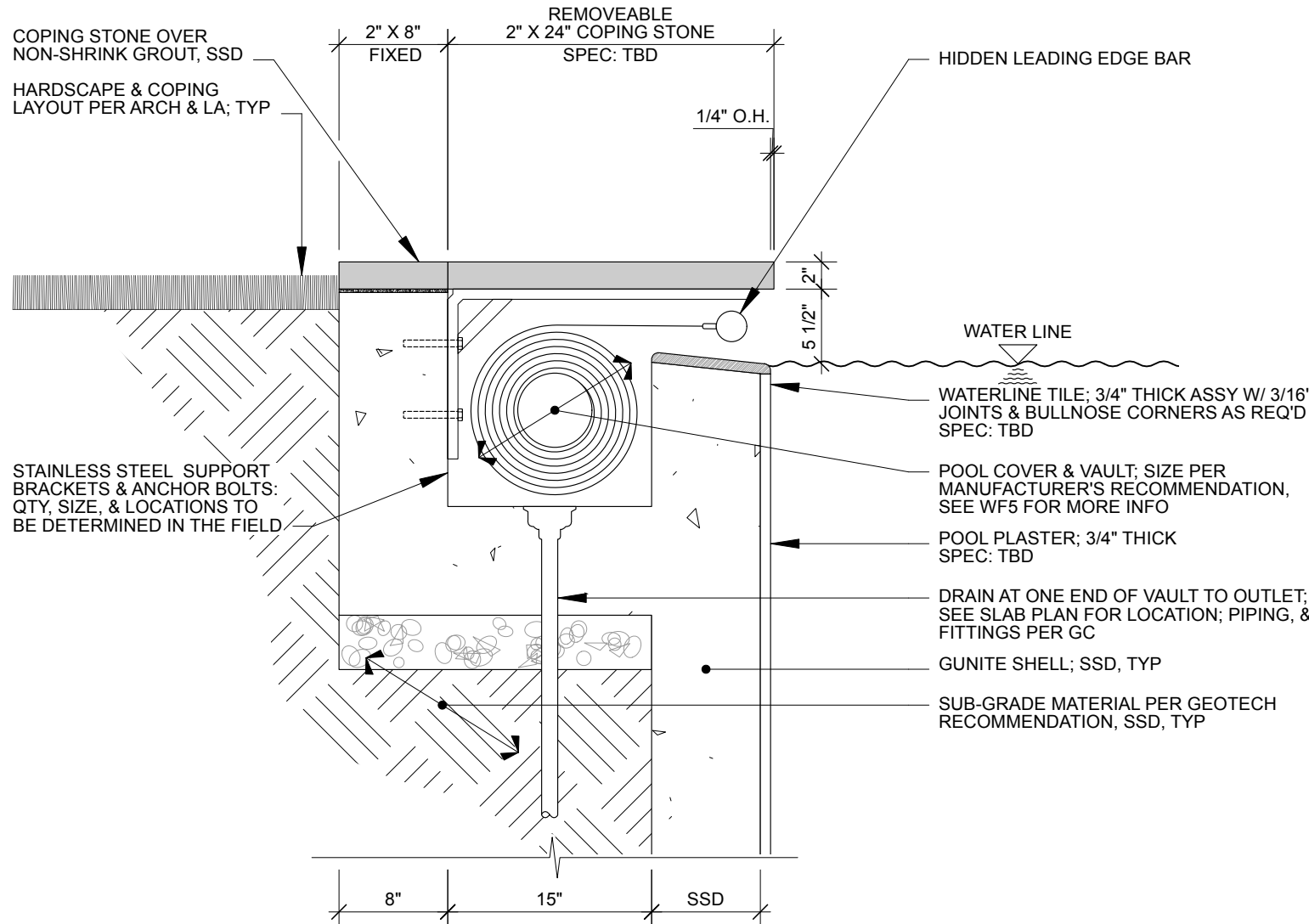
COPING DETAIL WITH UNDER-MOUNTED COVER TRACK @ SPA

SCALE: 1" = 1'-0"



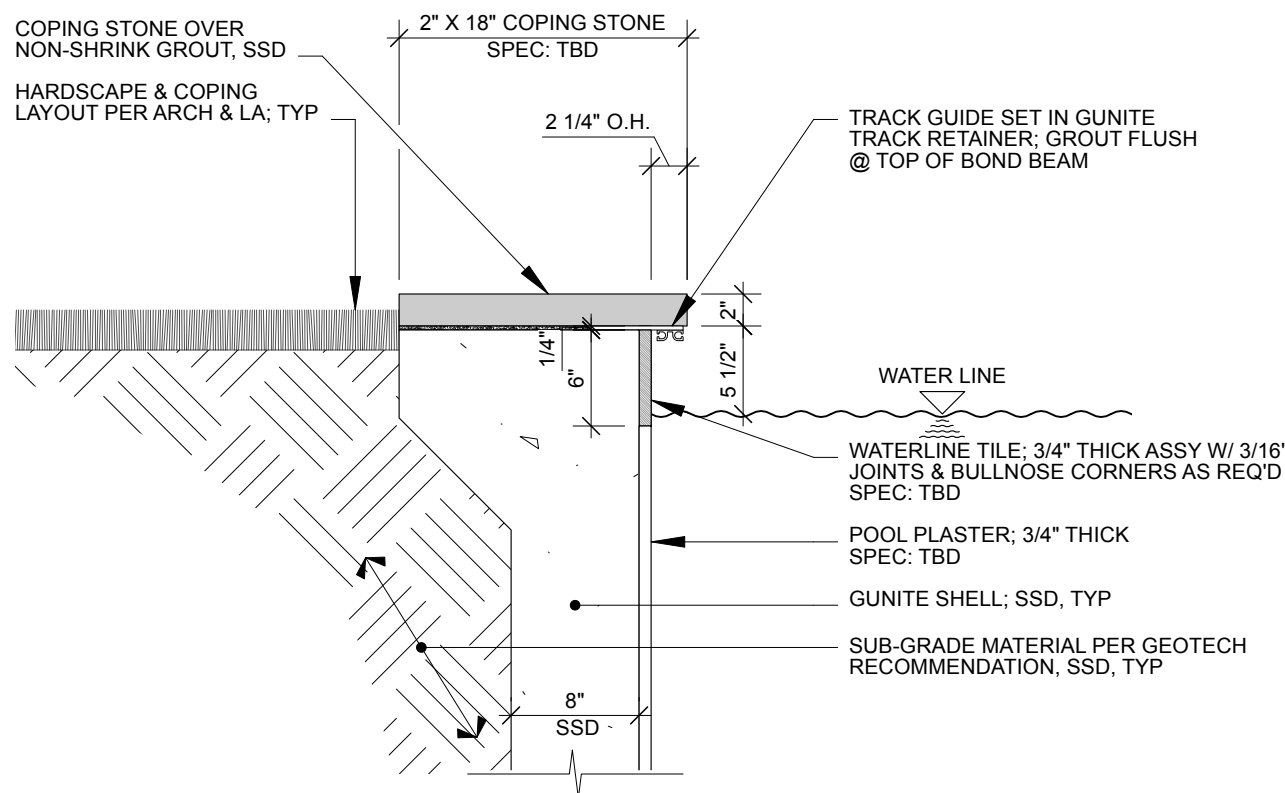
COVER VAULT WITH HIDDEN LEADING EDGE BAR

SCALE: 1" = 1'-0"



COPING DETAIL WITH UNDER-MOUNTED COVER TRACK

SCALE: 1" = 1'-0"



POMEROY RD POOL & SPA

1 POMEROY RD
ROSS, CA 94957

JOB: 20220404 APN: 072-023-04

POOL & SPA
DETAILS

WF3



20" FULL CIRCLE® SUCTION OUTLET COVER AND ONE-PORT MANUFACTURED SUMP AND HYDROSTATIC VALVE

VGB Series

Drain Cover also sold separately
p/n FC100x

Center Logo Cap also sold separately
p/n FC100C

Full Circle Drain Covers Center Cap and
Screws p/n FC200x

U.S. Patent D702929, D648057, D666100, D701293

STANDARD COLORS	
	FC101 - White
	FC102 - Black
	FC103 - Light Gray
	FC104 - Blue
	FC105 - Dark Gray
	FC106 - Tan

Drain Cover, Sump, Hydrostatic Valve with
Collector Tube p/n FC100xx

VGB 2008 Compliant

Top view of completed Full Circle® drain

★ 20"

Cross-section of completed Full Circle drain

Water Stop Pebbles or Plaster
Gunite Pipe

★ VGB CERTIFIED SPECIFICATIONS

FEATURES

- For concrete pools and spas
- Deep rim
- Boltless 2" Single x 2" Socket x 2" NPT All-Entrapment Seal meets or exceeds ANSI/APSP 16-2011 and NSF/ANSI 50-2009a national standards and ASTM G15-G16 UV testing required
- Disposable plastic shield prevents debris from entering sump and retains shape during pool finish
- Water stop around edges prevents water leaks
- Unique outer design is fitted with aluminum platelets to blend into pool finish
- Manufactured according to reinforced PVC sump
- #14 stainless steel screws
- Online product support including downloadable CAD files, General Certificate of Conformity, third party performance installation instructions and more
- Replaces the 20" Round Anti-Entrapment Suction Outlet Cover and Round Center Cap every five years.
- 1 per case

U.S. Patent D702929, D648057, D666100, D701293

Unblockable!

No second drain or SVRS required – two drains in one

Part # FC100x

Optional T-Wrench p/n FC10102

STANDARD COLORS

	FC101 - White
	FC102 - Black
	FC103 - Light Gray
	FC104 - Blue
	FC105 - Dark Gray
	FC106 - Tan

- 20" Round PVC Bump
- 2" Threaded Plug Pig
- 2" Threaded Plug Pig
- Round Center Cap Plastic Shield
- 20" Round Anti-Entrapment Suction Outlet Cover

(All Parts are Made in USA)

32" CHANNEL DRAIN FLAT GRATE ANTI-ENTRAPMENT SUCTION OUTLET COVER AND FRAME

The Aquastar line of suction outlet covers, compliant with the Virginia Graeme-Baker Pool and Spa Safety Act (ANSI/APSP 16-2011 and NSF/ANSI 50-2009a).

VGB Series

FEATURES

- Features a minimum 1" sump depth the entire length of cover
- For single or multiple drain use (see installation instructions for placing hydraulic valve/drain pipe and single or multi-sump connections)
- Single - 1" sump depth
- Flow: 154 GPM @ 1.5 f.p.s.
- Flow/min: 121 GPM @ 1.5 f.p.s.
- Flow/max: 80.7 GPM @ 2.0 f.p.s.
- 25 x 34 inch opening
- Manufactured from superior UV resistant engineered polymers
- All components meet or exceed ANSI/APSP 16-2011 and NSF/ANSI 50-2009a national standards and ASTM G15-G16 UV testing required
- Includes disposable "log bars" supports to retain logbar during all phases of construction
- Replace every five years from the date of installation
- 12 per case

U.S. Patent D702929, D648057, D666100, D701293

Unblockable!

For field-fabricated sump (concrete pools)
Part # 32CDFRxxx

Two drains in one!

- 32" Channel Drain, no sump, frame
- 32" Channel Drain, cover, flat
- 32" Channel Drain, frame support "log bars", dy 4
- 4 #10 x 3/4" flat head Phillips Type A Screw, 3/16 size, qty 16

Info: 877-768-2737 FAX: 272-726-POOL Outside the US: +1-805-620-5060 F: +1-949-316-1940

www.aquastarpoolproducts.com

Spa Skimmers and Filters / Front Access Skim Filters

S10-1500

Technical specifications and dimensions for the S10-1500:

- Overall Height: 7.375"
- Distance from Bottom to Weir Door: 4.9375"
- Distance from Bottom to Top of Basket: 9.625"
- Width: 5.25"
- Spigot Size: 2" Spigot 1.5" S

BOOST-RITE®

BOOST-RITE® BOOSTER PUMP

ADVANCED IMPELLER TECHNOLOGY CUTS PRESSURE-SIDE CLEANING COSTS BY OVER 25%*

Pressure-side pool cleaning just got a whole lot less expensive thanks to the NEW, eco-friendly Boost-Rite pump from Pentair. This innovative design saves pool owners more than 25%* in energy costs over other booster pumps on the market. With an advanced 5-stage impeller design, the Boost-Rite pump delivers greater water pressure for more powerful and efficient cleaning... at significantly less cost.

Power up your pressure-side cleaner now with a Boost-Rite pump. You'll save money with every cleaning—and enjoy all the performance your pool cleaner was designed to give you.

ENERGY USAGE COMPARISON

Pump Type	Waters Consumed (Gallons)
Conventional Booster Pump	~1300
Boost-Rite Booster Pump	~900

SAVINGS OF OVER 25%

AN ECO SELECT® BRAND PRODUCT

The Boost-Rite pump has earned the Eco Select brand distinction as one of the "greenest" and most efficient choices from Pentair. Eco Select products are designed to help you save energy, conserve water, eliminate or reduce noise, or otherwise contribute to a more environmentally responsible equipment system.

*Actual energy usage may vary based upon plumbing size and length and other hydraulic factors.

pentairpool.com

BOOST-RITE®
BOOSTER PUMP

Powerful 5-stage impeller design cuts operating costs by over 50%

1" fittings are 75% larger in area, for better flow and greater efficiency

Totally Enclosed Fan Cooled (TEFC) motor design allows the pump to run cooler and quieter

Condensed size is 1/2" smaller than competing pumps, taking up less space on the equipment pad

ENHANCED FOR SUPERIOR ALL-AROUND PERFORMANCE

The Boost-i Pump delivers more of what you want—lower energy consumption, top performance, easier installation, quieter operation, and greater durability.

- **Lower energy consumption.** Advanced 5-stage impeller design cuts electricity use by over 25%, offering you substantial savings.
- **Easier installation.** 1/2" smaller than other pumps so it's easier to handle and pump, yet thoughtfully includes a larger wiring compartment for easier access.
- **Quieter operation.** For a more relaxing poolside experience.
- **Greater durability.** Totally Enclosed Fan Cooled (TEFC) motor runs cool for longer pump life.
- **More power.** The Boost-i Pump delivers greater water pressure for more powerful cleaning...at less cost.
- **UL and cUL Listed** for safety.

AVAILABLE FROM:

The graph compares the performance of the Boost-i Pump (Advanced 5-stage impeller) and a Standard Pump (4-stage impeller). The y-axis represents 'Power of Motor' in 'Foot of Water' (0 to 180), and the x-axis represents 'U.S. Gallons per Minute' (0 to 34). The Boost-i Pump curve is consistently lower than the Standard Pump curve, indicating lower power consumption for the same flow rate.

U.S. Gallons per Minute	Standard Pump (4-stage)	Boost-i Pump (Advanced 5-stage)
0	180	180
5	165	165
10	150	150
15	135	135
20	120	120
25	105	105
30	90	90
34	75	75

40 Feet or More

30 Feet or More

20 Feet or More

10 Feet or More

0 Feet or More

U.S. Gallons per Minute

Standard Pump (4-stage)

Boost-i Pump (Advanced 5-stage)

180

160

140

120

100

80

60

40

20

0

0

2

4

6

8

10

12

14

16

18

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Precise flow.
Ultra-efficient,
hydraulic design.

The ultimate performance combination
for large and feature-rich pools.

Eliminate the guesswork.
The IntelliFlo® VSP Pump is the first to adjust to changes in flow conditions to maintain its preprogrammed flow rate. It's like having cruise control for your pump, set it runs optimally throughout the entire filtration cycle.

Highest available efficiency
Since the IntelliFlo® VSP pump is ultra energy efficient, you can experience increased energy savings, up to 90%, when compared to conventional single- or two-speed pumps.

Superior hydraulic design
The IntelliFlo® VSP pump is perfectly suited for large and feature-rich pools with high flow demands to power waterfalls, slides, negative edges and more.

SAVE THOUSANDS IN OPERATING COSTS WITH THE PUMP THAT STARTED AN ENERGY-SAVING REVOLUTION

Cam and Ramp™ Lid removes easily, locks in place with a quick quarter turn and is see-through for easier basket inspection

Oversize strainer basket extends time between cleaning

Integrated keypad displays all operating settings, including wastage consumed

Permanent magnet motor, totally enclosed fan cooled (TEFC) design and the ability to operate at lower speeds make IntelliFlo™ Variable Flow Pumps the quietest pumps on the planet

TEFC design keeps motor shielded from the elements for extended life

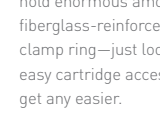
The advertisement features a large, high-contrast photograph of a pump unit in a dark, industrial setting. The unit is a large, cylindrical, metallic-looking structure with various pipes and components. In the top left corner, the Pentair logo is displayed, consisting of a stylized 'P' made of three blue and green geometric shapes followed by the word 'PENTAIR' in blue capital letters. In the top right corner, the text 'INTELLIFLOXF™ VSF' is written in white capital letters on a dark rectangular background. The main title 'INTELLIFLOXF® VSF' is prominently displayed in the center in a large, white, serif font. Below it, the subtitle 'VARIABLE SPEED *AND* FLOW PUMP' is written in a smaller, white, sans-serif font, with the word 'AND' in italics. At the bottom, a white rectangular box contains the text 'PRECISE FLOW CONTROL AND HIGHEST AVAILABLE SAVINGS' and 'IN OUR MOST EFFICIENT PUMP.' in a clean, sans-serif font.

A white Pentair TradeGrade pump unit is shown from a three-quarter front view. It has a black impeller cover on the left side and a blue label on the front. A splash of water is depicted on the left side of the pump, and a blue hose is connected to the right side. The pump is set against a plain white background.

CLEAN & CLEAR® PLUS
CARTRIDGE FILTER

- Clamp ring for easy and quick access to cartridges
- Single-piece fiberglass-reinforced polypropylene tank for strength and corrosion resistance
- 2" plumbing for maximum flow and faster water cleaning
- Easy access 1/2" drain makes proper winterization fast and simple

FOUR CLEANERS IN ONE IMPACT DESIGN



Clean & Clear Plus filters contain four polymer cartridges that hold enormous amounts of dirt, yet are easier to clean. The fibro-glass-reinforced tank halves are secured with an innovative clamp ring—just slip the ring and remove the top half for easy cartridge access and rinsing. Filter maintenance doesn't get any easier.

- Continuous internal air bleed helps prevent air build-up to keep the filter operating at peak performance.
- Single-piece base and body for strength, stability and years of dependable service.
- One-year limited warranty. See warranty for details.

Model Number	Filter Area, Sq. Ft.	Vertical Clearance*	Filter Diameter	Flow Rate GPM		Turnover Capacity-Res. (Gallons)		
				Res.**	Comm.	8 hrs.	10 hrs.	12 hrs.
CCP4D1	240	56"	21.5"	90	90	43,200	54,000	64,800
CCP32D	320	62"	21.5"	120	120	57,600	72,000	86,400
CCP42D	420	68"	21.5"	150	150	72,000	93,000	108,000

*Load Limit

**Required clearance to remove filter elements

*Minimum Net only

poolguard®

IMPORTANT

**OPERATING INSTRUCTIONS
MANUAL**

NSF CERTIFIED TO THE ASTM SAFETY SPECIFICATION F 2208™

HELPFUL HINTS & TIPS

"SAFETY BUOY"
ABOVE GROUND POOL ALARM MODEL PGRM-SB



85dB Horn at 10 Feet

READ THOROUGHLY BEFORE USING ALARM

This product has been designed to aid in the detection of unwanted intrusions into unsupervised pools. POOLGUARD IS A SAFETY ALARM SYSTEM AND NOT A LIFE SAVING DEVICE. This device is not intended to replace any other safety consideration - i.e., adult supervision, lifeguards, fences, gates, pool covers, locks, etc., and some devices may not detect gradual entry."

96% thermal efficiency saves more in energy costs than any other pool heater.

The ET² 400 High-Efficiency Heater pays for dividends by using fully condensing Heat Exchange Technology to put more heat into your pool water and less into its exhaust. That's good for your budget and even better for the environment.

BIOSHIELD®

UV STERILIZER



KEEP UNINVITED GUESTS OUT OF YOUR POOL

You want your backyard oasis to be relaxing, enjoyable and protected. Keeping your pool water sparkling clean and virtually bacteria-free your top priority, and BioShield is the proven way to do it—without producing harmful byproducts. With the power of UV light, you'll neutralize 99.9% of bacteria while you cut chlorine usage by up to 50% for less hassle and reduced odors.

Here are some of the unwanted guests you'll kick out of your pool:



Cryptosporidium is a leading cause of waterborne illness and is highly resistant to chlorine disinfection.



Giardia is a microscopic parasite that causes severe intestinal discomfort.



E. coli bacteria can cause urinary tract infections, respiratory illness and other health issues.



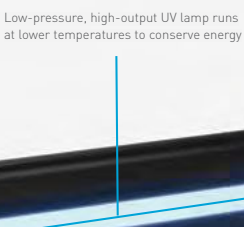
**99.9%
EFFECTIVE**

Automation Ready

BioShield UV Sterilizer pairs perfectly with IntelliTouch® or EasyTouch® Pool Control Systems and IntelliChem® Salt Chlorine Generators (similar IntelliChem® Water Chemistry Controllers for ultimate pool control and operation ease).



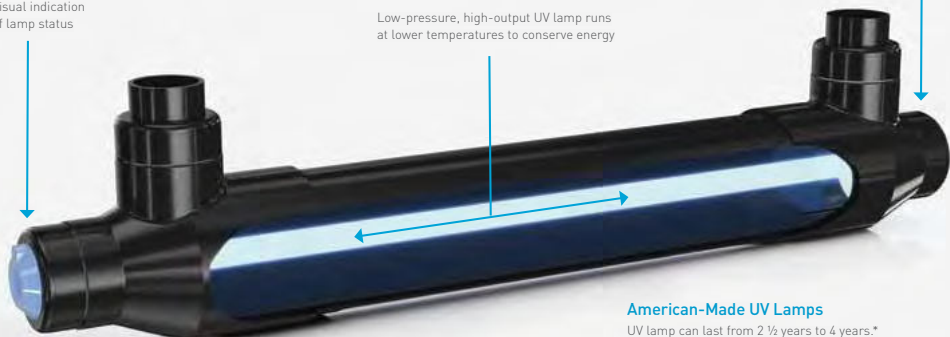
Visual indication of lamp status



Low pressure, high output UV lamp runs at lower temperatures to conserve energy



High-density polymer with a removable end cap provides easy internal access



American-Made UV Lamps
UV lamp can last from 2 to years to 3 years.*

*Based on pool size, usage.

The advertisement features a large, dark blue diagonal shape on the right side. In the center, a smartphone displays the IntelliCenter app interface. The background is a photograph of a swimming pool with a stone deck and a small gazebo-like structure. The text 'PENTAIR' is in the top left, and 'INTELLICENTER™' is in the top right. The main title 'INTELLICENTER™' is in large blue letters, followed by 'CONTROL SYSTEM FOR POOL AND SPA'. Below this, the text 'Paradise has never been more portable.' is displayed. At the bottom left, the 'eco select' and 'TRADEGRADE' logos are visible. At the bottom right, the 'PENTAIR.COM' website is listed.



MICROBRITE™

COLOR AND WHITE LED LIGHT

The Most Compact, Brilliant Pool and Spa Wall Fitting LED Light Available.

Give your customers the ultimate lighting upgrade. MicroBrite Color and White LED Lights provide exceptional brilliance and lighting quality. Because they're only 3.5 inches long—the industry's shortest—they give you new freedom to add lighting in places never before possible. MicroBrite LED Lights give you more room for imagination!

KEY FEATURES

- Brilliant LED Excitement in a Small Package.**
 Premium LED illumination and vibrant colors from a light just 3.5 inches long.
- Opens Up New Lighting Design Possibilities.**
 Fits into narrow walls and tight spaces where others don't.
- Versatile Upgrade for Fiber Optic Lighting.**
 Suitable for retrofit into many pools with older fiber optic systems.
- Fast, Simple Installation.**
 Installs in any standard 1.5 inch pool wall fitting.





TRADEGRADE

PENTAIRPOOL.COM

KREEPY KRAULY® PLATINUM™

INGROUND POOL CLEANER

Snap-lock closure allows for secure debris containment and easier emptying

Improved track/wheel design results in four times greater cleaning coverage

Just as with cars, front-wheel drive creates better grip for better maneuverability and sure tracking for fast and thorough cleaning performance



MAKE POOL CLEANING THE LAST THING ON YOUR MIND

The first, powerful Kreepy Krauly Platinum cleaner now makes even shorter work of cleaning your pool.

- Removes small and large debris from your pool—sand, dirt, bugs, leaves and more.
- Perfect for yards with lush landscaping and other tough cleaning jobs.
- Thoroughly cleans your pool in just 1-3 hours.
- Suitable for concrete/pools, vinyl-lined and fiberglass pools.
- One-year limited warranty. See warranty for details.



Underneath the Platinum cleaner shows its specially designed ultra-chained and massive tracks that remove ultra-small and large debris.

AVAILABLE FROM:



1620 HAWKINS AVE., SANFORD, NC 27330 800.831.7133 WWW.PENTAIRPOOL.COM

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pumps • filters • heaters • heat pumps • automation • lighting • cleaners • sanitizers • water features • maintenance products

1/13 Part # P1-155 ©2014 Pentair Pool Systems. All rights reserved.

WF4	POMEROY RD POOL & SPA 1 POMEROY RD ROSS, CA 94957 JOB: 20230404 APN: 072-523-04		POOL & SPA CUTSHEETS	
	#	DATE	REVISION NOTES	#
				8/13/23 PERMIT SET 4/22/23 DESIGN REVIEW #2.1 4/10/23 DESIGN REVIEW #1

12 MINI-INFINITY II SPA SYSTEM SPECIFICATIONS

9 VANISHING EDGE

6 WATER PUMP INTERRUPTER INSTALLATION INSTRUCTIONS

3 VAULT REQUIREMENTS FOR ALL UNITS

11 GUNITE TRACK RETAINER

8 TRAY LID DESIGN CONSIDERATIONS

5 AUTOSTOPS (LIMIT SWITCH)

2 DECKING REQUIREMENTS

10 NOTCHED LOWERED BOND BEAM

7 TRAY WALK ON LIDS

4 PLATE FOR TRACK

1 COPING / DECKING



POMEROY RD POOL & SPA
1 POMEROY RD
ROSS, CA 94957
JOB: 20220404 APN: 072-025-04



COVER
SPECS

WF5

#	DATE	REVISION NOTES
1	08/21/23	CITY COMMENTS
2	08/21/23	REVISION NOTES
3	08/21/23	REVISION NOTES
4	08/21/23	REVISION NOTES
5	08/21/23	REVISION NOTES
6	08/21/23	REVISION NOTES
7	08/21/23	REVISION NOTES
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100	08/21/23	REVISION NOTES

PERMIT SET
DESIGN REVIEW #2.1
DESIGN REVIEW #1
ISSUE NOTES

6/13/23
4/25/23
4/10/23

A

CITY COMMENTS

REVISION NOTES

08/21/23
DATE

#

BLUE REVOLUTION

Peter Hansen

INDOOR VENTING — General Requirements

The heater must be installed as a Category IV appliance.

Vented Appliance (Category IV) – Vertical or Horizontal

An appliance that operates with a positive vent static pressure and with a vent gas temperature that allows excessive condensate production in the vent, see Figure 24 and Figure 27.

If you are considering connecting this heater to a pre-existing vent system, make sure that the vent system meets the appropriate venting requirements as given in Figure 27. If not, replace the vent system. **DO NOT** use a draft hood with this heater.

The heater operates with a positive vent static pressure and with a vent gas temperature less than 170° F (77° C). The total length of the horizontal run must not exceed the length that is listed in Table 3.

HEATER CLEARANCES — General Requirements

INDOOR INSTALLATION OR OUTDOOR SHELTER

The following clearances must be maintained from combustible surfaces:

- TOP 6 in (15 cm)
- EXHAUST SIDE 6 in (15 cm)
- HEADER SIDE 6 in (15 cm)
- DOOR PANELS (*) 6 in (15 cm)

NOTE: (*) For service access it is advisable to allow for sufficient clearance on at least one door panel. The heater is design certified by CSA International for installation on combustible flooring. For installation on carpeting, the heater must be mounted on a metal or wood panel that extends at least 3 in (10 cm) beyond the base of the heater. If the heater is installed in a closet or above, the entire floor shall be covered by the panel. For an outdoor shelter installation, the exhaust must discharge into a vent pipe. Orient the heater so that the vent pipe does not interfere with adjustment of the operator control panel.

180° Control Panel and Plumbing Orientation: The control panel board can be installed 180 degrees on either side of the heater, allowing for left or right side plumbing orientation for easy access.

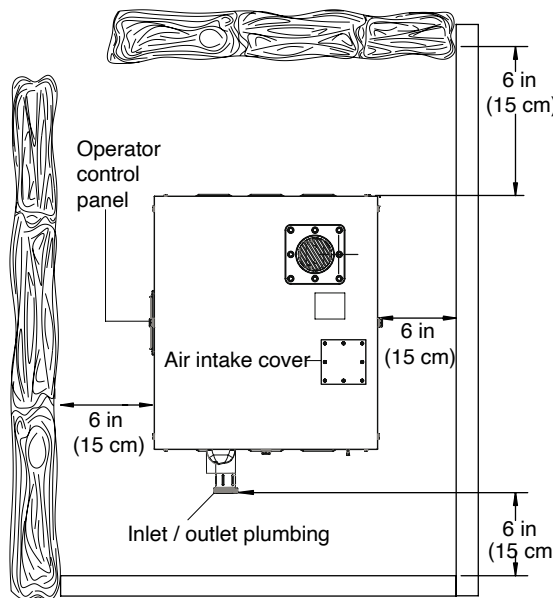


Figure 23.

DIRECT AIR INTAKE COVER

The heater is supplied from the factory with a cover on the top panel for outdoor installation (see Figure 23). Remove the outside air intake cover for outdoor shelter installation or indoor installation.

COMBUSTION AIR SUPPLY

For indoor installation, the heater location must provide sufficient air supply for proper combustion and ventilation of the surrounding area, see Table 3 below.

The minimum requirements for the air supply specify that the room in which a heater is installed should be provided with two permanent air supply openings; one within 12 inches (30 cm) of the ceiling, the other within 12 in (30 cm) of the floor for combustion air, in accordance with the latest edition of ANSI Z223.1, or the National Fuel Gas code, the CSA B149.1, Natural Gas and Propane Installation Codes, as applicable, and any local codes that may apply. These openings shall directly, or through duct, connect to outdoor air.

Air Supply Requirements Guide for the Heater

Minimum Net Free Open Area for Each Opening* (Square Inches / Square Centimeters)				
Model	All Air From Inside Building		All Air From Outside Building	
	Combustion	Vent	Combustion	Vent
ETI 400	400 in ²	400 in ²	100 in ²	100 in ²
	2580 cm ²	2580 cm ²	645 cm ²	645 cm ²

NOTE *: Vent must be at least 2.4 m (8 ft) away from nearest vertical surface. Vents extending 1.5 m (5 ft) or more above the roof must be braced or guyed. Consult your local code officials for detailed information.

CAUTION

Chemicals should not be stored near the heater installation. Combustion air can be contaminated by corrosive chemical fumes which can void the warranty.

Table 3.
Note (*) Area indicated is for one of two openings; one at floor level and one at the ceiling.

Direct Air Intake Duct with 4-inch or 6-inch PVC Pipe (Indoor Installation)

For indoor heater installations, the heater is tested for a direct air intake duct using 4 in or 6 in PVC pipe. If outside air is drawn through 4 in or 6 in PVC duct directly into the heater, vent pipe can be installed in accordance with the following requirements, see Table 4 below. The air intake opening **MUST** be installed at least 1 ft. above the roof line or normal snow levels for free air flow. The Category IV exhaust vent termination cap must have at least 3 ft. (1 m) minimum vertical clearance from air intake duct, see Figure 24.

Combustion Air Intake (Vertical or Horizontal) Duct Requirements*

* Combustion Air Intake (Vertical or Horizontal) Maximum length in Feet (m)		
No. of 90° Elbows	4-in (10 cm) pipe	6-in (15 cm) pipe
0	120 ft. (36.6 m)	300 ft. (91.4 m)
1	108 ft. (33 m)	288 ft. (87.7 m)
2	96 ft. (29.3 m)	276 ft. (84.1 m)
3	84 ft. (26 m)	264 ft. (80.4 m)
4	72 ft. (22 m)	252 ft. (76.8 m)

Table 4.

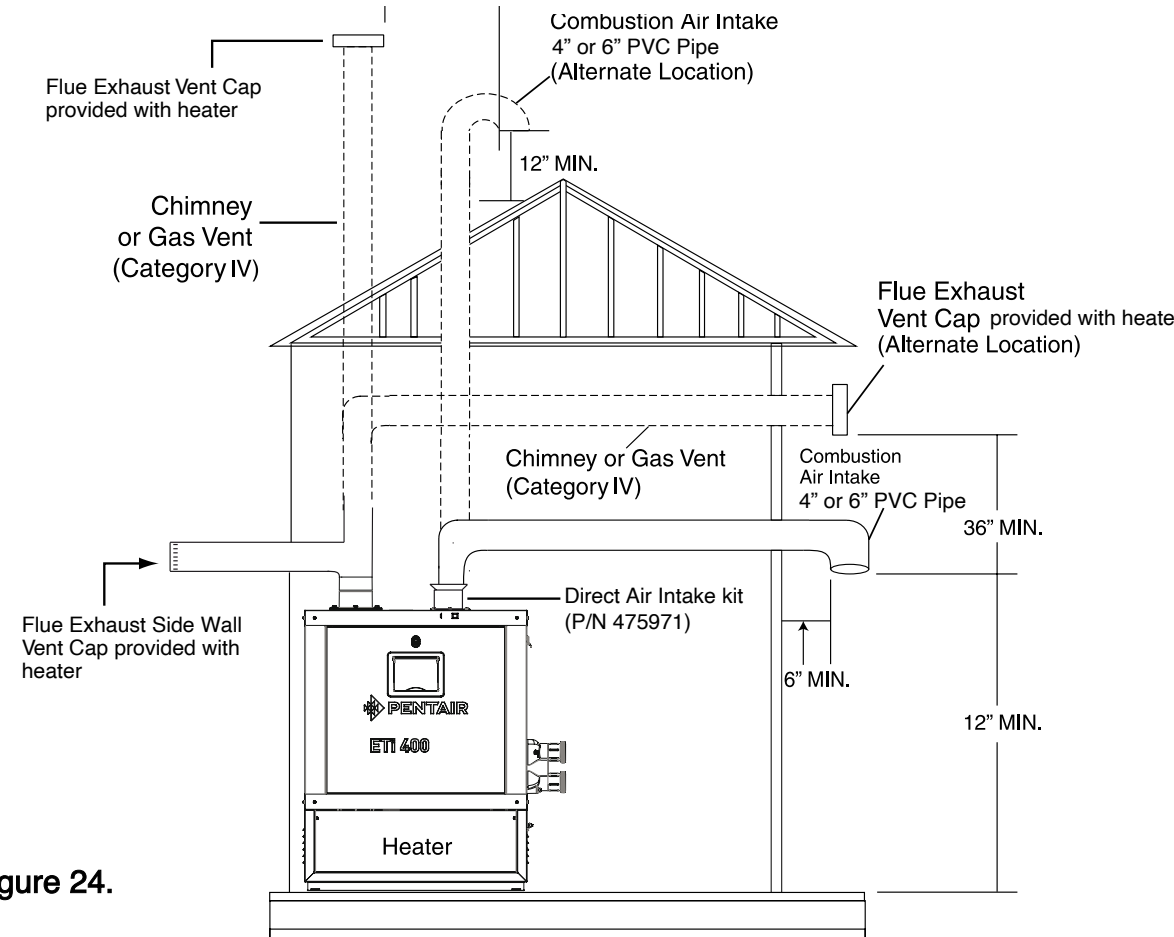


Figure 24.

DIRECT AIR INTAKE KIT INSTALLATION

IMPORTANT: For indoor heater installations with Direct Air Intake duct using 4 in PVC duct it is required to order and install the Direct Air Intake Kit (PIN 475971).

To install the Direct Air Intake Kit (see Figure 25), the steps are as follows:

1. Remove the side panel from the heater to access the Vent Terminal (see illustration below). Using a flat-blade screwdriver, insert press and turn the screwdriver to unlock the panel.
2. Remove the Air Intake Vent cover from the top of the heater.
3. Insert the spigot part of the street wye up through the air intake hole in the top panel.
4. Insert the 45° elbow into the 3 in pipe section of the assembly that has the street wye.
5. Adjust the 45° elbow to align each 3 in pipe section with the air orifice.
6. Push the air intake assembly into the air orifices. Note: Be sure the top part of the elbow is concentric to the air intake hole in the top panel (see Figure 25).
7. Place the 3 x 4 in reducer to the street wye plate of the elbow and secure it with the 3 sheet metal retaining screws.

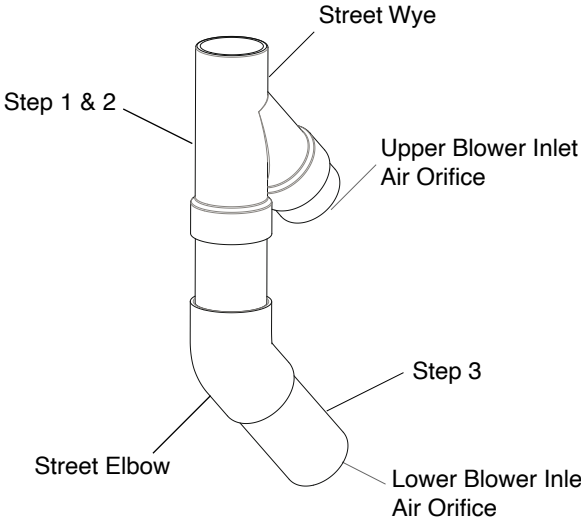
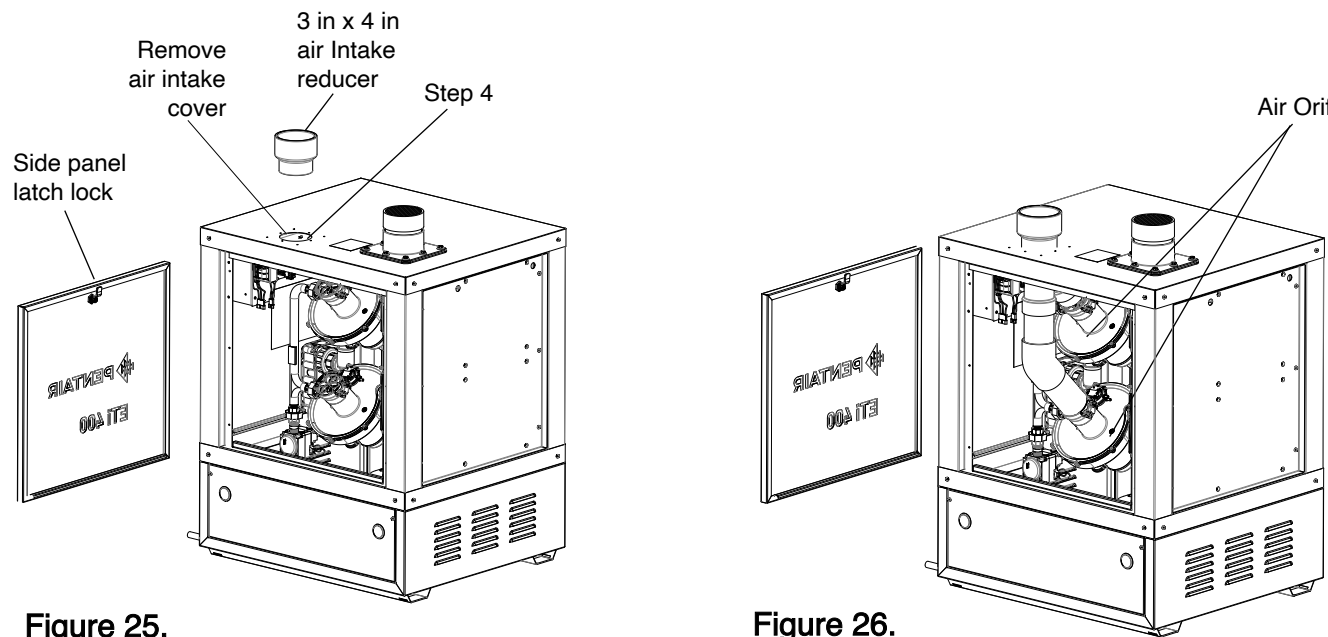


Figure 25.

Figure 26.



COMBUSTION AIR SUPPLY

NOTE

Each 90-degree elbow reduces the maximum horizontal PVC air intake duct run by 12 feet and each 45-degree elbow in the PVC air intake duct run reduces the maximum run by 6 feet. See the Table 6 on page 33 for the maximum lengths using 90-degree elbows.

Corrosive Vapors and Possible Causes

Area	Likely Contaminants
Chlorinated swimming pools and spas	Pool or spa cleaning chemicals. Acids, such as hydrochloric or muriatic acid.
New construction and remodeling areas	Glues and cements, construction adhesives, paints, varnishes, and paint and varnish strippers. Waxes and cleaners containing calcium or sodium chloride.
Beauty parlors	Permanent wave solutions, bleaches, aerosol cans containing chlorocarbons or fluorocarbons.
Refrigeration plants or various industrial finishing and processing plants	Refrigerants, acids, glues and cements, construction adhesives.
Dry cleaning and laundry areas	Bleaches, detergents, or laundry soaps containing chlorine. Waxes and cleaners containing chlorine, calcium or sodium chloride.

Table 5.

HORIZONTAL OR VERTICAL VENTING (CATEGORY IV) - POSITIVE PRESSURE (See Figure 28 and Figure 2)

Vent the heater either horizontally or vertically using the 4 in Vent Adapter that is provided with the heater. Install the vent pipe in accordance with local codes and the provisions of the National Fuel Gas Code, ANSI Z223.1 (U.S.), or the standards CSA B149.1, Natural Gas and Propane Installation Codes (Canada), and the vent manufacturer's instructions. Do not use a draft hood with this heater. Install the vent according to the vent manufacturer's detailed instructions. **Note:** Maintain clearance between the vent pipe and combustible surfaces according to the vent manufacturer's instructions and code requirements. Do not place any insulating materials around the vent or inside the required clear air space surrounding the vent. See Table 6 for maximum permissible vent lengths.

NOTE

Each 90° elbow reduces the maximum horizontal vent run by 12 ft and each 45-degree elbow in the vent run reduces the maximum vent run by 6 ft. See the Table 6 below for the maximum vent lengths using 90° elbows.

The ETI® 400 heater is a Category IV appliance

The ETI 400 heater requires a 4 in special gas approved **Category IV** vent pipe and is a forced-draft pool and spa heater which uses positive pressure to push flue gases through the vent pipe to the outside. **Flue gases under positive pressure may escape into the dwelling with any cracks or loose joints in the vent pipe, or improper vent installation.** The vent pipe must be of a sealed-seam construction, such as those listed for use with **Category IV Appliances**. Vent pipe construction will be of UL 1738 approved non-corrosive material, such as non-metallic PVC schedule 40 per ASTM D2685, CPVC schedule F441 or stainless steel such as AL 29-4C per UL 1738 in USA. In Canada must comply with ULC-S636 code requirements. The 4-in exhaust socket is CPVC. A condensate trap is required.

Notes: To solvent weld the PVC vent pipe to the CPVC exhaust socket use an approved industry standard primer and cement solvent specifically intended and marketed for PVC/CPVC joints, consult the adhesive manufacturer for details.

The use of Approved thimbles, roof jacks and/or side vent terminals are required; and the proper clearances to combustible materials must be maintained in accordance with type of vent pipe employed—in the absence of a clearance recommendation by the vent pipe manufacturer, the requirements of the Uniform Mechanical Code should be met. **The ventilation air requirements for the heater are shown on page 34 and 36.** It is recommended that use of a condensate trap in the vent run close to the heater may be necessary in certain installations such as cold climates. Horizontal vents 4 in (25.4 mm) or less in length do not require a condensate tee. The heater is suitable for through-the-wall venting.

(*) Special Gas Vent (Vertical or Horizontal) Maximum length in Feet (m)		
No. of 90° Elbows	4-in (10 cm) pipe	6-in (15 cm) pipe
0	120 ft. (36.6 m)	300 ft. (91.4 m)
1	108 ft. (33 m)	288 ft. (87.7 m)
2	96 ft. (29.3 m)	276 ft. (84.1 m)
3	84 ft. (26 m)	264 ft. (80.4 m)
4	72 ft. (22 m)	252 ft. (76.8 m)

Table 6.

(*) Minimum vent length is 1 ft (34M), or in accordance with vent manufacturer's instruction, and local and national codes. Horizontal vents 3 ft (1M) or less in length do not require a condensate tee, but must slope down toward the heater at 1/4 in to the foot (2 cm / m) to allow condensate to drain through the neutralizer cartridge.

DIRECT VENT REQUIREMENTS

1. Install vent pipe so that it can expand and contract freely as the temperature changes. Support the vent pipe according to applicable codes and vent manufacturer's instructions. Pipe support must allow the vent pipe free movement out and back, from side to side, or up and down as necessary, without putting a strain on the heater or vent body. It is recommended to slope the horizontal pipe runs up from the heater at least 1/4" per foot (2 cm/M). Install **Approved** condensate drains at low points where condensate might collect. Plumb condensate drains to a drain through hard piping or high-temperature tubing such as silicone rubber or EPDM rubber—do not use vinyl or other low temperature tubing. Follow drain manufacturer's installation instructions.
2. Use an **Approved** firestop for floor and ceiling penetrations. Use an **Approved** thimble for wall penetrations. Use an **Approved** roof flashing, roof jack, or roof thimble for all roof penetrations. Do not fill the space around the vent (that is, the clear air space in the thimble or firestop) with insulation. The roof opening must be located so that the vent is vertical.
3. Vent Termination: Vertical (See Figure 27 below and Figure 29 on page 36), for height of vent termination above the roof. Use an Approved vent terminal specified by local and national codes and your manufacturer's instructions. A roof termination must be vertical. In Canada, the Vent Cap location shall have a minimum clearance of 4 feet (1.2M) horizontally from electric meters, gas meters, regulators, and relief openings.
3. Make sure entire installation is sealed according to approved standards.

WARNING

Risk of carbon monoxide poisoning if adapter is improperly attached. Mechanical connections (such as screws) can cause cracking and leaks in the adapter. Do **NOT** drill holes or use screws to connect the appliance adapter to the heater vent body. Attach with manufacturer's specified adhesive.

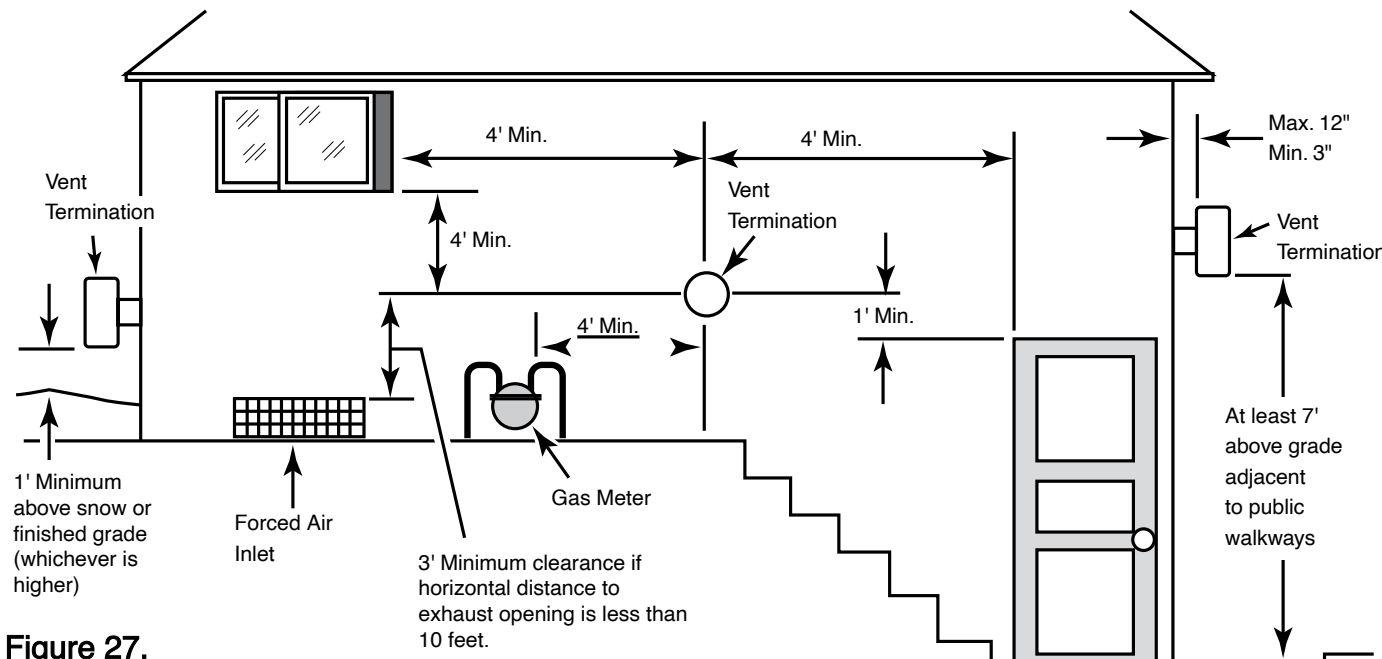


Figure 27.

5. Vent Termination - Horizontal

- at least 3" and at most 12" out from the wall (see Figure 29 on page 36), following the vent manufacturer's instructions
- at least 12" above finished grade or the normally expected snow accumulation level, whichever is higher at least 4 feet below or horizontally from, or 1 foot above, any doors or windows or gravity air inlet to a building
- at least 3 feet above any forced air inlet located within 10 ft.
- at least 4 feet horizontally from electric meters, gas meters, regulators and relief equipment
- at least 7 feet above grade adjacent to walkways or similar traffic areas

Allow at least three feet (1M) vertical clearance over vent termination when terminating under an overhang.

Avoid corners or alcoves where snow or wind could have an effect. Exhaust may affect shrubbery and some building materials. Keep shrubbery away from termination. To prevent staining or deterioration, sealing or shielding exposed surfaces may be required.

WARNING

Fire Hazard. Do not run the heater vent into a common vent with any other appliance. Do not run the Special Gas Vent into, through, or within any active vent such as a factory built or masonry chimney.

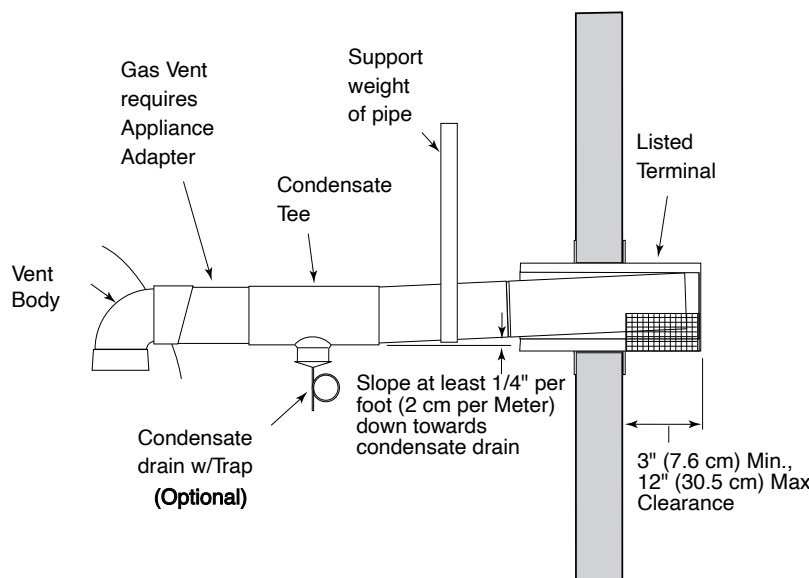


Figure 28.

Direct Vent Indoor Installation Horizontal Through-the-Wall Termination

The flue direct vent cap **MUST** be mounted on the exterior of the building. The direct vent cap cannot be installed in a well or below grade. The direct vent cap must be installed at least 1' (0.3 m) above ground level and above normal snow levels, see Figure 27, page 34. The direct vent cap **MUST NOT** be installed with any combustion air inlet directly above a direct vent cap. This vertical spacing would allow the flue products from the direct vent cap to be pulled into the combustion air intake installed above.

This type of installation can cause non-warrantable problems with components and poor operation of the heater due to the recirculation of flue products. Multiple direct vent caps should be installed in the same horizontal plane with a 4' (1.22 m) clearance from the side of one vent cap to the side of the adjacent vent cap(s).

Care must be taken during assembly that all joints are sealed properly and are airtight. The vent must be drained to prevent the potential accumulation of condensate in the vent pipes.

It is recommended that the intake vent (see Figure 29 below) be insulated in colder climates.

Combustion air supplied from outdoors must be free of particulate and chemical contaminants. To avoid a blocked flue condition, keep the vent cap clear of snow, ice, leaves, debris, etc.

WARNING

No substitutions of flue pipe or vent cap material are allowed. Such substitutions would jeopardize the safety and health of inhabitants. Use CPVC schedule 40 per ASTM D2685, CPVC schedule F441 or stainless steel, such as AL 29-4C per UL 1738 in USA. Canada must comply with ULC-S636 code requirements.

Venting: Vent systems for Category IV appliances that terminate through an outside wall of a building and discharge flue gases perpendicular to the adjacent wall, must be located not less than 10 ft horizontally from an operable opening in the adjacent building. **Exception:** This does not apply to vent terminals that are 2 ft or more above 25 ft or more below the operable openings. Through the wall vents for Category IV must not terminate over public walkways or over an area where condensate or vapour could create nuisance or hazard or could be detrimental to the operation of regulators, relief valves, or other equipment.

Note: (*) See Table 4
Category IV Requirements

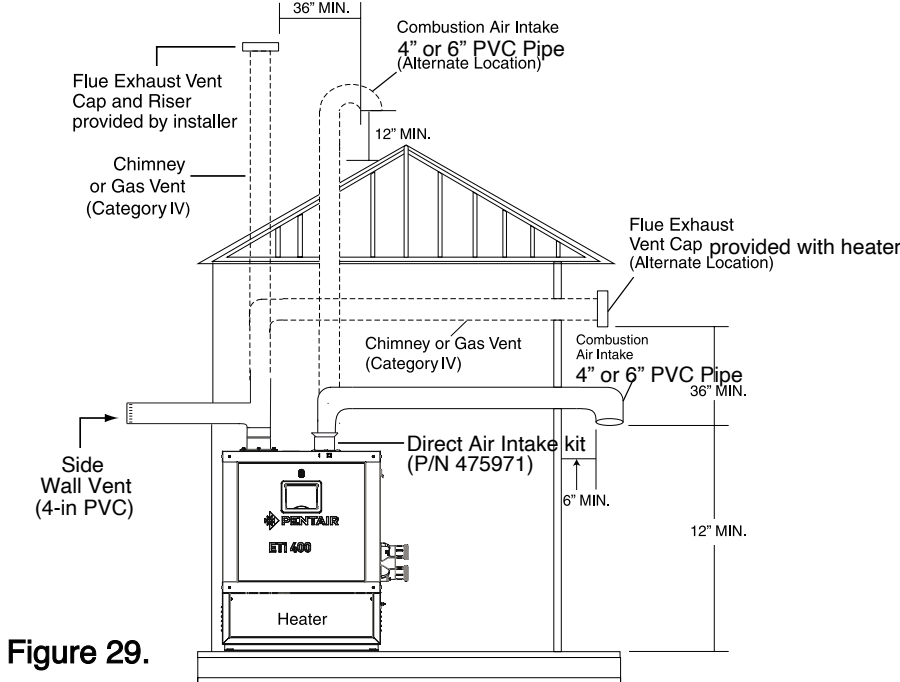


Figure 29.

ATTACHMENT 3



Town of Ross

Planning Department

Post Office Box 320, Ross, CA 94957

Telephone (415) 453-1453, Ext. 121 Fax (415) 453-1950

www.townofross.org

PLANNING APPLICATION FORM

Type of Application (check all that apply):

- | | |
|--|--|
| ☐ Advisory Design Review | ☐ Minor Exception |
| ☐ Appeals | ☐ Non-conformity Permit |
| ☐ Basement and Attics Exception | ☐ Accessory Dwelling Unit |
| ☐ Certificate of Compliance | ☐ Tentative Map |
| ☐ Demolition Permit | ☐ Tentative Map Amendment |
| ☒ Design Review | ☐ Time Extension |
| ☐ Design Review- Amendment | ☐ Use Permit |
| ☐ Final or Parcel Map | ☒ Variance |
| ☐ General Plan Amendment | ☐ Zoning Ordinance |
| ☐ Hillside Lot Permit | ☐ Amendment Other: |
| ☐ Lot Line Adjustment | ☐ Other: |

To Be Completed by Applicant:

Assessor's Parcel No(s): 072-023-04

Project Address: 1 Pomeroy Rd Ross, Ca 94957

Property Owner: St Peter Family Trust Mitchell & Jeanne St Peter

Owner Mailing Address (PO Box in Ross): 1 Pomeroy Rd

City/State/Zip: Ross, Ca 94957 Owner's Phone: 617-448-1887

Owner's Email: jeannestpeter1@gmail.com

Applicant: Gina Weyant

Applicant Mailing Address: 77 Van Ness Ave STE 101 Box 1301

City/State/Zip: San Francisco, Ca 94102 Applicant's Phone: 415-589-1655

Applicant's Email:

Primary point of Contact Email: ☐ Owner ☐ Buyer ☒ Agent ☐ Architect

To Be Completed by Town Staff:

Date Received:	Planning 5300
Application No.:	Tree Permit 5305
Zoning:	Fee Program Administration 5315-05
	Record Management 5316-05
	Record Retention 5112-05
	Technology Surcharge 5313-05
Date paid:	TOTAL FEES:

Make checks payable to Town of Ross. Fees may not be refunded if the application is withdrawn.

SUBDIVISION INFORMATION ONLY

Number of Lots: _____

LOT LINE ADJUSTMENT ONLY

Describe the Proposed Lot Line Adjustment:

Existing Parcel Size(s)

Parcel 1:

Parcel 2:

Adjusted Parcel Size(s)

Parcel 1:

Parcel 2:

PARCEL ONE**PARCEL 2**

Owners Signature:

Owner's Signature:

Date:

Date:

Owner's Name (Please Print):

Owner's Name (Please Print):

Assessor's Parcel Number:

Assessor's Parcel Number:

* If there are more than two affected property owners, please attach separate letters of authorization.

REZONING OR TEXT AMENDMENT ONLY

The applicant wishes to amend Section _____ of the Ross Municipal Code Title 18.

The applicant wishes to Rezone parcel _____ from the _____ Zoning District to _____.

GENERAL OR SPECIFIC PLAN AMENDMENT ONLY

Please describe the proposed amendment:

CERTIFICATION AND SIGNATURES

I, the property owner, do hereby authorize the applicant designated herein to act as my representative during the review process by City staff and agencies.

DocuSigned by:

Owner's Signature: **JEANNE ST PETER**

Date: 6/23/2023

87C708D4B3194AF...

I, the applicant, do hereby declare under penalty of perjury that the facts and information contained in this application, including any supplemental forms and materials, are true and accurate to the best of my knowledge

DocuSigned by:

Owner's Signature: **JEANNE ST PETER**

Date: 6/23/2023

87C708D4B3194AF...

SIGNATURE:

I hereby authorize employees, agents, and/or consultants of the Town of Ross to enter upon the subject property upon reasonable notice, as necessary, to inspect the premises and process this application.

I hereby authorize Town staff to reproduce plans and exhibits as necessary for the processing of this application. I understand that this may include circulating copies of the reduced plans for public inspection. Multiple signatures are required when plans are prepared by multiple professionals.

I further certify that I understand the processing procedures, fees, and application submittal requirements.

I hereby certify that I have read this application form and that to the best of my knowledge, the information in this application form and all the exhibits are complete and accurate. I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper to the Town of Ross. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this application was signed at

Ross

6/23/2023

_____, California on _____

DocuSigned by:

JEANNE ST PETER

Signature of Property Owner(s) and Applicant(s) Signature of Plan Preparer

Notice of Ordinance/Plan Modifications

- ☒ Pursuant to Government Code Section 65945(a), please indicate, by checking this box, if you would like to receive a notice from the Town of any proposal to adopt or amend the General Plan, a specific plan, zoning ordinance, or an ordinance affecting building permits or grading permits, if the Town determines that the proposal is reasonably related to your request for a development permit.

Alternate Format Information

The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105.

Consultant Information

The following information is required for all project consultants.

Landscape Architect

Firm Erica Timbrell Design
 Project Landscape Architect Erica Timbrell
 Mailing Address 1033 Polk St
 City San Francisco State CA ZIP 94109
 Phone 415-205-1025 Fax _____
 Email erica@ericatimbrell.com
 Town of Ross Business License No. _____ Expiration Date _____

Civil/ Geotechnical Engineer

Firm Miller Pacific Engineering group
 Project Engineer Marissa Taylor
 Mailing Address 504 Redwood Blvd
 City Novato State CA ZIP 94947
 Phone 415-382-3444 Fax 415-382-3450
 Email _____
 Town of Ross Business License No. _____ Expiration Date _____

Arborist

Firm UrbanForestryAssociates, INC
 Project Arborist Zach Vought
 Mailing Address 209 San Anselmo Ave
 City San Anselmo State CA ZIP 94960
 Phone 415-454-4212 Fax _____
 Email info@urbanforestryassociates.com
 Town of Ross Business License No. _____ Expiration Date _____

Other

Consultant Lenehan Engineering (Pool Engineer)
 Mailing Address 1024 Iron Point Road STE 100-1486
 City Folsom State CA ZIP 95630
 Phone 916-287-1445 Fax _____
 Email info@lenehaneng.com
 Town of Ross Business License No. _____ Expiration Date _____

Other

Consultant _____
 Mailing Address _____
 City _____ State _____ ZIP _____
 Phone _____ Fax _____
 Email _____
 Town of Ross Business License No. _____ Expiration Date _____

Written Project Description – may be attached.

A complete description of the proposed project, including all requested variances, is required. The description may be reviewed by those who have not had the benefit of meeting with the applicant, therefore, be thorough in the description. For design review applications, please provide a summary of how the project relates to the design review criteria in the Town zoning ordinance (RMC §18.41.100).

The scope of the proposed project is the installation

of a (N) pool and spa

The proposed location is within close

proximity to the house on the level portion of the lot.

The proposed size of the pool is 18'X32" The proposed size of the spa is 9'X9'

The total volume of water will be approximately 2,100 Gallons

The estimate amount of soil to be excavated is 180 Yards

We are requesting a variance for the required side yard and rear yard set backs

The property is located in the R-1:B5A Zoning

The set back requirements per town zoning ordinance are:

25' Front yard, 45' Side Yard, and 70" Rear Yard

The existing setbacks for the proposed pool location are:

North Front Yard setback 162'

East Side Yard setback 110'

West Side Yard setback 34'

South Rear Yard setback 45'

Mandatory Findings for Variance Applications

In order for a variance to be granted, the following mandatory findings must be made:

Special Circumstances

That because of special circumstances applicable to the property, including size, shape, topography, location, and surroundings, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. **Describe the special circumstances that prevent conformance to pertinent zoning regulations.**

The safe and proper placement of the pool and spa cannot be easily modified to meet the required setbacks.

Please see note added by The Geotechnical Engineer
"One thing I would to highlight from the report is that while both pool locations you are considering are feasible, constructing along the west side of the lawn will be significantly easier and less costly than the Southern location. We found bedrock to be shallower at the Western location, therefore a drilled pier foundation can be shallower and can likely be designed without a retaining wall since it's further from the slope at the rear of the lawn"

Substantial Property Rights

That the variance is necessary for the preservation and enjoyment of substantial property rights.

Describe why the project is needed to enjoy substantial property rights.

There are pools in the neighborhood and the owners would like to have the same consideration for themselves

Public Welfare

That the granting of a variance will not be detrimental to the public welfare or injurious to other property in the neighborhood in which said property is situated. **Describe why the variance will not be harmful to or incompatible with other nearby properties.**

Shortening the required side and rear yard setbacks

does not impact the public welfare nor is it

injurious to other properties.

Client: Jeanne St. Peter

Arborist: Zach Vought

Project Address: 1 Pomeroy Ave., Ross

Inspection Date: December 6, 2022



ASSIGNMENT/ BACKGROUND

Jeanne St. Peter hired me to evaluate trees on her property in Ross. During the assessment I identified two large Monterey pine (*Pinus radiata*) trees with health and structural issues and recommended their removal. An additional coast live oak (*Quercus agrifolia*) tree is slated for removal as well. The purpose of this report is to document the condition of the trees to aid in obtaining a tree removal permit.

OBSERVATIONS

The 1 Pomeroy property is on approximately one acre with average slopes of approximately 24 percent. The property is in the wildland urban interface¹. A large percentage of the lot contains mature tree canopy, including a healthy collection of coast live oak trees in the southern quadrant of the lot.

Trees 1 and 2 are mature Monterey pine trees, standing approximately 70 feet tall with trunks measuring 33.5 and 39 inches Dbh². A map of tree locations is on Page 2. The trees stand in a group of four mature Monterey pine trees. The trees are outside the fence and target the road and 2 Pomeroy Ave (Figure 2). The most notable structural defect exhibited by Tree-1 is a pronounced disruption in the trunk wood grain at approximately 20 feet (See Figure 1). This defect is often caused by western gall rust (*Endocronartium harknesii*), a fungal pathogen that causes perennial infection in the cambium, which over time can disrupt the wood grain and lead to structural failure. The large indentation in the trunk is called a hip canker. The canker appears to have been present for many years and its presence is of greater concern given the tree's target zone across the street from 2 Pomeroy Ave. Tree-2 stands closer to the road and has an asymmetric canopy that is oriented east over the road. Although the canopy appeared normal, copious red turpentine beetle (*Dendroctonus valens*) strikes on the lower trunk (See Discussion).

Tree-3 is a mature coast live oak tree that is near the large artificial lawn in the back yard. The trunk measured 21 inches Dbh. The tree stands approximately 25 feet tall and supports an asymmetric canopy that is oriented northeast toward the turf area. An established decay cavity is present in the main trunk (Figure 4). The decay appears to extend a good way up and down the trunk. This was supported by the tones produced when sounding the area with a mallet. The canopy exhibited less than optimal density indicating marginal health. A moderate amount of sycamore borer (*Synanthedon mellinipennis*) damage was present on the lower trunk.

DISCUSSION

Especially prevalent in Monterey pines, red turpentine beetles attack trees by burrowing in through the bark to deposit their larva, which feed on the growth layer beneath, called the cambium. Growth from this layer serves to transport water and nutrients between the roots and the canopy. When enough beetles are feeding on a single tree, they can destroy enough of this layer to kill the tree. As a rule of thumb, if there is a pitch tube (red, lava-like exudate from a small hole in the trunk) every six inches around the circumference of the tree, it will not survive. Fresh beetle strikes are identified by masses of red pitch on the lower trunk. Older strikes take on a yellowish color as the sap ages. The most effective prophylactic chemical treatment for the beetles is to coat

¹ The wildland–urban interface (WUI) is a zone of transition between wilderness (unoccupied land) and land developed by human activity – an area where a built environment meets or intermingles with a natural environment. Human settlements in the WUI are at a greater risk of catastrophic wildfire (Wikipedia 2022)

² Dbh- Trunk diameter measured at four and one-half feet above grade from the upslope side of the tree.

the bark with a permethrin-based product twice times a year. If the beetle lands on a spot that was not treated, it will still enter the tree. The larvae already in the tree are also not affected. Beetles are attracted to stressed trees, such as those infected with pine pitch canker, so the best treatment is through increased tree vigor, which is most frequently accomplished through mulch and occasional irrigation. This is also the best treatment for pine pitch canker.

Western pine gall rust is a perennial infection of stems and branches of some pines that often contributes to stem and branch failures. The infection causes the development of large, unattractive galls that bleed sap and produce wind-dispersed spores. These galls can girdle and kill the affected tree part. There is currently no treatment other than removal of the host. Western pine gall rust is a perennial infection of stems and branches of some pines that often contributes to stem and branch failures. The infection causes the development of large, unattractive galls that bleed sap and produce wind-dispersed spores. These galls can girdle and kill the affected tree part. There is currently no treatment other than removal of the host.

Sycamore borer is typically not a pest that kills oak trees, but if an oak tree is unhealthy the pest can create wounds in the trunk that other damaging insects can use as an entry point into the tree.

CONCLUSIONS

Each of the subject trees qualifies as a significant tree and thus requires a permit for their removal.

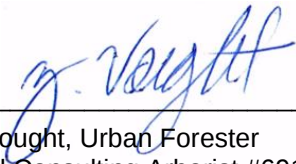
The trunk canker in the main stem of Tree-1 is a significant defect that elevates the likelihood of failure and impact to the road and potentially the driveway of 2 Pomeroy Ave. In my opinion the damage is to the point where the tree should be removed. Pruning is not a good option to mitigate risk as Monterey pine is relatively intolerant of aggressive pruning which could trigger stress and health decline. I would rate the overall condition of this tree as poor³ given the tree's significant structural defect.

Tree-2 exhibits poor health. The tree is unlikely to survive another six months and should be removed.

Tree-3 exhibits fair health and marginal structure. The tree is located near a use area frequently occupied by the St. Peter family and they are interested in removing the tree to abate the risk.

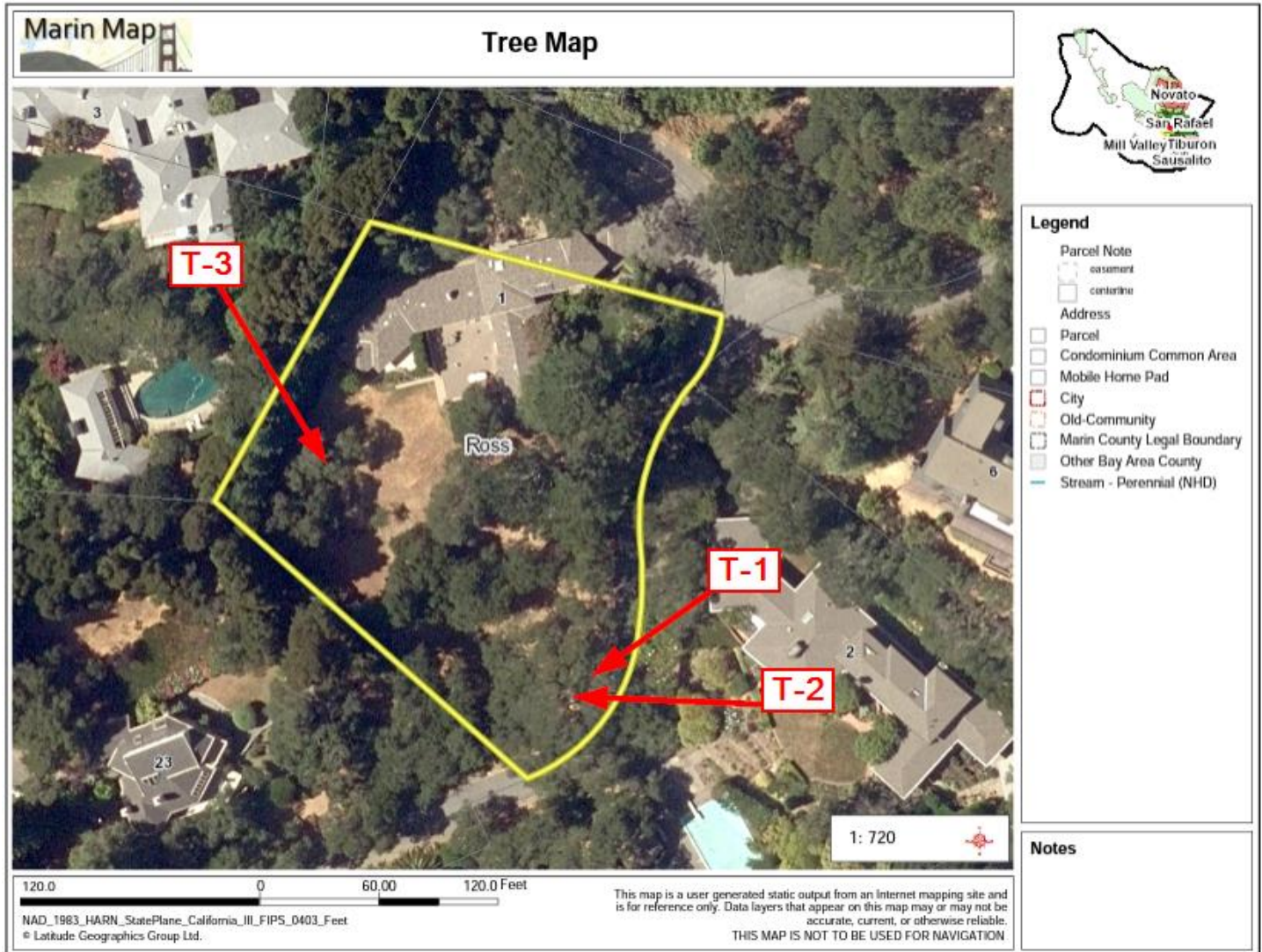
SCOPE OF WORK AND LIMITATIONS

Urban Forestry Associates has no personal or monetary interest in the outcome of this investigation. All observations regarding trees in this report were made by UFA, independently, based on our education and experience. All determinations of health condition, structural condition, or hazard potential of a tree or trees at issue are based on our best professional judgment. The health and hazard assessments in this report are limited by the visual nature of the assessment. Defects may be obscured by soil, brush, vines, aerial foliage, branches, multiple trunks or other trees. Even structurally sound, healthy trees are wind thrown during severe storms or other weather events. Consequently, a conclusion that a tree does not require corrective surgery or removal is not a guarantee of no risk, hazard, or sound health.



Zachary Vought, Urban Forester
Registered Consulting Arborist #691
ISA BCMA WE-9995B
ISA Qualified Tree Risk Assessor

³ This condition rating is being given to address the tree replacement requirements included in the Town of Ross Municipal Code (Ordinance 686).



Site plan including approximate tree locations

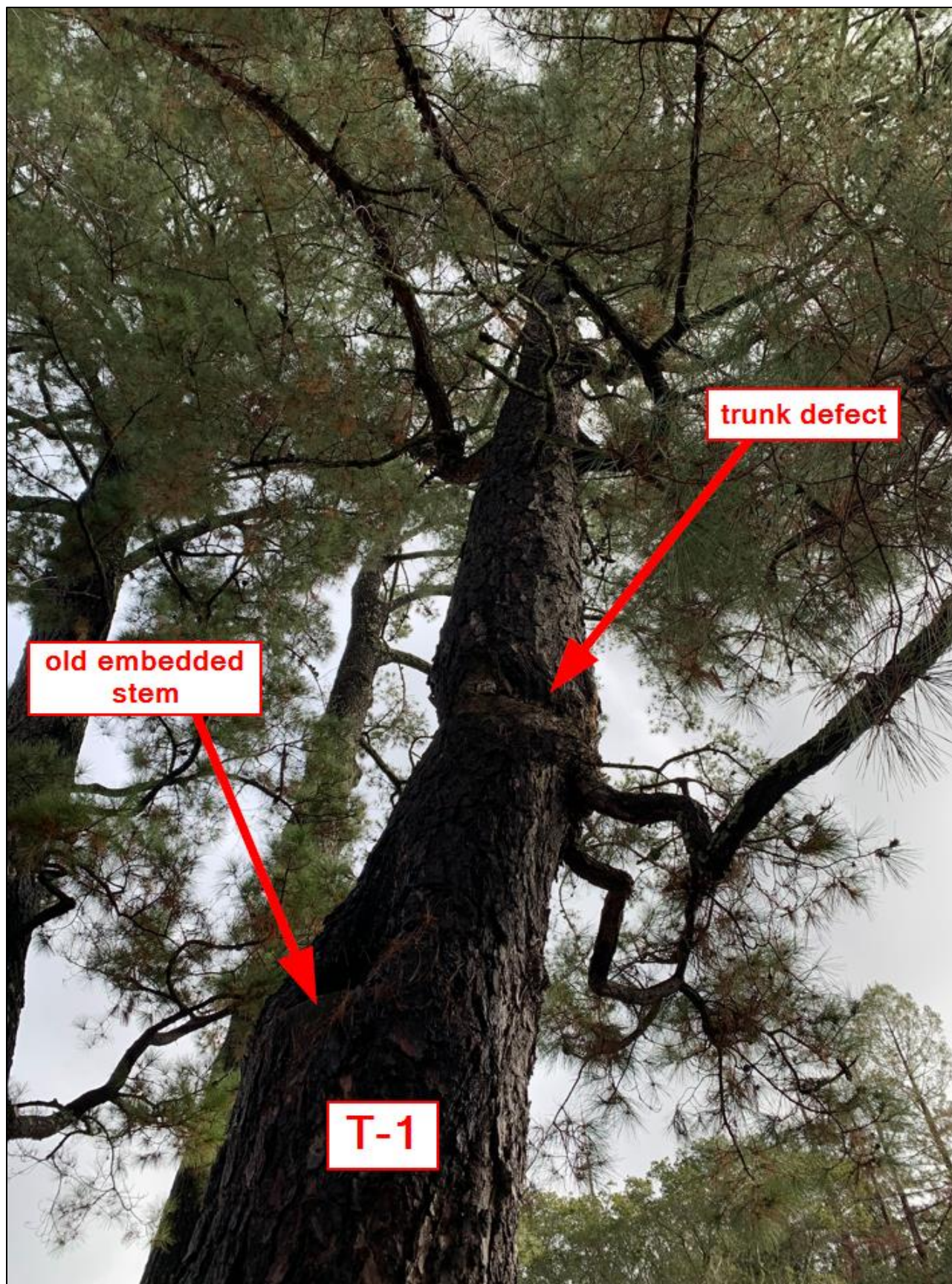


Figure 1. Canker on the trunk of Tree-1



Figure 2. Tree 1 & 2 as viewed from the road



Figure 3. Beetle strikes at the base of Tree-2 viewed from two angles.



Figure 4. Tree-3 as viewed from the artificial turf area

ATTACHMENT 4

MINUTES
Meeting of the
Ross Advisory Design Review Group
7:00 PM, Tuesday, August 15, 2023

Video and audio recording of the meeting is available online at the Town's website at:
townofross.org/meetings.

1. 7:00 p.m. Commencement

ADR Group Chair Kruttschnitt called the meeting to order.

Present: Laura Dewar, Mark Fritts, Stephen Sutro and Joey Buckingham

Assistant Planner Alex Lopez-Vega was present representing staff.

2. Approval of Minutes.

The ADR Group minutes were not approved.

3. Open Time for Public Comments

No comments were provided.

4. Planning Applications/Projects

a.

Property Address:	1 Pomeroy Road
A.P.N.:	072-023-04
Applicant:	Gina Weyant
Property Owner:	St Peter Family Trust Mitchell & Jeanne St Peter
Zoning:	R-1:B-5A
General Plan:	VL (Very Low Density)
Flood Zone:	X (Moderate Risk)

Project Summary: The applicant requests approval of Design Review, and a Variance to construct a new pool/spa within the side yard setback of the existing single-family residential property. The applicant also proposes to remove the existing concrete driveway and replace it with permeable pavers.

Mark Fritts

- Agrees with the perfect place for the pool is the flat side
- Suggest the applicant to flip the area by putting the pool inside the setback and where they are proposing the pool make that the play area
- Disagree with the logic where they are placing the pool, but is okay with it since the lot is right over an acre
- Overall supports the project, but acknowledges there is another solution

Joey Buckingham

- Recommends approval as design
- It's in a great location
- The proposed location provides privacy for both the owners and the neighbors above them

Stephen Sutro

- The Town assess pools all the time, and many don't meet the setbacks for many reasons (i.e. irregular shapes, lots don't meet minimum lot sizes)
- Does not affect any neighbor directly
- Recommends positive approval as is

Mark Kruttschnitt

- The pool placement seems logical and will not affect any neighbors
- Applicant makes a good point, (Variance finding) the lot is zoned for a 5 acre lot, however the lot is smaller
- Recommends positive approval as is

b.

Property Address: 128 Winding Way
A.P.N.: 072-250-03
Applicant: Kellogg Architects Inc.
Property Owner: The Jackson Ranch Trust
Zoning: R-1:B-5A
General Plan: VL (Very Low Density)
Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval of Design Review, and a Hillside Lot Permit. The project involves construction of a new 6-foot automatic driveway gate. The project also includes a 42" ornamental guardrail to match existing guardrail and connect to automatic driveway gate.

Joey Buckingham

- The project seems reasonable
- The columns should be the height of the edges instead of the height of the arch
- The design itself is a little ornate compared to the style of the home
- Inconvenient to have the whole door swing one direction
- The location of the gate and guardrail is fine
- Gate should be darker color to match the house
- Would like to see the gate have the 50% transparency

Laura Dewar

- Applicant is matching the existing conditions of the house and guardrail
- It's a good project

Mark Fritts

- Gate should be a bi-fold gate instead of a one swing door
- Color should be darker
- 50% transparency

Stephen Sutro

- Design of the upper gate (diagonal trellis) is not working with the panels, maybe consider vertical pickets
- Bring down the columns
- Overall great project

Mark Kruttschnitt

- Agrees with Joes comments
- Suggest the gate be s two-part gate
- Gate should be 50% see through

5. Conceptual Advisory Design Review.

6. Information and Discussion.

7. New Agenda Items.

Adjournment, 7:47 PM.

Next scheduled regular meeting date and time: September 19, 2023, at 7:00 PM.