

From: RNewman@ResolutionStrategiesInc.com
To: [Camille Leung](#); RNewman@ResolutionStrategiesInc.com; [Steve Monowitz](#)
Cc: [Jack Chamberlain \(jtuttlec@aol.com\)](mailto:jtuttlec@aol.com); "[Larry Jacobson \(laj@cohenandjacobson.com\)](mailto:laj@cohenandjacobson.com)"; [Amy Ow](#)
Subject: RE: Status of request to Romig - Lots 5-8 Highlands
Date: Wednesday, September 8, 2021 11:37:04 AM
Attachments: [image001.png](#)

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Camille,

What you said to me was that it was highly unlikely that an exception would be granted. As a result, it makes no sense to spend the time and money to pursue one.

Notwithstanding the list of other items you have set forth here and before, we do not have an answer to the question I posed, which was, if you assume that items below are completed satisfactorily, will the county issue the building permits, during the moratorium period, without an exception to the grading moratorium? We understand that the project could not then begin until after the moratorium ends, but this question is crucial to the expense involved (and the effort) in completing the items below, which, if the permits will not be granted until the late spring of next year, there is no reason to rush to complete them now. The timing of the delivery of the permits is a threshold issue.

Again, I will update you on the status of the Romig letter as soon as something has changed, which we expect shortly. But, again, there is little reason to push that if the permits are going to be withheld.

It is a simple question and I respectfully ask Steve to address it.

Thank you,

Rich

From: Camille Leung <cleung@smcgov.org>
Sent: Wednesday, September 8, 2021 10:43 AM
To: RNewman@ResolutionStrategiesInc.com; [Steve Monowitz <smonowitz@smcgov.org>](mailto:smonowitz@smcgov.org)
Cc: [Jack Chamberlain \(jtuttlec@aol.com\)](mailto:jtuttlec@aol.com) <jtuttlec@aol.com>; "[Larry Jacobson \(laj@cohenandjacobson.com\)](mailto:laj@cohenandjacobson.com)" <laj@cohenandjacobson.com>; [Amy Ow <aow@smcgov.org>](mailto:aow@smcgov.org)
Subject: RE: Status of request to Romig - Lots 5-8 Highlands

Hi Rich,

To clarify, in our conversation, I did not state that the Exception to the Grading Moratorium would not be granted, but that Grading in the wet season would require an exception, which requires an

application and is subject to review by the Director.

With regard to the status of the building permits, setting aside the issue of the Grading Moratorium, please review the list sent previously (bold added for clarity).

Please provide status of the Romig letter when you can.

Thanks

From: Camille Leung

Sent: Monday, July 5, 2021 2:41 PM

To: Rich Newman (rnewman@rochex.com) <rnewman@rochex.com>; Jack Chamberlain <jtuttlec@aol.com>

Cc: 'noel@nexgenbuilders.com' <noel@nexgenbuilders.com>; robertpellegrine@yahoo.com; Amy Ow <aow@smcgov.org>; Steve Monowitz <smonowitz@smcgov.org>

Subject: RE: Highland Estates Budget Update

Hi Rich,

As requested, here are next steps for the BLD permits for Lots 5-8:

- Planning:
 - Review Architectural Plans for Lots 5-8 - DONE
 - County to make decision on Minor Modification – Comment period ends 7/2 (response to comments and **decision pending**)
 - Applicant to complete Grading Permit Hard Card (attached) with dates for grading operation/stabilization/landscaping
 - Applicant to **deposit \$20,000** for County Mitigation Monitoring (\$10,000 overdue for monitoring for Lots 9-11)
- Geo to Sign off review (Please see attached email)
- Pay Sewer Fees - DONE
- Once all agencies sign off:
 - County to collate plans
 - Camille to send out **Construction Notice to neighbors within 200 feet of Lots 5-8**
 - Camille to send out Civil Plans for installation of Erosion Control Measures by Applicant
 - **Applicant must Pass inspection for EC Measures and send Bio Surveys** to County
 - County's mitigation monitor to inspect and review surveys
- County to **issue BLD Permit with Hard Card and County's Grading and Construction Requirements**, Applicant to pick up Job Copy and Permit

Thanks

From: RNewman@ResolutionStrategiesInc.com <rnewman@resolutionstrategiesinc.com>

Sent: Wednesday, September 8, 2021 8:52 AM

To: Steve Monowitz <smonowitz@smcgov.org>

Cc: Jack Chamberlain (jtuttlec@aol.com) <jtuttlec@aol.com>; 'Larry Jacobson (laj@cohenandjacobson.com)' <laj@cohenandjacobson.com>; Camille Leung <cleung@smcgov.org>
Subject: RE: Status of request to Romig - Lots 5-8 Highlands

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Good morning Steve,

May I ask you to circle back with us on the last subject raised in the message below, regarding the issuance of building permits at the earliest possible date, irrespective of the grading moratorium dates?

Thank you,

Rich

From: RNewman@ResolutionStrategiesInc.com
Sent: Thursday, August 26, 2021 3:21 PM
To: Steve Monowitz <smonowitz@smcgov.org>; Camille Leung <cleung@smcgov.org>
Cc: Jack Chamberlain (jtuttlec@aol.com) <jtuttlec@aol.com>; 'Larry Jacobson (laj@cohenandjacobson.com)' <laj@cohenandjacobson.com>
Subject: Status of request to Romig - Lots 5-8 Highlands

Good afternoon,

I wanted to give you a short update on the request you made for a letter from the Romig firm. Jack has entered into a gentleman's agreement for the engagement of the Romig firm for geotechnical services with respect to the captioned lots. He expects a formal engagement letter next week, with the principal engineer being (Ben? – please don't hold me to that) Romig. Mr. Romig is on vacation this week, but as I understand his schedule, is expected back on Monday.

Jack has forwarded my memo regarding the request for verification of the soil conditions now vs. those found in 2015, and that the higher dirt movement figures as established by BKF, will not have a material impact on the development or the recommendations made by BKF, the Cornerstone reports, the County conditions of approval, etc., to the Romig firm, for review as the first step to obtaining the letter which you seek.

Jack proposes to have me be the go-between among the Romig firm and the County on this issue, so that I can keep up the momentum.

Another matter requires a comment, and we would appreciate your reply:

In conversation with Camille not long ago, she indicated that if all conditions

precedent to the issuance of building permits were met, and, we were in the grading moratorium period, the County would not issue the permits until the April 1, 2022, the date when the moratorium ends for the 2021-2022 rainy season. I must admit that statement came as somewhat of a shock to the development team.

Logic would say that there are many impediments to actual turning of dirt and construction, and the grading moratorium is but one of them. At each stage of the development, there are milestones and monitoring in place, none of which (as far as we know) would hold-up the issuance of building permits, but might well put the brakes on a particular activity, for a time. In order to even consider the project financing to begin actual construction on April 1, 2022, the construction/land lender, will require the permits be in hand at the time the request is made (very soon) by Jack and/or his preferred single-purpose entity. Could I ask you to clarify the rules of the issuance of the building permits in this circumstance, assuming that all other conditions have been met?

Thank you as always, for your attention to this matter.

Regards,

Rich Newman



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