

Graystone of Almaden

A Neighborhood Association

October 2014 Newsletter

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WHY YOU SHOULD CARE AND WHAT YOU NEED TO DO!

*BOULDER RIDGE DEVELOPMENT EXPANSION
HEARING NOVEMBER 4*

On November 4, 2014, at 9:30 a.m., the County Board of Supervisors will decide whether to approve Boulder Ridge proposed expansion of their development to add a 22,000 square foot 3-story fitness center and competitive outdoor swimming pools (with daily morning practices, competitive swim meets, children's swim lessons) on the hillside overlooking our homes and infringing on the peace and enjoyment of our properties. They are seeking a new and different and more expansive membership.

(continued on next page)

Boulder Ridge Continued

For those of you that currently hear the golfers as they walk the course, or see them driving by on their golf carts, imagine the Saturday early morning swim meet with hundreds of guests, starter buzzers and crowds cheering. Or, imagine the outside swim parties. The proposed hours for the new development are 5 a.m. to 11 p.m. (much more significant than those of the golf course). We believe this new proposal is not only going to have immediate impact on our neighborhood and surrounding neighborhoods due to noise, traffic, and environmental issues, but could open the door to future proposals for even greater developments such as overnight accommodations.

Your Board, along with Almaden Hills Estates, has been working on development issues related to Boulder Ridge since 2008 (when they proposed an "Event Tent" which we effectively got revised to an enclosed building with windows, doors, and noise restrictions). Most recently, we have been battling this latest development for the past year. But the time is **NOW** for the Board of Supervisors to decide this issue. We have enlisted an attorney specializing in environmental and county issues to draft a letter, succinctly stating our concerns and the legal support for our position to the Board. Six different influential environmental groups have also written a letter to the Board, voicing their concerns over the environmental issues.

NOW, it is your turn. The Board does listen to their constituents. But they need to hear from you. Do not let this hearing pass and then complain about the development on the hillside next to your home later. The time is now to act.

This proposed development is not consistent with the General Plan, not allowable under Hillside zoning, may open the door to other hillside development, is in direct violation of prior promises to the neighborhoods about the limitation of future development at that site, and is simply not good public policy.

We are asking you to write letters or call the Supervisors. We have drafted a letter that you may use or revise at the end of this newsletter (along with a history of development at Boulder Ridge). The more letters or calls received by the Board, the more of an impact it will have. We also encourage you to attend the Nov. 4 hearing.

Please let your voice be heard. It matters.

Three Upcoming Events!

Wine Tasting — Saturday, November 15

We have tasted a number of great wines over the years. Just in time for Thanksgiving, we are planning a Pinot Noir tasting — to help you pick the perfect bottle to go with your turkey. While tasting the nectar from the bottles, we will rate each. At the end of the night, we will see if your palate agrees with anyone else's palate. The winning wine provider gets bragging rights until the next wine tasting event.

Kristin Busch will be hosting on Saturday, November 15 @ 7:30. Have dinner and then head to 6486 Pfeiffer Ranch Court for your evening entertainment. Each person/couple is asked to bring a good bottle of Pinot Noir (retail price of approximately \$40 -\$50) to share along with a dessert. And, as is our usual practice, we will spice up the tasting by including a couple of much less expensive bottles to test your palate. Please RSVP to Kristin @ chezbusch@gmail.com.



New Book Club??



To Graystone Neighborhood Book Lovers — Great News!

For those of you who would like to join a Graystone neighborhood women's book club, we have a new opportunity just for you. The current book club would like to start a second book club since the current group is at capacity with 20 members. We seem to have enough interest to start a second group, so if you are interested, please contact Sharon Harvey at smharvey50@gmail.com or 408 609-3430.

Together, those interested can find a time/day/frequency that accommodates everyone. This is a wonderful way to connect with other women in the neighborhood.

Events (Continued)

Halloween Parade — Friday October 31

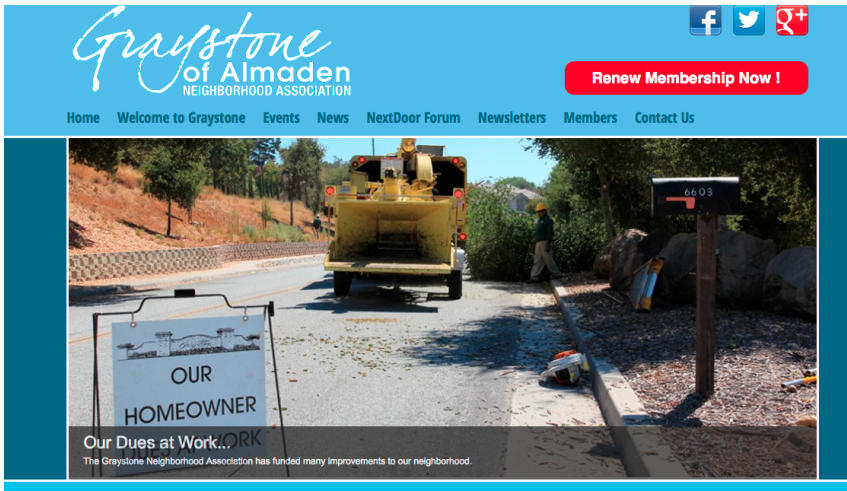
We'll meet at Pfeiffer Park @ 4:30 and parade to 6464 Pfeiffer Ranch Ct.

We'll have treats and a drawing for prizes
plus the kids will be decorating small pumpkins
that they can take home.

If you can bring a treat, please drop it off at
6464 Pfeiffer Ranch Ct by 4:00.



Website Help & Renewals



Website Helper/Paid Intern?

Our new website is up and running, but still needs improvements. To help us keep the website current and informative, we need a someone to work with the Board who is website savvy. We are willing to offer a small stipend to encourage someone to dedicate the time. Maybe a high school student who is tech savvy and interested in a bit of income? If interested in helping out, please respond using our website, graystoneofalmaden.org, utilizing the "Contact Us" feature on the homepage. We will get back with you and explore our needs and your willingness to help out.

Renewals

Additionally, we tried to make renewals easy, but we have not yet gotten many of you to both renew and update your directory information. Renewals are obviously important but we also need you to keep us current on your email addresses so we can keep you informed. If you haven't already done so, please follow the instructions on the next page to log in and renew and update your information.

Thanks in advance for helping out.

Status of renewals to date

Renewals to date = 87

Normal level in past years = 110

Renewal Instructions



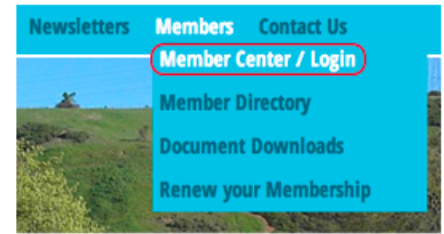
Your **Graystone of Almaden** membership is an annual membership and needs to be renewed each year. As a first step, please check and update your directory information. Then update your password and finally renew your membership. Listed below is more detail on each of the steps.

Login

First, log in to the site. You'll find the **Member Center / Login** page under the **Members** menu. Your user ID is your last name and your first initial, all lower case. (For example, David Smith's username is smithd.)

Your initial password was given to you by the website administrator. You can change it after you log in.

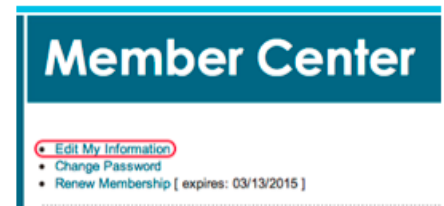
If you've lost or forgotten your password, the **Forgot Password** link on the login page (see the lower right, below the Password field) will email a password reset link to you *if we have a valid email address in our database*.



Update Your Profile

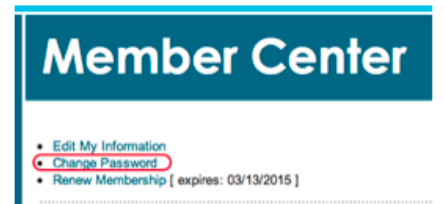
Select the **Edit My Information** link. You'll see a form with your basic information... name, address, phone number, email address, and names of your household members. Check to be sure the information is correct. (It's especially important that we have a valid email address, in case you forget your password.) Click the **Submit** button at the bottom of the form to return to the **Member Center**.

Please note that the information you provide is available to other members, but is not accessible to the general public.



Update Your Password

It's a good idea to regularly change your website passwords; your annual Graystone of Almaden renewal can serve as a reminder. To change your site password, select the **Change Password** link. On the password form, you can enter a new password, retype the password to make sure it matches, and then click the **Update Password** button.



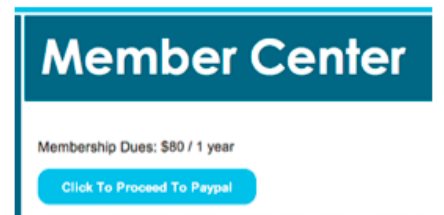
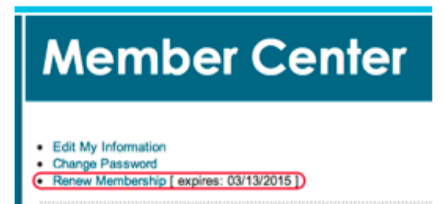
Renew Your Membership

Check your expiration date to determine if you need to renew your membership. If so, click the **Renew Membership** link.

The next page shows the current membership dues, and a button that will take you to **PayPal**.

At PayPal, you can pay your dues using your own PayPal account, or you can log in as a guest and use a major credit card to pay.

You will receive an email receipt from PayPal when your charge has been processed, and your membership expiration date will be automatically updated in our database.



Please Welcome Our Newest Neighbors

John & Sherri LeRoy

6536 Stonehill Court

John & Paulina Bettink

6530 Stonehill Court

Ron & Chelsea Bailey

6574 Rocky Crest Drive

Del & Denise Hassen

6579 Rocky Crest Drive

Imad & Suzan Najjar

6581 Deer Hollow Drive

Yael Kharman & Hisham Stahtout

6541 Deer Hollow Drive

Chi & Nnamdi Abraham-Igwe

6593 Deer Hollow Drive



Our New Greeting Gift

We contracted with a firm, enFuso, to make up customized baskets for us to give to our new neighbors as a welcome gift. If you are new and we missed you, please contact us! Our mistake does not mean we don't care. And, the gift is pretty nice too!

Open Space Maintenance Program

The Association maintains five (5) different “open space” areas within our neighborhood boundaries. They are:

- Front entrance - Graystone sign and wall area
- Pfeiffer Ranch - block retaining wall area and hillside
- Pfeiffer Ranch - property between the trail and the street
- Stonehill - the hillside adjacent to the open space
- Boulder Mountain Way & Rocky Crest - the hillside adjacent to the open space

The four areas around our homes are addressed every month and the large land area along Pfeiffer Ranch is trimmed once a quarter . Pictured below is just a sample of the trimmings from one week’s work along Boulder Mountain Way.



Summer Picnic In Pictures

**On August 24 More Than 130 Joined
In On The Fun!
Our biggest attendance in years.**

As you can see from the pictures, a good time was had by all. Thanks to everyone, especially the Paul and Laurie Reilly for all their hard work in making this event a great success.



NEW DEVELOPMENT PROPOSED ON THE HILLSIDES OF ALMADEN

On November 4, 2014, the Board of Supervisors will be making a decision as to whether to allow further extensive development on the Hillside overlooking Almaden Valley at the Golf Course at Boulder Ridge. Environmental concerns over the development of Open Space and Hillside, legal restrictions placed on this property, promises by the Board that there would be *no further development* at this site when the original golf course was approved, and City/County jurisdictional issues make it clear that this application should be DENIED.

The Board of Supervisors needs to hear your input now. **Please send an email** indicating that you are OPPOSED to development of 22,000+ Fitness Center that is 3 stories high, sitting on the hillside, overlooking Almaden Valley with competitive outdoor swimming pools that will create noise and traffic issues without any benefit to the community. The proposed project is LARGER than the existing clubhouse and event center facilities *combined*. Furthermore, there is nothing to suggest that this is the last development Boulder Ridge would be seeking on the property.

HISTORY OF PROPERTY

- **1990:** The City of San Jose REJECTS Rocke Garcia's application to develop a golf course, conference facility, overnight accommodations and 86 housing units.
- **1992:** Rocke Garcia then applies to the County for a use permit to build an 18-hole semi-private golf course.
- **1993:** Despite strong opposition by the City of San Jose, the County grants the use permit for the golf course.
- **1993:** Concerned Homeowners establish **Coalition to Save Open Space** and file a lawsuit challenging the granting of the use permit.
- **1994:** The Court orders the Board of Supervisors "to address, discuss, and analyze all proposed mitigation measures to the impact on the loss of open space."
- **November 1994:** The Board of Supervisors adopt a Resolution that grants a Use Permit for the Golf Club at Boulder Ridge based on designated findings and conditions
- **The 1994 Resolutions specifically states** "The Golf Club at Boulder Ridge, as proposed, represents the *maximum development allowable under the Hillside Zoning District, and any incremental expansion, or increase in use or intensity, would be inconsistent with the Hillside General Plan designation of the project, as well as the County Zoning Ordinance, and therefore could not be permitted, absent a General Plan Amendment and zoning amendment. Any such proposal would require the written approval of the City of San Jose, or waiver of its rights thereto.*

1994: The Use Permit was granted subject to the following specific condition: "As and for a further condition of the permit, consistent with the finding of the Board of Supervisors that this project *maximizes the development potential of the site under the existing General Plan and zoning designation*, the construction of homes, overnight accommodations, the expansion of the clubhouse or other facilities, or the introduction of new uses on the property, such as pools, tennis courts, or any other uses permitted with the Hillside zoning district, shall be prohibited.

- **1994: The Use Permit** additionally requires Mr. Garcia dedicate a 97-acre Open Space Easement to the County
- **1995:** Garcia files a lawsuit challenging only the 97-acre easement
- **1997:** The lawsuits are settled, permitting Garcia to build the golf course, subject to the conditions of the Use Permit, and eliminating the 97-acre easement requirement upon a donation of a 50-acre open space preserve.
- **2008:** Mr. Garcia applied for “Event Tent”
- **Concerned neighbors** raise the issue with County Planning that the property is restricted through the 1994 Resolution and use permit which explicitly states that there can be no further development or increase in use on the property without a General Plan Amendment, a zoning amendment, and the approval of the City of San Jose.
- **Mr. Garcia** argues that this is not an application for “new development” and specifically that they are “not seeking to add swimming pools or tennis courts”, but rather that it is the completion of the facilities (specifically a reception facility) approved within the original use permit.
- **Mr. Garcia** changes plans and instead of developing an open-air “Event Tent”, proposes a reception facility consistent with all of the requirements of the original use permit
- **2009:** The County approves the modification of the existing Use Permit to allow site reconfiguration for construction and operation of a reception facility.
- **2009: The County Conditions of Approval** specifically state “These Conditions of Approval encompass and include previous conditions of approval approved by the Board of Supervisors on November 1, 1994 which govern ongoing operation of the Golf Course and Clubhouse.”
- **2013: Mr. Garcia** applies for a 22,000+ square foot FITNESS CENTER, three stories high, on the ridgeline, with outdoor competitive swimming pools with meets and practices year round (larger than the clubhouse and reception facility already on the property *combined*)
- **2014:** Without explanation, the County Planning Department initiates a zoning amendment as part of Mr. Garcia’s application “to clarify that swimming pools, fitness centers and tennis courts are allowed in the Hillside district.”
- **2014:** In a narrow 4-3, the Planning Commission approves the application to go before the Board of Supervisors.
- **November 4, 2014: The Board of Supervisors will consider whether to approve this NEW DEVELOPMENT of a Fitness Center and competitive swimming pools on the Hillside overlooking Almaden**

Approval of this project would not only open the floodgates for development in Open Space, on Hillside, and on the Ridgeline, but it would also tell developers that they can simply ignore restrictions placed on properties by reapplying in the future.

A draft letter to the County Supervisors is on the next page, followed by email addresses for each Supervisor. Please write!

Dear Supervisor:

I am writing to you today to strongly urge you to vote against the proposed Boulder Ridge project. As a resident of Graystone of Almaden, I am directly affected by the development. I have grave concerns about the expansive nature of the project, which will result in a significant change to the character of the land. The project stands in opposition to the County's binding covenant with the residents of the community, and degrades the County's longstanding commitment to the preservation of open space.

Moreover, the project is legally suspect: courts had ordered the County to place restrictions on the hillside to protect open space. This set of restrictions that were put in place by your predecessors were expressed in clear and unambiguous terms. The restrictions placed on the Boulder Ridge property in 1994 clearly prohibit any further development on that property beyond the original clubhouse.

When an Event Tent was proposed to be constructed on the highest point of the hillside in 2008, our neighborhood association joined with other groups to object. The compromise solution fully reinforced the existence of these 1994 restrictions, as they formed the basis for the compromise. Boulder Ridge argued and we agreed that they should be able to complete the already authorized square footage for the clubhouse, since the original clubhouse was not as large as authorized. The Event Center, a building and not a tent, utilized all the remaining authorized square footage. As a result of this agreement, further development of the Boulder Ridge hillside is prohibited.

The construction of a new fitness facility that is larger than the current clubhouse and event center, combined, is contrary to the restrictions on the land. Additionally, outdoor pools were specifically prohibited. Noise is always a concern, especially with proposed swim meets, hundreds of new members, and outdoor facilities at the top of a hill surrounded in close proximity to our homes.

The Board of Supervisors in 1994 studied this property, hillside zoning needs and concerns for years, and made a decision not to allow the property to be continually developed to the detriment of open space and neighbors. Nothing has changed regarding the character of the land since that decision was made.

For these reasons, I strongly urge you to vote alongside the interests of the members of the community, and cast a vote against this project.

Sincerely,

[Resident]

Santa Clara County Board of Supervisor Addresses

Email addresses for the Board of Supervisors:

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Ray.Mueller@bos.sccgov.org (Chief of Staff — Does not list his personal email)