**CEQA DOCUMENT FILING DECLARATION**

**ENVIRONMENTAL FILING FEE RECEIPT**

**PLEASE COMPLETE THE FOLLOWING:**

1. **LEAD AGENCY:** County of Santa Clara Planning and Development

2. **PROJECT TITLE:** Pozniansky Residence

3. **APPLICANT NAME:** Eliyahu and Tatyana Pozniansky

4. **APPLICANT ADDRESS:** 990 Hazel Avenue, Campbell, CA 95008

5. **PROJECT APPLICANT IS A:** ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☑ Private Entity

6. **NOTICE TO BE POSTED FOR** 20 DAYS.

7. **CLASSIFICATION OF ENVIRONMENTAL DOCUMENT**

   a. **PROJECTS THAT ARE SUBJECT TO DFG FEES**

      | DOCUMENT TYPE | AMOUNT ($) |
      |---------------|------------|
      | 1. ENVIRONMENTAL IMPACT REPORT | 3,070.00 |
      | 2. NEGATIVE DECLARATION | 2,210.25 |
      | 3. APPLICATION FEE WATER DIVERSION | 850.00 |
      | 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS | 1,043.75 |
      | 5. COUNTY ADMINISTRATIVE FEE | 50.00 |

   b. **PROJECTS THAT ARE EXEMPT FROM DFG FEES**

      | DOCUMENT TYPE | AMOUNT ($) |
      |---------------|------------|
      | 1. NOTICE OF EXEMPTION | 50.00 |

   c. **NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES**

      | DOCUMENT TYPE | AMOUNT ($) |
      |---------------|------------|
      | NOTICE OF PREPARATION | NO FEE |

8. **OTHER:**

9. **TOTAL RECEIVED:** $0.00

*NOTE: 'SAME PROJECT' MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A 'NO EFFECT DETERMINATION' LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

**CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER**

**PLEASE NOTE:** FEES ARE ANNNUALLY ADJUSTED (Fish & Game Code §711.4(b); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)
Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

<table>
<thead>
<tr>
<th>File Number</th>
<th>TAZ</th>
<th>APN(s)</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>8555-14BA-14DRX</td>
<td>247</td>
<td>510-34-034</td>
<td>7/14/2016</td>
</tr>
</tbody>
</table>

**Project Name**

Pozniansky Residence

**Project Type**

Single Building Site with Architectural Site Approval and Design Review Exemption

**Owner**

Eliyahu & Tatyana Pozniansky

same

**Project Location**

West of Overlook Road (formerly Beckwith Road), east of Linda Vista Avenue, southwest of Saratoga-Sunnyvale Road.

**Project Description**

The proposed project is a Single Building Site with Architectural Site Approval and Design Review Exemption application for an approximately 4,032 square foot 3-story single-family residence with 578 square foot detached garage and associated site improvements on a vacant property. Associated site improvements include a new septic system, removal of 6 trees greater than 5-inches (diameter), 5-foot tall retaining walls, decks/stairs, and a new driveway. Water would be supplied by San Jose Water Company. Grading quantities for the project will include approximately 460 cubic yards of cut and 10 cubic yards of fill (total 470 cubic yards). The average slope of the development area is 42.6 percent.

**Purpose of Notice**

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.

A public hearing for the proposed project is tentatively scheduled for the Architectural Site Committee on August 4, 2016 in the County Government Center, Room 157. It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

**Public Review Period:** 20 days  
**Beginns:** July 15, 2016  
**Ends:** August 3, 2016

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Mark Connolly, Senior Planner, at the County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5770. A file containing additional information on this project may be reviewed at the Planning Office under the file number appearing at the top of this form. For
additional information regarding this project and the Negative Declaration, please contact Mark Connolly at (408) 299-5786 or mark.connolly@pln.sccgov.org

The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:
(1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7th Floor, San Jose, CA 95110
(2) Planning & Development website www.sccgov.org/sites/dpd (under “Development Projects” > “Current Projects”)
(3) Saratoga Public Library, 13650 Saratoga Avenue, Saratoga, CA 95070

Responsible Agencies sent a copy of this document
None

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:

Nesting Raptors

BIO.1 MM
Submit to the Planning Office evidence of a contract with a qualified ornithologist to conduct preconstruction surveys prior to issuance of grading permits.

  a. The ornithologist shall submit a preconstruction report indicating the results of the survey and any designated buffer zones to the satisfaction of the Planning Office prior to final inspection or release of the grading bond. (Mitigation Measure)

BIO.2 MM
Tree removal and construction shall be scheduled between September 1 and December 31 to avoid the raptor-nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Pre-construction surveys shall take place no more than 24 hours prior to the initiation of construction activities and/or tree removal. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist shall contact the Planning Office and, in consultation with the California Department of Fish & Game, designate a construction free buffer zone (typically 250 feet or greater) around the nest. (Mitigation Measure)

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:
Kim Rook, Sr. Planner

Signature
7/14/2016

Approved by:
Dave Rader, Sr. Planner

Signature
7/14/16
Location Map

File No. 8555
APN 510-34-034
Overlook Rd., Los Gatos
PRELIMINARY GRADING AND DRAINAGE PLAN
OVERLOOK ROAD
UNINCORPORATED LOS GATOS - CALIFORNIA
SCALE: 1" = 1" SEPTEMBER 2010