From: Raven

To: <u>=yCouncil Members</u>
Cc: <u>webCityClerk</u>

Subject: Consent Item #14 - Highway 4 Sound Wall Date: Tuesday, April 25, 2023 10:54:01 AM

## **CAUTION – EXTERNAL SENDER**

Hello Members of Brentwood City Council

First of all, thank you for serving our community. I wanted to share my experience with you living at in the Siena Neighborhood over the past almost 8 years. I bought my home in June 2015 from the original owner. The original owner moved back to AZ for a job offer and was only in the home 8 months before selling.

At the time I bought the house I had no knowledge or awareness of plans to construct a bypass over Balfour. It wasn't mentioned verbally or listed in any disclosures or documents that I received. About a year or 2 after I moved in I noticed what was then Cortona Park extending their perimeter wall upwards of several feet. At that time, I was still not aware of the bypass construction project which was imminent..

Once construction started we all managed through 24 hour construction noise and dirt but it still wasn't evident where the road was going to be. As construction completed I was shocked to see that the off ramp to Balfour was literally one house over from my property. Once the road was opened for traffic there were 2 accidents on the off ramp within weeks of opening. Both times I was awakened by the crashing noise and could see the accident out my back upstairs windows. As time went on it was evident the increase in road noise that the vehicle and truck traffic created. I was not able to leave my windows open during the day for work meetings due to the background noise or take meetings outside in my backyard. Additionally it is impossible to sleep with the upstairs windows open due to the road noise.

It's disappointing to me that with all the info we now know regarding sound studies and noise level acceptability that this is even a question as to whether the wall should be raised or not. This is a quality of life issue affecting dozens of homeowners. The city should make the investment not just for the current homeowners but also for those to come.

It seems like there were a lot of lessons learned in the construction of this housing development that have allowed the city and other developers to not repeat these same mistakes in similar residential developments here in Brentwood. Many of these mistakes can not be fixed however the biggest one is certainly within your ability to rectify.

Please raise the sound wall so that we can have our quality life back as homeowners who have invested in our community.

Respectfully Submitted - Carole D. Micozzi

From: Emerson Navarro

**Sent:** Tuesday, April 25, 2023 9:27 AM

To: =yCouncil Members

Subject: Public Comments on Consent item #14 Highway 4 Sound Wall

## CAUTION - EXTERNAL SENDER

To, City Council Brentwood CA

Sir/ Madam.

Most humbly, I am Emerson Navarro and I reside at

Brentwood CA, 94513.

This letter is in reference to the noise that is affecting us that is coming from the freeway which is located just beside our house.

We came from a housing community in Richmond Country Club Vista and we can really tell the difference with how the noise pollution from the freeway is affecting us. My family and I have been living here for the past 7 months. It is so difficult to sleep at any given time of the day or night because we can hear all of the motor vehicles passing by. I also have two small children, aged 7 and 6, who need to wake up early and go to school, but it would take them a hundred times of tossing and turning before they could go to sleep and they would complain about the noise so much. Also, the dust coming from the freeway is another problem. Our family would have upper respiratory infection, one after the other, even if we clean and dust the house every day. The thought of bearing this problem for a long time is breaking our hearts, especially for the children.

This is our first family house and we intended to live here until my wife and I grow old. For the past 7 months, we only have beautiful words to say about the City of Brentwood and we feel like this is the best city to live in.

I am writing this letter to request your help to approve the construction of the boundary wall next to our houses. This would mean a better living condition not just for my family but for our lovely neighbors.

Thank you so much.

Sincerely, Emerson Navarro From:

To: <u>webCityClerk; =yCouncil Members</u>
Cc: <u>mode\_051987@hotmail.com</u>

Subject: Fw: Boundary Wall Hwy 4\_ Consent #14\_Public comments for April 25 2023-Public comment From Emerson

**Date:** Monday, April 24, 2023 12:47:33 PM

## **CAUTION – EXTERNAL SENDER**

Request to include in the public comment.

---- Forwarded Message -----

From: Emerson Navarro

To:

Sent: Wednesday, February 1, 2023 at 07:36:54 AM PST

Subject: Boundary Wall

To, Susannah Meyer Vice Mayor District 3 Brentwood CA

Sir/ Madam,

Most humbly, I am Emerson Navarro and I reside at

Brentwood CA, 94513.

This letter is in reference to the noise that is affecting us that is coming from the freeway which is located just beside our house.

We came from a housing community in Richmond Country Club Vista and we can really tell the difference with how the noise pollution from the freeway is affecting us. My family and I have been living here for the past 7 months. It is so difficult to sleep at any given time of the day or night because we can hear all of the motor vehicles passing by. I also have two small children, aged 7 and 6, who need to wake up early and go to school, but it would take them a hundred times of tossing and turning before they could go to sleep and they would complain about the noise so much. Also, the dust coming from the freeway is another problem. Our family would have upper respiratory infection, one after the other, even if we clean and dust the house every day. The thought of bearing this problem for a long time is breaking our hearts, especially for the children.

This is our first family house and we intended to live here until my wife and I grow old. For the past 7 months, we only have beautiful words to say about the City of Brentwood and we feel like this is the best city to live in.

I am writing this letter to request your help to approve the construction of the boundary wall next to our houses. This would mean a better living condition not just for my family but for our lovely neighbors.

Thank you so much.

Sincerely, Emerson Navarro 
 From:
 Shauna White

 To:
 =yCouncil Members

 Cc:
 webCityClerk

Subject: Consent 14-Highway 4 Sound Wall

Date: Tuesday, April 25, 2023 11:37:23 AM

## CAUTION - EXTERNAL SENDER

To Whom It May Concern,

My name is Shauna White, I live in Siena Village. I moved to Brentwood in 2017 before the highway expansion. Since the expansion my family and I have been dealing with our house vibrating, rattling and the unbearable noise from the roadway. It's deteriorated our quality of life, causing sleepless nights and anxiety.

Having the sound wall height raised will significantly reduce the noise from the highway. Which will improve our quality of life.

My family and I appreciate your attention to the matter.

Sincerely, Shauna White

From: sukumar dash

**Sent:** Tuesday, April 25, 2023 10:04 AM **To:** webCityClerk; =yCouncil Members

Subject: Lennar Homes Siena buyers disclosure document\_ Hwy 4 noise issue\_ Consent #14

public comments

Attachments: Lennar Homes\_Siena buyers disclosure document.pdf

CAUTION - EXTERNAL SENDER

## A11

Attaching the first 5 pages of the Lennar Homes disclosure document that has the statement clearly written that any improvement to Hwy 4 Bypass will involve construction of new sound walls in the community that can impact the view.

State Route 4 Bypass. The part of State Route 4 Bypass known as Joh and east of the Community. According to the State Route 4 Bypass we from Lone Tree Way to Balfour Road is planned to be converted to a Road and Balfour Road.



Nuisances associated with State Route 4 Bypass and/or the construction not be limited to, noise, pollution, dust, vibration, glare, fumes, exhaust construction traffic, traffic congestion and delays. Impacts from State hours of the day and night and such impacts could disturb sleep and dism Future improvements to State Route 4 Bypass could involve the construct the Community and such walls could impact views within and from the the Community. The City of Brentwood, through the Conditions of Ap current and future widening of State Route 4 Bypass be disclosed to Buye that disclosure and to the "Noise Levels" section below for information al State Route 4 Bypass. For other information about the State Route 4, Glacier Drive, Martinez, CA 94553, (925) 686-0619, www.sr4bypass.org

# Thanks Dash

# SIENA COMMUNITY DISCLOSURE STATEMENT

#### LENNAR HOMES 6111 BOLLINGER CANYON ROAD, SUITE 550 SAN RAMON, CA 94583

DATE ISSUED: July 26, 2013 REISSUED:

This Community Disclosure Statement is provided to prospective buyers (referred to as "Buyer" or "Buyers") of homesites commonly known as Siena, Dublin, Alameda County, California.

Lennar hereby discloses general information and protective disclosures about the area in which you will be living. To the best of our knowledge, Lennar states that the following information about Siena is accurate as of the date of this statement. The disclosures herein are by no means intended to be all-inclusive and do not relieve or otherwise modify the Buyers' obligations to diligently satisfy themselves concerning its conditions and its fitness for their intended use.

THIS IS AN IMPORTANT DOCUMENT. YOU MUST READ, INITIAL EACH PAGE, AND SIGN THIS DISCLOSURE WITH ALL ATTACHED EXHIBITS.

09/01/2014 08:00 PM

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#### I. COMMUNITY/LOCATION

**The Community**. Siena (referred to as the "Community") consists of 58 homes to be constructed on Lots 1 through 32, 45 through 54, 71 through 78, and 83 through 90 of the Final Subdivision Map titled "Subdivision 8953" (the "Final Map"). Lots are also referred to in this Community Disclosure Statement (hereafter, the "Disclosure Statement") as "Homesites."

Location. The Community is located in the City of Brentwood, north of the intersection of Balfour Road and Cortona Way.

Development of the Community. Due to changes in market conditions, the availability of materials, and for other reasons, Lennar reserves the right at any time during the development of the Community to build more or fewer than the number of homes currently planned; change the size of homes; add larger, smaller or differently designed models or floorplans; change the designs and/or materials of the homes; or, sell all or any portion of the Homesites to any third party such as custom homebuilders, individual lot purchasers, and other developers or builders. Lennar makes no representation or warranty that the Community will be built as currently planned, or under any particular build-out schedule, or that Lennar will construct or be the builder of all the homes in the Community. Topographical maps in Sales Offices, lot plotting maps, and other materials showing the complete Community are conceptual and do not in any way constitute Lennar's promise to complete the Community or, if completed, to complete the Community as shown or by a particular time.

Real estate marketing activities associated with the Community could continue for months or years and could could include, but not be limited to, the use of signs, balloons, flags, banners, on-site events and other promotional activities. Utility services and access to and use of the streets may be interrupted from time to time. Construction sites contain numerous hazards and are dangerous. No person may enter any construction site without permission. Any person entering a construction site does so at his or her own risk. Construction sites present special hazards to children. Parents must make their children aware of those hazards, take all necessary steps to prevent unaccompanied children from entering construction sites, and closely supervise their children while on a construction site.

## II. ADJACENT / SURROUNDING AREAS

The City of Brentwood Community Development Department, Planning Division (the "City of Brentwood Planning Department"), provided information in this Disclosure Statement about future public and private development planned for or under construction in the area of the Community. Lennar cannot and does not warrant its accuracy or completeness. Buyers are encouraged to read the General Plan and to review the Zoning Maps of the City of Brentwood for further information about zoning and future development.

Since Lennar does not control all of the land use or zoning of properties surrounding the Community, we ask that if you have any concerns or questions pertaining to land use, zoning or any of (but not limited to) the items mentioned below, please contact the City of Brentwood Planning Department, 150 City Park Way, Brentwood, CA 94513, (925) 516-5405, <a href="www.ci.brentwood.ca.us">www.ci.brentwood.ca.us</a>.

Lennar wishes to stress that the land use, zoning and development of properties surrounding the Community are always subject to change in the future. These various surrounding uses could produce negative impacts such as noise, dust, traffic, odor and/or changes in views from your home.

Existing Residential. A builder or builders other than Lennar constructed homes on the east side of Cortona Way, and on the north and south sides of Carrara Street and Prato Street. Together, the Community and these other homes are sometimes referred to in this Disclosure Statement as "Siena Village." The other homes are subject to the same covenants, conditions and restrictions (i.e., "Declaration Of Covenants, Conditions, and Restrictions of Siena Village," also referred to as the "CC&R's") as the Community. Lennar has no control over and makes no representation regarding the ownership, occupancy, appearance, condition, maintenance or other aspect of these other homes. Single-family homes are also adjacent to and west and north of the Community, and east of the Community, on the east side of State Route 4 Bypass.

Cortona Park, an approximately 120-unit assisted living complex for seniors, is adjacent to and south of the Community and immediately adjacent to Homesites 84, 86, 88 and 90. There is a pedestrian and emergency vehicle access from the south end of Livorno Street (adjacent to Homesite 90) to Cortona Park and from Cortona Park to the adjacent commercial area (described below). Nuisances associated with Cortona Park and the pedestrian and emergency vehicle access may include, but not be limited to, noise, traffic and glare. Cortona Park will be visible from parts of the Community. The pedestrian and emergency vehicle access may impact the privacy and security of Community residents. The City of Brentwood, through the Conditions of Approval for Siena Village, requires that the presence of Cortona Park be disclosed to Buyers. Buyers should refer to the CC&R's for a disclosure regarding Cortona Park.

Existing Commercial. Commercial uses are south of the Community, on the north and south sides of Balfour Road, west of Highway 4. The closest commercial use is approximately 500 feet from the Community. The commercial uses currently include, but are not limited to, office buildings, restaurants, retail, medical buildings, and gas stations. Lennar makes no representation regarding current and future uses and hours of operation of the commercial uses near the Community. Nuisances associated with commercial uses may include, but may not be limited to, noise, fumes, smoke, odors, and traffic congestion, including from delivery truck traffic, at any hour of the day or night. For information about commercial uses near the Community, Buyers should contact the City of Brentwood Planning Department at the address and phone number above.

Parks. Small parks in and around the Community include, but are not limited to, the park at the north end of

Cortona Way adjacent to Homesites 26 and 28, the park on the northeast corner of Cortona Way and Carrara Street, and the park adjacent to and south of Homesite 1. The parks have been or are planned to be dedicated to the City of Brentwood which will own, operate and maintain them. Community homeowners will pay a portion of the cost of park maintenance through assessments levied against the Homesites Improvements in these parks include, among others, lawn areas, landscaping, benches, paths, children's play equipment, and picnic tables. Nuisances associated with the use and maintenance of the parks may include, but not be limited to, noise, dust and the presence of maintenance personnel. Landscape maintenance activities often occur early in the morning and may include the use of loud equipment such as mowers and weed cutters, any of which can disturb sleep. Maintenance equipment may also emit fumes and odors. The maintenance of the landscaped areas may involve the use of pesticides, herbicides and other potentially hazardous chemicals. Lennar has no control over the maintenance or use of the parks or actions of the maintenance personnel. Living near public use areas such as parks may impact Buyer's privacy and security. For information about these and other parks in the City of Brentwood, Buyers should contact the City of Brentwood Parks & Recreation Department, 35 Oak Street, Brentwood, CA 94513, (925) 516-5444.

State Route 4 Bypass. The part of State Route 4 Bypass known as John Marsh Heritage Highway is adjacent to and east of the Community. According to the State Route 4 Bypass website, the portion of State Route 4 Bypass from Lone Tree Way to Balfour Road is planned to be converted to a freeway with interchanges at Sand Creek Road and Balfour Road.

Nuisances associated with State Route 4 Bypass and/or the construction of future improvements may include, but not be limited to, noise, pollution, dust, vibration, glare, fumes, exhaust particles, night time construction lighting, construction traffic, traffic congestion and delays. Impacts from State Route 4 Bypass may be noticeable at all hours of the day and night and such impacts could disturb sleep and disrupt the quiet enjoyment of Buyer's home. Future improvements to State Route 4 Bypass could involve the construction of new or additional soundwalls near the Community and such walls could impact views within and from the Community and the visual appearance of the Community. The City of Brentwood, through the Conditions of Approval for Siena Village, requires that the current and future widening of State Route 4 Bypass be disclosed to Buyers. Buyers are directed to the CC&R's for that disclosure and to the "Noise Levels" section below for information about noise and mitigations associated with State Route 4 Bypass. For other information about the State Route 4, Buyers may contact State Route 4, 255 Glacier Drive, Martinez, CA 94553, (925) 686-0619, www.sr4bypass.org.

Irrigation Pipelines. The East Contra Costa Irrigation District ("ECCID") operates and maintains subsurface irrigation pipelines that are located beneath the service road adjacent to the rear and/or side yards of Homesites 1, 2, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 26, 27, 28, 46, 48, 49, 50 and 51. The service road continues south of the Community and ends at the northern terminus of John Muir Parkway. There are currently gates on the service road at Homesites 1, 26, 28 and 51, and a structure behind Homesite 51 that houses a pipeline control valve. ECCID also owns and services a drain line in the northeast portion of Homesite 51 over which ECCID has been granted an easement. The drain line currently connects to the storm drain in Massa Court. ECCID personnel may enter onto or into the service road, control value structure, or easement on Homesite 51 at any time of the day or night to construct, install, inspect, maintain, replace, remove, adjust, and use the irrigation pipelines, drain line, and related facilities. ECCID supplies irrigation water for agricultural, landscape and recreational use, and raw water for treatment and delivery to urban areas. Nuisances associated with the operation and maintenance of the irrigation pipelines, drain line and control valve structure may include, but not be limited to, noise, dust, and the presence of maintenance personnel at any hour of the day or night. Living adjacent to or near the ECCID facilities may impact Buyer's privacy and security. For information about the irrigation pipelines, the service road, the control valve structure, and the easement on Homesite 51, Buyers should contact the East Contra Costa Irrigation District, 626 1st Street, Brentwood, CA 94513, (925) 634-3544. Buyers are also directed to the "Easements" section below for information about the ECCID easement on Homesite 51.

**Fire Station**. The East Contra Costa Fire Protection District Fire Station #52 is approximately 1,000 feet south of the Community at 201 John Muir Parkway. There may be sirens, alarms and other noises from the fire station and emergency vehicles at any time of the day or night. Noises associated with fires stations and emergency vehicles can be very loud and can disturb sleep and disrupt the quiet enjoyment of Buyer's home. There is no representation made about Buyer's safety merely by the presence of the fire station. For information concerning the fire station, Buyers should contact the administrative offices of the East Contra Costa Fire Protection District at (925) 634-3400.

Railroad Tracks. Railroad tracks currently used by Union Pacific Railroad for freight operations are approximately 1.75 northeast of the Community. Union Pacific Railroad does not currently disclose the frequency of operations along specific track segments. Freight operations do not necessarily follow a specific schedule and the frequency and hours of the trains vary on a day to day basis. Trains are required by the Federal Railroad Administration to use a whistle/horn in the area of at-grade crossings. Nuisances associated with train operations include, but are not limited to, train noises and whistles, and traffic delays at railroad crossings. Train sounds and vibration can be very disturbing, especially at night, and may disrupt sleep. For information about rail operations, Buyers should contact Union Pacific Railroad, Public Affairs Office, (916) 789-5957.

**Future Development**. According to the City of Brentwood, as of April 2013 the City had approximately 243 single-family and 54 multi-family units under construction, 3,057 single-family units and 458 multi-family units approved but not yet under construction, and 240 single-family units proposed but not yet approved. Among the proposed residential developments is an approximately 232-unit project on the north side of San Jose Avenue and the west side of State Route 4 Bypass, around 2,500 feet north of the Community. Nuisances associated with the construction of these and other developments near the Community may include, but not be limited to, noise (including construction and traffic noise), dust, fumes, vibration, temporary interruptions of utility services, glare, construction traffic, and traffic congestion, delays and detours. The development of new residential units could impact school enrollment, air quality, and municipal services such as police and fire services. These impacts and nuisances may continue for many years. For information regarding development in the City of Brentwood, Buyers should contact the City of Brentwood Planning Department at the address and phone number provided above.

From: sukumar dash

**Sent:** Monday, April 24, 2023 1:22 PM **To:** webCityClerk; =yCouncil Members

**Subject:** Hwy 4 noise issue\_ Consent #14 public comments from

# CAUTION – EXTERNAL SENDER

Hello City staff,

Please include the attached copy as part of the complain from the community on Hwy 4 noise at Siena community.

1	Vame Kathern	2 Scott		
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	Medi-Cal Claim #:		Civil Servic	e #:
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From: sukumar dash

Sent: Monday, April 24, 2023 1:30 PM
To: webCityClerk; =yCouncil Members

**Subject:** Hwy 4 noise issue\_ Consent #14 public comments and concern from Dr Anita Bhatt

office regarding Sukumar Dash Health.

Attachments: Dr Anita Bhat letter.jpg

## CAUTION – EXTERNAL SENDER

Hello City staff,

Please include the attached copy as part of the concern from my doctors office that is affecting my health due to lack of good sleep at night.



Anita Bhat .MD
Diabetes & Endocrinology
Specialists

2182 East Street. Concord, CA 94520

PH: (925) 685-4228 FAX: (925) 685-6997

17 April 2019

To the honorable elected officials representing Brentwood: I am writing on behalf of my patient, Sukumar Dash, who lives near the recently completed highway 4 bypass. I am writing to implore you to consider noise reduction barriers for my patient and his neighbors. I can attest that the increased traffic noise has negatively impacted the health of Mr. Dash, and I would imagine other neighbors are similarly impacted. Please consider sound reduction strategies to help improve the quality of life for the people of your community.

Sincerely,

Dr Anita Bhat . MD

From:

To: <u>webCityClerk</u>; <u>=yCouncil Members</u>

Cc:

Subject: Fw: Noise Problem\_ Hwy 4\_Consent #14\_\_Public comments for April 25 2023\_ from

Brenwtood,CA

 Date:
 Monday, April 24, 2023 12:51:04 PM

 Attachments:
 Teila Moorer Noise Problem.docx

## CAUTION – EXTERNAL SENDER

Request to include in the public comment.

---- Forwarded Message -----

From: Teila Millner

To:

Sent: Monday, January 30, 2023 at 09:47:10 PM PST

Subject: Noise Problem

Dear Dash,

Attached is my letter regarding the noise problem in our neighborhood.

-Teila

Teila Moorer

January 30, 2023

Brentwood, CA 94513

To Whom It May Concern:

I am writing in regards to the noise level in my neighborhood that stems from the Highway 4 bypass. This particular highway has an exit offramp that is adjacent to my neighborhood. The noise level consists of the engines from vehicles on the freeway & getting off on the Balfour Exit, and the sirens of the various emergency vehicles that travel the road as well. These noises can be heard all day all night and cause us to not want to open our windows. This is definitely a quality-of-life issue as I fear that the noise is only going to get worse with the continued addition of more homes in this area. I would love to discuss ways in which we can rectify this problem.

Thank you for your consideration.

Sincerely,

Teila Moorer

From: Teila Millner
To: =yCouncil Members

Subject: Consent Item #14 Highway 4 Sound Wall Date: Tuesday, April 25, 2023 11:08:03 AM

## CAUTION - EXTERNAL SENDER

## To Whom It May Concern:

I am writing in regards to the noise that we constantly experience with living off of Cortona Way in Brentwood. The Highway 4 bypass is very close to our neighborhood & emergency sirens, vehicle traffic, revving engines, & large vehicular noises can be heard all throughout the day & night. I, along with others in my neighborhood, would love for the retaining wall to be restructured so that more noise cancellation can occur. This is a quality of life issue for me & my family.

Thank you for your consideration.

Teila Moorer

Brentwood, CA 94514

Sent from my iPhone

 From:

 \_\_yCouncil Members

 To:
 \_\_yCouncil Members

 Cc:
 \_\_webCityClerk

Subject: Fw: Loud noise Hwy 4\_Consent #14\_Public comments for April 25 2023\_ From Terrance

Brentwood.

**Date:** Monday, April 24, 2023 12:43:41 PM

## CAUTION – EXTERNAL SENDER

Request to include in the public comment.

---- Forwarded Message -----

From: Mike Tolliver

To: "

Sent: Thursday, February 2, 2023 at 08:09:55 AM PST

Subject: Loud noise Hwy 4

Hello dash

Terrence here writing you about the freeway noise, it's really loud especially when trying to sleep at night I really think a wall extension is needed here, I've considered moving due to the noise, I love the area just need it a little more quiet.

We need the wall! Terrence & Kesha

Sent from my iPhone