

From: [Meghan Adelman](#)
To: [Cyndie Martel](#)
Cc: [Z. Adelman](#)
Subject: 2 Crest Pool Addition Public Record - Notice Regarding the Establishment of a Private Road Maintenance Fund for this and all future projects
Date: Thursday, November 9, 2023 12:01:05 PM
Attachments: [image001.png](#)

Hello,

I am writing to bring to your attention a matter of significant importance that concerns the well-being, functionality, and safety of our community, specifically in relation to the upkeep and maintenance of the private road on Crest where we reside, and where this project is proposed. Before you greenlight another large construction project up here, residents need assurances that the Town of Ross will help facilitate a fund and take a percentage of the future project fees to repair and maintain the road that is a critical access point for all who live here.

We live at 1 Crest Rd. across the road from the Dewar's and understand they have a town council meeting tonight for approval of their pool project. While I am in full support of the owner's right to make whatever additions on their own property that they wish to do, I can no longer stand by and allow our family to be unduly targeted by many of the upper Crest Road neighbors for taking full responsibility for road repairs. This issue dates back to our project in 2018 and the history is far too much to go into detail here.

When we moved here and completed our own project in 2018, Crest Road was in severe disrepair and had not been repaved for 25 years. Since then, I personally took charge of organizing contentious neighbors to contribute \$8500 per household for a repaving project with Maggiora & Ghillotti when MMWD ripped up the road to place new pipes. At that time, we tried to establish a road maintenance fund and asked the Town for help, which of course was denied because it is a "private" road. Neighbors here are constantly at odds, much to do with construction projects and the unique implications to our access road.

Despite my act of goodwill for the neighborhood, and after rare and significant atmospheric rivers last year, there was a landslide in front of our house onto the Pickart's property at 70 Baywood. Over the last 40+ years no one ever maintained the sides of the road in front of where we live, nor the ineffective storm drain downhill from our property at the base of 7 Crest which had been buried under at least 10 inches of soil for decades. Our water drainage plan for our project got the stamp of approval by the town and our structural engineer verified that it was the nature of catastrophic storms that led to the landslide, not the placement of drainpipes down the front of our property (I have a written letter confirming this). Yet, after neighbors started their usual blame game pointing responsibility elsewhere, the Adelman and Pickart family covered the cost of repairs to the tune of \$24k on our own because it had to be repaired quickly and restored for all of our use in a timely manner. We had also stipulated for curbs to be put at the downside of the road edge when we did the repaving project, but right before we were set to begin the work, the Town intervened and said we would need additional water and structural consult before we could do that, which would have severely jeopardized the timeline of the paving project. It was decided last minute not to add curbs and incur the additional costs of further consultation because it was hard enough to pull the money

together from each neighbor. However, the structural engineer who came to evaluate the slide stated that had there been curbs in place, a landslide would likely not have happened. This demonstrates how the Town plays both sides, doesn't want responsibility for the road but then interferes with sensible plans to improve the road experience for all who live here.

Two additional points about the ambiguity of responsibility for repairs of this road are:

1. Given that the Dewar's home virtually did not exist before 2016 when we started our project and had our plans approved, not surprisingly we witnessed substantial water runoff from 2 Crest that flowed directly into the same "trench" area that overflowed over the road contributing the slide. I have a video to show this. Also, water flows downhill so there was water coming from everywhere, not just 2 Crest.
2. For the last several months there have been dozens of large construction vehicles, bulldozers, earth movers, cranes, etc. traveling all the way up Crest Road from the mailboxes on their way to the 10 Crest project, which because of the uniqueness of our road, falls into the San Anselmo side and was approved by the Town of San Anselmo. The sheer volume of these vehicles continues to chew up the pavement and place undue stress on an already narrow roadway where the slide occurred.
3. This new project will no doubt have a significant impact on the road because of the amount of earth moving and digging that will need to occur. This will cause more of the same, and erosion to an area that continually gets wrongly placed under the 1 Crest Road realm of responsibility.

To address this issue and ensure the longevity and safety of our private road, it is imperative that we establish a dedicated fund for road maintenance. This fund needs to be available for repairs, resurfacing, and any unforeseen emergencies, like historic atmospheric rivers, that may arise in the future. All new projects need to contribute to this fund, in addition to each resident paying an annual fee to preserve the investment we made a few years back. The Town must participate in this because the level of discontent up here makes coming to an agreement impossible. If the town could hold these fees in escrow on the neighbor's behalf, and work in conjunction with the Town of San Anselmo for the sole purpose of maintaining this shared road, that would help enormously.

It is not the responsibility of one or two neighbors, and in our case over the history of living here at 1 Crest Road, to solely be financially responsible for the one stretch of the road that is virtually used by every neighbor except for three homes, on this hill, where conversely, we do not use any of the upper part of the road that we also contributed equally to repaving. The proximity of our home to this consistently used stretch of road does not make us culpable for repairing it all the time when the Town is consistently allowing for more construction without oversight.

Thank you.

Be Well,



Leadership Council, [CA Nurses for Environmental Health & Justice](#)
Co-founder/Wellness + PR/Outreach [Navitas Organics](#)
Co-creator [Futurewell](#)

415.328.2314

IG/Twitter @megadelmann