

From: Daniel Rothman <dbrmus@aol.com>

To: frallya <frallya@mac.com>

Cc: murez <murez@venice.net>; barbaralbaumann <barbaralbaumann@gmail.com>; sakaplan <sakaplan@ca.rr.com>; sarah.dennison <sarah.dennison@venicenc.org>; dbrmus <dbrmus@aol.com>

Subject: Motion to be made concerning "Outsider Developers"

Date: Wed, Nov 20, 2013 7:03 am

Dear Barbara, Frally, Sue, Sarah and Jim,

I attended last night's meeting and made a general comment about the issue we have been discussing and would like to make the motion outlined below, with this thread of correspondence to submit for review of my motion.

best,
Daniel

Motion to form an ad hoc committee of Outsider Developers:

To form an ad hoc committee on Outsider Developers (“individuals and/or incorporated entities that have no community stake other than for their own economic gain”) examining how such activities can disregard the health and safety of its residents, propose best practices and compliance incentives.

Motion Title: Committee on Outsider Developers

Announcement (20 words):

To form an ad hoc committee on Outsider Developers, to study their effect, propose best practices and compliance incentives.

file selected includes all correspondence below:

923 Nowita Place
Venice, CA 90291
November 19, 2013

Jill Leanse & Lauren Siegel
DIA Group, LLC
556 Dryad Rd.
Santa Monica, CA 90402

Dear Jill and Lauren,

As I mentioned, the entire neighborhood has been very upset about the amount of dust everywhere and therefore the AQMD was contacted following the advice of a Venice Neighborhood Councilmember (quoted below), whose inspector, Jentry Kears, you met on Tuesday. Mr. Kears called me after his discussion with you, reporting how he had explained that concrete dust is hazardous and the rule is “it cannot cross the property line.” He repeated what I had stated about using misters and advised us to “get rid of it immediately — we don’t want to be breathing that stuff in.” Furthermore, “it’s very corrosive to car surfaces.” Because I could not wash my car every day and it is parked behind my house, it is quite covered.

In spite of the evidence that can be seen and all of our documentation, a citation can only be issued if you are caught jackhammering. Although the complaint was made after the fact it’s a signal to take our concerns seriously. You had asked what you and your contractors can do and I think it is fair that you meet with all of your neighbors

together to address our concerns; those whose email addresses I have are provided below so that can be arranged.

As jackhammering began approximately October 21, our issues include how to mitigate the damage already done to health and property. The extensiveness of the problem suggests that an environmental management company should be contracted to rehabilitate the area.

Sincerely,

Daniel Rothman

VNC:

“The developer that is remodeling next to Daniel does not seem to be complying with dust control. All the plants in the front of this property and the neighbors were covered with what looked like concrete dust. Besides the issues Daniel spoke about in his emails, concrete dust has high levels of lime. Over time this can kill plants if it is not washed off the plants. As I recall it will start to turn all the leaves yellow. Someone might want to hose them off. I think the AQMD inspector can only site the developer if he sees the problem at the time it is occurring. He will not go by hearsay or the condition on the leaves. He MUST notice the violation occurring for himself. But leaving the leaves covered with dust will help him/her understand that the problem is not a one time occurrence so I would wait until after the inspector has a chance to view the condition first hand.”

Daniel Rothman dbrmus@aol.com; Barbara Bauman barbarabaumann@gmail.com; Frally Hynes frallya@mac.com; Christopher Root curryroot@verizon.net; Mary Portser portsera@verizon.net;

Separate item

text messages: (310) 597-6736 (Wade@Pitzer) alternating with (310) 384-1984 (Daniel Rothman, neighbor)

(310) 597-6736 11/5/13 11:46 AM

This is wade w Pitzer. The jack hammer will need to go rest of day as not to need it tomorrow.

(310) 384-1984 11/6/13 9:09 AM

Really, how long will it be?

(310) 597-6736

They are saying full day today

(310) 597-6736 11/11/13 9:50 AM

This is Wade at 917 Nowita. We have a crew scheduled for concrete cutting and jack hammer inside the building tomorrow starting at 9 AM and will be on site all day. Just wanted to give a heads up.

(310) 384-1984 11/11/13 11:27 AM

Thanks

(310) 384-1984 11/12/13 3:34 PM

Thanks for the screen

(310) 597-6736

No problem. We will indortunately (*sic*) be at it tomorrow also. Ran into unforeseen problems in the concrete

(310) 384-1984 11/14/13 8:51 AM

Hi Wade, is there an ETA for this?

(310) 597-6736

We are trying to finish up with jack hammer today but there is a potential for tomorrow also.

(310) 384-1984 to (310) 663-9040 (Lauren Siegel, DIA Group, LLC) 1:12 PM

Lauren, what's going on at 917 is insane. Day after day of jackhammering.

-----Original Message-----

From: FRALLY HYNES <frallya@mac.com>

To: Daniel Rothman <dbrmus@aol.com>

Cc: murez <murez@venice.net>; barbaralbaumann <barbaralbaumann@gmail.com>; sakaplan <sakaplan@ca.rr.com>; sarah.dennison <sarah.dennison@venicenc.org>

Sent: Tue, Nov 19, 2013 4:41 pm
Subject: Re: 917 Nowita Place tuesday letter to DIA

Hi,

My daughter went to a prominent asthma/allergist today who confirmed that dust particles were the main reason for the inflammation in her lungs and the subsequent asthma attack. She had to go to the ER, take oral steroids and miss over a week of school.

Frally

Sent from my iPhone

On Nov 19, 2013, at 4:28 PM, Daniel Rothman <dbrmus@aol.com> wrote:

Hi, sorry, attached is a slightly better letter. see you later, Daniel

-----Original Message-----

From: Daniel Rothman <dbrmus@aol.com>
To: murez <murez@venice.net>; barbaralbaumann <barbaralbaumann@gmail.com>
Cc: frallya <frallya@mac.com>; sakaplan <sakaplan@ca.rr.com>; sarah.dennison <sarah.dennison@venicenc.org>
Sent: Tue, Nov 19, 2013 3:14 pm
Subject: 917 Nowita Place tuesday update

Dear Jim, Barbara, Frally, Sarah and Sue,

An AQMD person visited the site at 917 Nowita today and met the owners and contractor, who happened to be there. Afterward, he (Jentry Kear) called to report that they told him it was only a few days before the weekend, and I corrected that by saying it had been ongoing for more than 3 weeks. Nevertheless, he corroborated what Jim said below, and that misters are routinely used to keep dust from crossing the property line. I have drafted the attached letter, which I think we should discuss this evening, to act quickly on so that they can clean the area.

best, Daniel

-----Original Message-----

From: murez <murez@venice.net>
To: 'Barbara Baumann' <barbaralbaumann@gmail.com>
Cc: frallya <frallya@mac.com>; 'Daniel Rothman' <dbrmus@aol.com>; 'Sue Kaplan' <sakaplan@ca.rr.com>; sarah.dennison <sarah.dennison@venicenc.org>
Sent: Sun, Nov 17, 2013 7:54 am
Subject: RE: Nowita....

Yea, I took a bike ride with Melanie to look at the condition first hand. What I saw was a lot of opportunity for buyers. People looking at or moving from Brentwood, Palisades, Westwood or other middle to upper class neighborhoods see these older houses as fixer-uppers and a target for a good deal. Basically they grab them at land value and unless they are a very special type of person, they will be told by their architect it is cheaper to start from starch than to remodel.

I also noticed some fences that are totally out of place. Over eight feet high although made of plants they really change the walk street experience.

The developer that is remodeling next to Daniel does not seem to be complying with dust control. All the plants in the front of this property and the neighbors to the west were covered with what looked like

concrete dust. Besides the issues Daniel spoke about in his emails, concrete dust has high levels of lime. Over time this can kill plants if it is not washed off the plants. As I recall it will start to turn all the leaves yellow. Someone might want to hose them off... but wait, I think he was going to call the AQMD. The inspector can only site the developer if he sees the problem at the time it is occurring. He will not go by hearsay or the condition on the leaves. He MUST notice the violation occurring for himself. But leaving the leaves covered with dust will help him/her understand that the problem is not a one time occurrence so I would wait until after the inspector has a chance to view the condition first hand.

As far as your neighbor meeting, the only suggestion I would make is look at the Specific Plan section for your neighborhood. Reread the development conditions and see how if you applied them to the projects you don't like how the words might need to be rewritten to eliminate the problems. You are not going to be able to stop development nor stop the shitty builders but maybe future projects will conform more closely with your visions. (Although what I saw in new development, although larger than the old bungalow homes seem to fit right into the eclectic nature of this very special street.... None were crappy stucco boxes but rather works of art.)

On another note, I suggested to Daniel and I will to you to, get to know your Senior Lead Officer from LAPD. He/She can help with a lot of the disturbance issues. These officers will tell the workers they are making too much noise or creating too much dust and they need to cut it out. I don't think they will issue violation tickets but they will keep record of the disturbances. If you then have to file an action, you will have a third party record of the problem and them having been warned.

I've attached a couple of sheets about the Senior Lead Officers (also called Basic Cars). I think your area is served by KRISTAN DELATORI in car 14A13. She is a wonderful person and a great resource if you have not already gotten to know her. I would send her an email or call her cell phone. She will respond the next time she is on duty.

--Jim

From: Barbara Baumann [<mailto:barbaralbaumann@gmail.com>]
Sent: Saturday, November 16, 2013 4:33 PM
To: Daniel Rothman; murez@venice.net
Cc: frallya@mac.com
Subject: Nowita....

Jim...thx so much for your info and insight re 917 Nowita...wish I had known you were over here...we're 914...next time, stop by...neighbors are meeting tomorrow...thx, Barbara

Sent from my iPhone

On Nov 16, 2013, at 3:59 PM, Daniel Rothman <dbrmus@aol.com> wrote:

us, too. meanwhile the sidewalk separating us is laid and will still be setting.
Would be nice if we can sit on one of your porches to discuss it. Jim Munz called me from the sidewalk in front of 917 and said if that much jackhammering was done, they should have been using misters to keep the dust from being airborne. see you tomorrow at 10:30am.

-----Original Message-----

From: FRALLY HYNES <frallya@mac.com>

To: Barbara Baumann <barbaralbaumann@gmail.com>

Cc: Daniel Rothman <dbrmus@aol.com>

Sent: Sat, Nov 16, 2013 10:25 am

Subject: Re: This Week's News from Venice Neighborhood Council

Good for me! Thanks for your insight Dan.

Sent from my iPhone

On Nov 16, 2013, at 10:17 AM, Barbara Baumann <barbaralbaumann@gmail.com> wrote:

good for you, daniel....how about meeting tomorrow/sunday morning in front of 917 to discuss at 10:30am?....frally's daughter ended up in the hospital this past week....may be related?....thx!

barbara b/events & pr...

Barbara Baumann

barbaralbaumann@gmail.com

310.821.1857 office

310.569.7991 cell

Event Producer: Venice Garden & Home Tour,
benefiting the Neighborhood Youth Association

Saturday, May 3, 2014

www.venicegardentour.org

On Nov 15, 2013, at 8:31 PM, Daniel Rothman wrote:

Hi Jim, and thank you for introducing yourself.

I have tried to work through the agencies you suggested and, predictably, with no success. But you are also correct about the fundamental issues regarding the balance between development and quality of life. Without quality of life, development benefits only the people who come in to flip, not those who live here as we have for 30 years (well, me 25). But we know that building codes that allow for bigger and bigger buildings, and variances which allow buildings to be closer to the property line create unhealthy scenarios for residents who must endure those effects. The building situation I'm complaining about is a major recondition, not the "simple" demo" of a 700 sq ft house over a crawl space — and yes, they've pulled the proper permits. So in essence we're talking about a situation not unlike Santa Monica Airport that now services corporate jets. Venice is allowing developers similar carte blanche only because it wants to be Silicon Beach, but

that's not realistically sustainable and those who live/work here deal with it not for the 6 or 7 month timeline of one project but continuously from the many different autonomous projects by which we are surrounded. Soon this one will be competing with another two houses away that promises to be similar in scope. How much can this community endure?

I believe that developers must respect residents' rights, which we, as a community, must concretely spell out and then make them accountable if they want to build houses for our future residents. That is the difference between being responsible and predatory, and if governing bodies have any interest in protecting its communities, it begins here. We must not only set those limits but be able to legally enforce them, and that is why we need our Councilperson to support us.

thank again,
Daniel

(310) 384-1984 (Orwell)

-----Original Message-----

From: murez <murez@venice.net>

To: 'Daniel Rothman' <dbrmus@aol.com>

Cc: 'Linda Lucks' <president@venicenc.org>; lupc <lupc@venicenc.org>; 'Helen Stotler' <communications@venicenc.org>; 'Cecilia Castillo' <cecilia.castillo@lacity.org>; environment <environment@venicenc.org>

Sent: Fri, Nov 15, 2013 5:53 pm

Subject: RE: This Week's News from Venice Neighborhood Council

I would like to introduce myself, I'm a member of our Venice Neighborhood Council, Land Use and Planning Committee. I'm also a 30 year resident of Venice and a licensed California Contractor.

From your description of the work that is being done, it appears as though you have several issues. I am going to assume you already contacted 311 or went online and filed a complaint with LADBS.org. This is the Building and Safety web site.

So let's assume for the moment that has not done any good. Air quality is an issue for the South Coast Air Quality Management District (AQMD) on the web at www.aqmd.gov. If you report the dust issue that you described, they will send out an inspector that can shut down the project or require them to contain the dust. It only takes a little bit of water spray to fix the problem.

The noise issue can be addressed by calling LAPD. Not sure if you should call 911 or not... that would be your call based on how crazy you feel about the noise. If in deed the developer is using gas powered generators or jack hammers there are restrictions on the noise level hat are allowed to be. The leaf blower ordinance addressed both gas powered tools and dust.

If they really taking three weeks to demo the existing foundation, there is something wrong with the methods the contractor is using.

I'm being called to dinner. Got to go but would be happy to speak to you for a few minutes on the telephone tomorrow if you think it would help.

Sincerely,
Jim Murez
310-399-1490

From: Helen Stotler [<mailto:communications@venicenc.org>]
Sent: Friday, November 15, 2013 11:10 AM
To: lupc@venicenc.org
Cc: Linda Lucks
Subject: Fwd: This Week's News from Venice Neighborhood Council

Hi LUPC,

You might want to look into this too...

Best, Helen

----- Forwarded message -----

From: **Helen Stotler** <communications@venicenc.org>
Date: Fri, Nov 15, 2013 at 11:09 AM
Subject: Re: This Week's News from Venice Neighborhood Council
To: Daniel Rothman <dbrmus@aol.com>
Cc: "environment@venicenc.org" <environment@venicenc.org>, Cecilia Castillo <cecilia.castillo@lacity.org>, Linda Lucks <president@venicenc.org>

Hi again,

I am also copying Cecilia Castillo in Councilmember Bonin's office and you might want to report this to the L.A. Building and Safety Department (call 311 or use myla311 app).

Good luck,
Helen
<

<Jill-followup.docx>