



September 17, 2014

Margaret Smith, Chair
Members of the Planning Commission
Town of Los Gatos
110 E. Main Street
Los Gatos, CA 95030

RECEIVED

SEP 17 2014

TOWN OF LOS GATOS
PLANNING DIVISION

RE: Hillbrook School Letter of Justification

Dear Chair Smith and Members of the Planning Commission:

We are writing on behalf of the Hillbrook School (Hillbrook) with respect to our request for a modification to our Conditional Use Permit ("CUP") that the Planning Commission will be considering at its hearing on September 24, 2014 ("Project").

I. Executive Summary

In direct response to our neighbors' concerns about Project impacts on the local streets, we have refined our proposal. The following provides an overview of its key elements:

- Enrollment: Increase from 315 students to 414 students.
- Average Daily Count (ADT): 960 average daily vehicles (480 each way) entering and exiting the campus.
- AM/PM Peak Periods: Reduction in our AM/PM peak period maximum of outgoing vehicles from 165 to an average of 150 vehicles during drop-off/pick-up periods.
- Summer: 480 average daily vehicles (240 each way), half of the regular school year average and no summer evening events.
- TDM Program: Implement mandatory TDM program with a bi-annual reporting requirement to the Town.

- Enforcement: The Town will engage a third party, independent consultant to determine compliance with the trip cap averages based on the driveway sensor data.
- Penalty: Escalated penalty system starting at \$1,000 per trip in excess of the daily, AM or PM average, with subsequent periods of non-compliance increasing to \$5,000 and then \$10,000 per trip, with a reset to \$1,000 per trip after a return to compliance.

II. **Background**

A. Hillbrook History

Hillbrook was founded more than 75 years ago and offers an extraordinary educational experience that prepares students for school and for life. Originally known as The Children's Country School, the school served as a boarding school for wards of the state throughout the 1930s and 1940s. In the early 1950s, the school evolved into an independent day school and, in 1960, changed its name to the Hillbrook School.

Hillbrook now educates children between the ages of 4 and 14 from Junior Kindergarten to 8th grade. Hillbrook is non-sectarian, accredited by the California Association of Independent Schools, and a member of the National Association of Independent Schools. Since the 1950s and 1960s, the school has evolved into one of the leading independent schools in the Bay Area.

During the past 13 years, the school campus has been rebuilt and modernized, retaining its historical look and feel while bringing the school facilities up to date. The campus itself is 14-acres and bisected by a creek that divides the lower and middle school sides of campus. (See Exhibit 1.) The school's program also has evolved and expanded, balancing rigorous academics with a focus on social emotional learning and service to the community. The school is a vital part of the Los Gatos community, not only providing an education to many families who live in Los Gatos and surrounding communities, but also through the service efforts of our students and families.

B. CUP History

Hillbrook's original CUP was approved in the late 1980s when the school sought to build Founder's Hall, the school's gymnasium. To address neighborhood concerns that the Hall might be used for weddings and similar social activities, Hillbrook agreed to limit Founder's Hall usage to school activities and to build a new access road and gate off of Ann Arbor to provide emergency vehicle and limited construction equipment

access to the middle school side of campus. This gate remains locked at all times and has never been used for student ingress or egress to the campus. The school also agreed to limit enrollment to 315 students.

In 2001, the Town approved the Hillbrook School Master Plan and Architecture and Site Approval application (PRJ-99-063) for the rebuilding of certain campus facilities that had become dilapidated and were not earthquake safe. As part of this approval, new CUP conditions were added to address neighborhood concerns about traffic backing up along Marchmont Drive. The school agreed to adopt a voluntary carpool program and to limit car counts to 165 outbound vehicles during the AM/PM peak periods (7:30-8:30 am and 2:30-3:45, respectively). Since these conditions were adopted, the Town has undertaken bi-annual traffic counts and Hillbrook has been in complete compliance with the 165 outbound limit.

The Hillbrook School Master Plan allowed for a total of 55,715 square feet of buildings. Since obtaining that approval, Hillbrook has renovated, rebuilt or replaced most of the buildings on site, for a total of 52,683 square feet (with 5.4% of allowable square feet remaining). Hillbrook, therefore, has ample capacity on its 14-acre campus to accommodate the additional students.

III. Why Increase Enrollment?

As noted above, since 1987, our enrollment has been capped at 315 students. However, philosophies as to how best to educate elementary and middle school students have changed dramatically in the past 27 years. As a result, Hillbrook cannot meet the demands of a 21st century, nationally recognized, independent school if it is not permitted to grow and thrive. Specifically, the current 315 student cap does not allow Hillbrook to: 1) enroll enough children to have uniform classes of 18-20 students across all grades, which is optimal; 2) enroll enough children to meet the current demands of academic differentiation and to optimize social/emotional development; and 3) have the financial flexibility to continue to expand and grow its curricular offerings and tuition assistance program. We merely are seeking the flexibility and agility in our enrollment process that is critical to address our students' educational needs. At present, Hillbrook turns away applicants, many from Los Gatos, every year. Los Gatos public schools currently are bursting at the seams and will be even worse with the anticipated growth in Town over the next few years. Consequently, leaving empty seats in a local school with space to fill does not make sense given the Town's current circumstances.

A. Uniform Class Sizes of 18-20 Students

We believe, as do many other independent schools and the State of California, that the ideal size for our classes is 18-20 students. This size has been found to be small enough to ensure that students receive individual attention, while still allowing for collaboration, teaming, and the stimulation that is critical to young children's emotional and intellectual development. Currently, with two sections per grade, Hillbrook finds itself with many classes that are too small. The problem is that the current enrollment cap does not correspond to a logical enrollment model, resulting in grade levels that wildly fluctuate in size. Last year, for example, because of the enrollment cap and a lack of attrition in other grades, we ended up with only 23 students in Kindergarten. While other schools in our area are over-crowded, we ended up with an empty classroom for the entire year. This year, that Kindergarten class will be two sections of 1st grade at 11 and 12 students each, which is not a desirable class size for students to have adequate academic and social peers. And, due to the current enrollment cap, this class will be confined to this size all the way through 8th grade. The result is that teachers and classroom space are underutilized, and parents are concerned that their children will not have a sufficiently active and challenging environment for 1st grade and beyond. This enrollment constraint does not benefit the school, the children, or the Town of Los Gatos. (See Exhibit 2.)

B. Programmatic Differentiation and Social/Emotional Development

First, an increase in students will allow for Hillbrook to diversify its programmatic options. A significant change we have seen in education over the past quarter century is the ability to provide curricular innovations that achieve a more effective and desirable program for middle school students. Today, public, private and parochial schools across the country offer far greater course selection than has ever been seen before. Hillbrook, with its current constraints, struggles to effectively provide this curricular variety to students. In the past, Hillbrook offered one or (at most) two levels of math in the middle school, allowing the class to split into two sections. For example, a 7th grade with 36 students would be divided into two sections of 18 students for math classes. Now, to better meet the evolving educational needs of students and the increasing expectations of families, Hillbrook offers at least three levels of math, ending with pre-algebra, algebra and geometry in 8th grade. With only 36 students in the grade, this can lead to a math section with only 6 or 7 students. By way of another example, foreign language is even more challenging. Like other leading independent schools, Hillbrook currently offers the option of Mandarin and Spanish in middle school. Increasingly, we are seeing a need to create advanced sections in both languages yet, given our overall enrollment, we may have only 3 or 4 students who are prepared for the advanced courses.

Regrettably, it is both economically and academically infeasible to offer an advanced course, whether math or language, to only a handful of students.

Second, it is well-recognized that middle school students need a rich and varied social environment in order to thrive. Therefore, the tiny classes noted above do not provide the opportunities for the adequate collaboration or sufficient peer interaction that is necessary for students to reach their full developmental potential. Other leading independent schools in the Bay Area, including St. Andrews School and the Harker School in San Jose, have recognized the need for a larger critical mass of middle school students and have grown to better meet the needs of their students.

These are just two examples of the struggles we face resulting from the 315 student enrollment cap, with many other examples in the core curriculum, arts, athletics, and electives. With an additional section of middle school students, Hillbrook can better meet the evolving academic needs of students by providing more robust and effective course offerings, while providing the necessary critical mass of peers to enrich students' social experiences, as well.

C. Financial Health and Diversity

An increase in students will ensure our program remains affordable, accessible and inclusive to a socioeconomically diverse community. Since 1935, Hillbrook School has served students from all different socioeconomic backgrounds. The school deeply values being accessible to families with diverse economic circumstances and does everything in its power to remain affordable to these families for whom tuition is a stretch. For example, about twenty percent of Hillbrook families receive tuition assistance, with some families receiving up to 90% of the overall cost. In total, Hillbrook is providing nearly \$1 million in financial assistance to families this academic year. Yet, the current enrollment cap, coupled with the evolving demands required to provide an extraordinary educational program, is driving Hillbrook's tuition higher and higher. We strive to attract top teaching and administrative talent to further our educational mission. This requires being competitive in the marketplace. Consequently, an increase in enrollment for the school would allow Hillbrook to keep tuition manageable, stay accessible, and offer a robust program that meets the current demands of families and students.

Two important facets of our request must be emphasized. First, the additional students can be accommodated in existing classrooms and buildings on campus. We will continue to be good stewards of our 14-acre campus and protect the resources we enjoy; therefore, **we are not seeking any additional building square footage to**

accommodate this enrollment increase. Our campus has the capacity to educate many more students than our enrollment cap allows. We have a plan in place to utilize the existing square footage to accommodate the entirety of a 414 student population. By way of illustration, Exhibit 3 shows the excess classroom capacity for grades 5-8.

Second, our request does not mean that we would immediately add 99 students in the next school year. We will spend 3 to 5 years carefully adding students so that our school can continue to provide the community aspect that has always been a cultural hallmark at Hillbrook.

Put simply, we are seeking the flexibility and agility in our enrollment process that is critical to address our students' educational needs. Allowing Hillbrook to add an additional section of students in grades 6th through 8th means that, for the first time, local families would enjoy the option of enrolling in Hillbrook for just the middle school years, instead of starting at Junior Kindergarten. This flexibility will provide a better learning environment for our current students by allowing for more robust academic choices, more co-curricular activities, and better social interactions between students. It also will provide another excellent option for middle school students in the Town. **Our proposed enrollment cap of 414 makes sense educationally and programmatically, and it will allow our nonprofit institution to be sustainable over the long term.**

IV. Our Project

A. CUP Amendment

As discussed above, Hillbrook seeks a very specific modification to its existing CUP to increase enrollment from 315 to 414 students, with proposed conditions of approval to address neighborhood concerns. Section 29.20.305 of the Town's Code provides that these CUP modifications are "heard anew and the deciding body may impose new conditions or modify previous conditions." However, as noted in the Final Environmental Impact Report ("FEIR") for the Project, the Town's discretion is limited by constitutional principles requiring that there be a nexus between the impacts of the Project and its conditions of approval, such that any conditions imposed must ameliorate the actual amount of harm that would result from the Project. As stated in the FEIR, "[a]lthough the Town may impose new conditions pursuant to Section 29.20.305, such an action does not permit the Town to revisit the wisdom of prior decisions to grant the existing [CUP] in the first place. Town staff is unaware of any potential harm that the proposed [CUP] amendment would cause that would support many of the [neighbors'] proposed conditions." (FEIR, page 8.5-18.) Consequently, it is

important that the Planning Commission recognize these important legal principles during its deliberations.

B. Project Consistency

1. *Zoning*

Hillbrook is located on a 14-acre parcel in a Hillside Residential (HR-1) zone. HR zones allow for a number of permitted uses, as well as some conditional uses. Hillbrook operates as a conditional use under the HR zoning and, as such, is an appropriate use under the Town's Code pursuant to its CUP.

2. *General Plan*

A project is consistent with a general plan if it is compatible with the plan's objectives, policies, general land uses, and programs and will not obstruct their attainment. Hillbrook is located within the General Plan's Hillside Residential designation and, as such, the school use is consistent with and allowed under this designation. In addition, the Project is consistent with a number of key General Plan goals and policies, including, but not limited, to:

Human Services Element

- Goal HS-4 To offer a wide range of youth programs and services within the Town.
- Policy HS-4.2 Coordinate with public and private schools, local nonprofits, service clubs, and other agencies to provide opportunities for youth to explore and enjoy sports, creative and performing arts, and future career paths.
- Policy HS-7.2 Promote the Safe Routes to School program, which supports safety improvements that encourage safe walking and bicycling to school.
- Policy HS-7.3 Coordinate with local businesses, organizations and school districts to develop innovative programs, such as "Walking School Buses" and "Bicycle Trains" that encourage youth to commute to and from school in groups.

Transportation Element

- TRA-1.1 Development shall not exceed transportation capacity.
- TRA-9.6 Require development proposals to include amenities that encourage alternate forms of transportation that reduce pollution or traffic congestion as a benefit to the community.
- TRA-9.2 Encourage bicycling and walking as energy conserving, non-polluting alternatives to automobile travel.
- TRA-5 School Pool Program. Implement a School Pool Program that helps match parents to carpool students to school.

Open Space, Parks, and Recreation Element

- Goal OSP-2 To preserve open space in hillside areas as natural open space.
- OSP-2.1 Preserve the natural open space character of hillside lands, including natural topography, natural vegetation, wildlife habitats and migration corridors, and viewsheds.
- Goal OSP-5 To create and maintain open space areas and parks that enhance and blend into existing natural habitats, residential neighborhoods, and other Town features.

V. Our Refinements

A. Overview

Buoyed by the DEIR's findings of our Project's less than significant impacts, we worked with our neighbors, traffic engineers, and the Town to refine a set of conditions that allows the school to increase its enrollment while ensuring that we control our traffic on neighboring streets. We have developed a system based on three equally important prongs that function together to guarantee our compliance with an amended CUP—monitoring, TDM, and penalties. We call it the “three-legged stool.” The first leg is comprised of the proposed trip caps for the AM/PM peak periods and daily trips, which the Town will monitor through an independent, third party vendor. The second leg is comprised of the mandatory TDM program, which will require parental commitment in the form of carpooling, shuttling, walking or biking. Lastly, the third leg provides the “teeth” in the way of penalty protocols for non-compliance. Attached as Exhibit 4 is a memorandum from Nelson\Nygaard that further discusses the mechanics of our proposal, as well as other traffic-related issues.

B. Average Daily Traffic (ADT) Count

The most important new element of our CUP proposal is the addition of an ADT count. Certain neighbors have expressed concern about solely relying on AM/PM peak period controls because of the traffic that can occur throughout the whole of the day. In direct response to this concern, we developed an ADT count of an average of 960 vehicles per day (or 480 vehicles each way). This ADT count was derived in collaboration with the Town's Engineering Department, who blended the ITE rates for private K-8 and K-12 schools. When this blended rate is multiplied by 414 students (2.68×414), the result is an ADT of 1,108 trips, making Hillbrook's proposed ADT count of 960 vehicles a 13% decrease from the blended ITE number calculated by the Town.

As one can see, our 960 ADT count falls below numerous metrics relied upon or discussed for informational purposes in the DEIR. First, the DEIR includes analysis for informational purposes that relies on the Traffic Intrusion on Residential Environments index (TIRE) to measure the Project's qualitative traffic impacts to nearby residential streets. Based on the analysis done by the Town's traffic consultants, the DEIR concludes that, and the FEIR confirms, the implementation of the Final TDM Plan would be sufficient to reduce Project-related traffic increases to below the TIRE index's noticeability threshold levels. The noticeability threshold is triggered at an ADT of 1,114 trips (557 each way); thus, Hillbrook's proposed ADT count of 960 is significantly lower.

Second, Table 4.3-11 in the DEIR indicates that the Project would generate 276 daily trips, which is equivalent to a trip generation rate of 2.79 trips per student. The application of this rate to the proposed 99 student increase would result in 1,155 daily trips, almost 200 more trips than the proposed 960 ADT count or a 17% difference.

Third, pursuant to the Town's Traffic Calming Policy, total traffic volumes on a local residential street would have to exceed the established daily traffic volume threshold of 1,500 trips to justify the Town's consideration of traffic calming measures. This 1,500 daily trip threshold is 540 trips or 56% higher than our proposed 960 ADT count.

In sum, Hillbrook's proposal of a 960 ADT falls well below the applicable industry standard metrics and relevant equivalents, which means that **Hillbrook's traffic is not excessive for the neighborhood**. We do not trigger anything close to a significant traffic impact based on the Town's LOS standards. We fall well below the Town's calculation for a blended ITE rate, below the TIRE index threshold for noticeability on a residential street, and far below the Town's Traffic Calming threshold for local residential streets. These are the objective tools that the Planning Commission and

Town Council must rely on to make determinations about any project's actual traffic impacts. These tools do not change because a street is a "dead end" or if a school is a conditional use. These metrics ensure that the Town's decision-makers have objective, reasonable means by which to assess impacts. **The fact that Hillbrook causes no significant impacts and the 960 ADT count is well-below industry standards should serve as compelling justification that our proposal is rational and achievable**, especially when considering the ongoing success of our trip reduction strategies.

C. Transportation Demand Management (TDM)

The next critical component of our proposal is the implementation of a mandatory TDM program that will allow Hillbrook to manage its traffic impacts by requiring parents to commit to trip reduction in a number of different ways. (See Exhibit 5.) This Final TDM Plan prepared by Nelson\Nygaard recommends a menu of strategies that will reduce peak hour vehicle trips and daily trips in accordance with our proposed trip caps. TDM strategies work as a package, with options and incentives working together to control behavior. For the past couple of years, we have piloted shuttles, which include kiss & ride stops, created a transportation coordinator role, placed a transportation person in the streets each morning to ensure bikers and walkers arrive safely to school, and partnered with Safe Routes to Schools to continually seek new ways to encourage people to bike, walk, shuttle, and carpool to school. We continue to refine our system to make it more effective and efficient. As described by Nelson\Nygaard, the largest contributors to trip reduction are the shuttle system and the expanded carpooling program. Our commitment to a successful TDM program is evidenced by our proposed penalty protocols, which subject the institution to significant financial consequences if we fall short of our trip reduction goals. We are confident that, as is Nelson\Nygaard and the Town as stated in the FEIR, we will be able to satisfy this commitment and increase enrollment with a corresponding decrease in neighborhood trips.

D. Penalties

As noted above, the final prong of our proposed compliance system is the penalty protocols. We have proposed three monitoring periods for which Hillbrook's trips would be analyzed for compliance—First Term, Second Term, and Summer Term. For example, if the Town's independent, third party vendor analyzes the Sensys driveway data and determines that, after taking into account typical school days¹,

¹ Pursuant to widely accepted traffic engineering standards, the averaging of typical school days would exclude all days that are less representative of typical school conditions, such as weekends, holidays, special nighttime events, and minimum days.

Hillbrook has exceeded the ADT on a given day during the First Term of an academic year, the Town can assess a \$1,000 per trip penalty for those trips over the average 960 ADT. If Hillbrook fails to make the necessary adjustments and exceeds a trip cap again in the Second Term (AM, PM or ADT), then the penalty escalates to \$5,000 per trip over the average. The penalty could go as high as \$10,000 per trip if Hillbrook is out of compliance for three consecutive monitoring periods. Once Hillbrook comes back into compliance in a subsequent monitoring period, the penalty resets to the \$1,000 per trip amount, which is standard with respect to these kinds of penalty protocols.

VI. Our Impacts

A. Draft Environmental Impact Report

We have long recognized that our desire to increase enrollment needs to be done sensitively with respect to increased traffic in our neighborhood. We were very pleased that the Draft Environmental impact Report ("DEIR") concluded that our increased enrollment would cause **no significant impacts to the neighborhood**. This conclusion is important because the California Environmental Quality Act (CEQA) provides the Town with the widely accepted framework for analyzing a project's physical effect on the environment. The DEIR found that our project triggers either **no impacts or impacts that are less than significant** under CEQA.

B. Final Environmental Impact Report

The FEIR, which was released on August 29, 2014, responds to all of the comments submitted on the DEIR and analyzes the refinements to our Project proposal. The FEIR confirms that the changes we have proposed to the Project would **reduce** the Project's impacts identified in the DEIR, which already are less than significant under the Town's CEQA significance thresholds.

The FEIR contains a number of "Master Responses" that were compiled in response to numerous, similar comments on the DEIR, which we briefly summarize here:

- TDM Effectiveness—Because Hillbrook now proposes a condition of approval that requires implementation of the Final TDM Plan, as well as proposed daily limits, reduced peak period limits, third-party compliance determination and penalties for exceedances, **the Project is expected to achieve further trip reduction**, as the school has successfully done in the past.

- Ann Arbor Access Alternative—Because the Project's traffic-related impacts were determined to be less than significant and Section 15126.6(c) of the CEQA Guidelines states that alternatives should be able to "avoid or substantially lessen one or more of the significant effects," the Town exercised its discretion and determined that **there is no justification for a CEQA evaluation of the Ann Arbor Drive Alternative**, especially when considering that the Town identified two other alternatives that satisfy CEQA's "rule of reason" with respect to a Lead Agency's choice of alternatives.
- Traffic Safety—Traffic safety was evaluated for the Project by the Town's traffic engineering consultant. Consistent with the Town's and standard industry practice, TJKM collected traffic data, reviewed traffic volumes and pedestrian/bicycle counts, reviewed traffic conditions, observed roadway conditions and site line visibility along routes to the school, observed pedestrian/bicycle traffic, and reviewed accident reports. After this exhaustive analysis, TJKM determined **there are no unsafe conditions and the existing roadways are performing in a satisfactory manner**, which led to the conclusion that **the Project would not cause an increase in traffic that would result in any significant traffic safety impacts**.

We draw your attention to a number of other important conclusions in the FEIR. First, the FEIR concludes that nothing in CEQA supports the imposition of the more stringent conditions of approval proposed by a small faction of neighbors, and the Town only has the authority or "police power" to impose conditions that address the actual effects of the Project—they cannot be excessive (FEIR, 8.5-17-18 and 8.5-64). Second, Town staff has determined that **Hillbrook** currently operates within its CUP conditions/limits and, therefore, **is not in violation of its CUP** as some neighbors keep suggesting (FEIR, 8.5-45). Third, the Town stands by the traffic analysis and believes it to be legally adequate under CEQA, as the data used for the traffic analysis constitutes substantial evidence sufficient to support the DEIR's conclusions (FEIR, 8.5-20 and 8.5-107).

In sum, the DEIR concludes and the FEIR confirms that the Project will not exceed any CEQA thresholds, resulting in **no impacts or less than significant impacts** across all Appendix G topics. Importantly, the DEIR and the Traffic Impact Analysis evaluated the Project's traffic impacts in accordance with the Town's Traffic Impact Policy, VTA Transportation Impact Analysis Guidelines, and standard traffic engineering professional practice and both determined that the Project will not exceed the CEQA significance criteria resulting in the **Project's less than significant traffic**

impacts. These documents reflect the Town's independent judgment and thorough analysis and deserve certification under CEQA.

VII. Conditions of Approval

In September 2012, Hillbrook submitted a Letter of Justification that explained the original rationale for the school's proposed CUP modifications (See Exhibit 6). Since then, Hillbrook has clarified the conditions of approval to reflect the refinements discussed above. For ease of reference, attached as Exhibit 7 is a matrix that compares Hillbrook's proposed conditions to the conditions in the existing CUP. Some of this clarifying language is highlighted below.

- Condition #4—Carpooling: This condition is replaced with a parking restriction for neighboring streets, and carpooling is discussed in Condition #14.
- Condition #5—Enrollment: Hillbrook shall submit the student enrollment roster annually to the Town's Planning division for verification two months from the first day of the school year.
- Condition #7(B)—Nighttime Hours: No nighttime activities shall be allowed during the Summer.
- Condition #7(C)—Weekend Activities: Weekend use shall be limited to an Open House event in October and volleyball and basketball tournaments between Hillbrook and other schools only.
- Condition #8—Neighborhood Coordination: This is a new condition that establishes regular neighborhood outreach protocols.
- Condition #9—Neighborhood Committee: This also is a new condition that establishes a Neighborhood Committee comprised of Hillbrook Trustees, the Head of School, the Traffic Coordinator, and representatives from the neighborhood.
- Condition #12—Lease/Rentals: No lease or rental of the campus facilities shall be permitted to third parties, except for those providers of educational programs, which shall be executed in strict accordance with Condition #14, Traffic Conditions.
- Condition #14—Traffic Conditions: The majority of these conditions are discussed above in Section V. Condition #14(G) establishes a Traffic Coordinator to oversee the TDM program and facilitate outreach and Condition #14(I) establishes exclusions for Hillbrook's ten (10) special nighttime events, which allows for exceedances of the ADT trip limitation without violation.

- Condition #15—Commercial Traffic: No commercial traffic shall be permitted before 7:00 AM on weekdays.

VIII. Community Engagement and Benefits

A. Engagement

Hillbrook applied back in 2012 for a modification to our CUP to allow for a student enrollment increase from 315 to 414 students. Since that time, we proactively engaged our neighbors by holding dozens of meetings—large and small—in an effort to understand their concerns so that we may be responsive to them. Last Fall, we set out on an ambitious outreach program with the goal of reaching out to as many neighbors as possible to hear their concerns and emphasize our commitment to being a good neighbor. These 2013 meetings included:

- October 28: Longmeadow Neighbors
- November 6: Topping Neighbors
- November 14: Englewood Neighbors
- November 17: Ann Arbor Neighbors
- November 21: Hilow Neighbors
- December 2: Lower Marchmont Neighbors
- December 4: Cardinal Lane Neighbors
- December 9: Upper Marchmont Neighbors

We also held a neighborhood-wide meeting on May 27, 2014 to re-engage with the community before the summer so we could present the refinements to our proposal that we submitted to the Town. We have made sincere, meaningful efforts to address the neighbors' concerns, and we are committed to remaining fully engaged with our neighbors going forward.

B. Benefits

Hillbrook has provided immeasurable benefits to the Los Gatos community for over 75 years by providing an exceptional educational option for Los Gatos families and beyond. Prior to August 2014, the Town's Traffic Impact Policy required that any project generating five or more new trips provide a "community benefit" offering. Because the Town's Traffic Impact Mitigation Fee now charges at full cost recovery, the community benefit requirement was eliminated. Consequently, Hillbrook is no longer required to provide a "community benefit" pursuant to the Traffic Impact Policy and,

instead, the school will be charged \$854 for each net, new trip, which will translate to approximately \$68,000 in traffic impact fees.

We emphasize here that the Project and its recent refinements offer a community benefit by providing access for more Los Gatos students (current Los Gatos enrollment is roughly 50%) to educational alternatives, while easing some of the pressure on the local schools and minimizing traffic impacts.

IX. Conclusion

Hillbrook has been a part of the Los Gatos community for 79 years and has contributed to the wonderful, small town culture that makes the Town such a special place. Hillbrook seeks a modest increase in student enrollment so that we can be a better school for our families and more sustainable as a non-profit institution over the long term. We have listened to the neighborhood concerns and we have adjusted our proposal in response with an all-day traffic count, mandatory TDM, and penalties. The DEIR and the FEIR confirm that our Project has no significant impacts on the environment and does not cause unsafe traffic conditions on neighboring streets.

We request, therefore, that the Planning Commission certify the DEIR and FEIR pursuant to CEQA and approve our Project as proposed. Thank you for your consideration.

Sincerely,



Mark Silver, Ph.D.
Head of School



Chuck Hammers
Chair of the Board of Trustees

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EXHIBIT 1

GROUND FLOOR

- 0 BUS BARN
- 1 3RD/4TH GRADE
- 2 GYM/FOUNDER'S HALL
- 3 7TH/8TH GRADE BLDG 3
- 4 7TH/8TH GRADE BLDG 1
- 5 7TH/8TH GRADE BLDG 2
- 6 5TH/6TH GRADE BLDG 1
- 7 5TH/6TH GRADE BLDG 2
- 8 5TH/6TH GRADE BLDG 3
- 9 CAFETERIA
- 10 KITCHEN
- 11 ART/LIBRARY
- 12 WOODSHOP
- 13 PERSIMMON
- 14 1ST/2ND GRADE
- 15 J/K BLDG 1
- 16 J/K BLDG 2
- 17 OFFICE

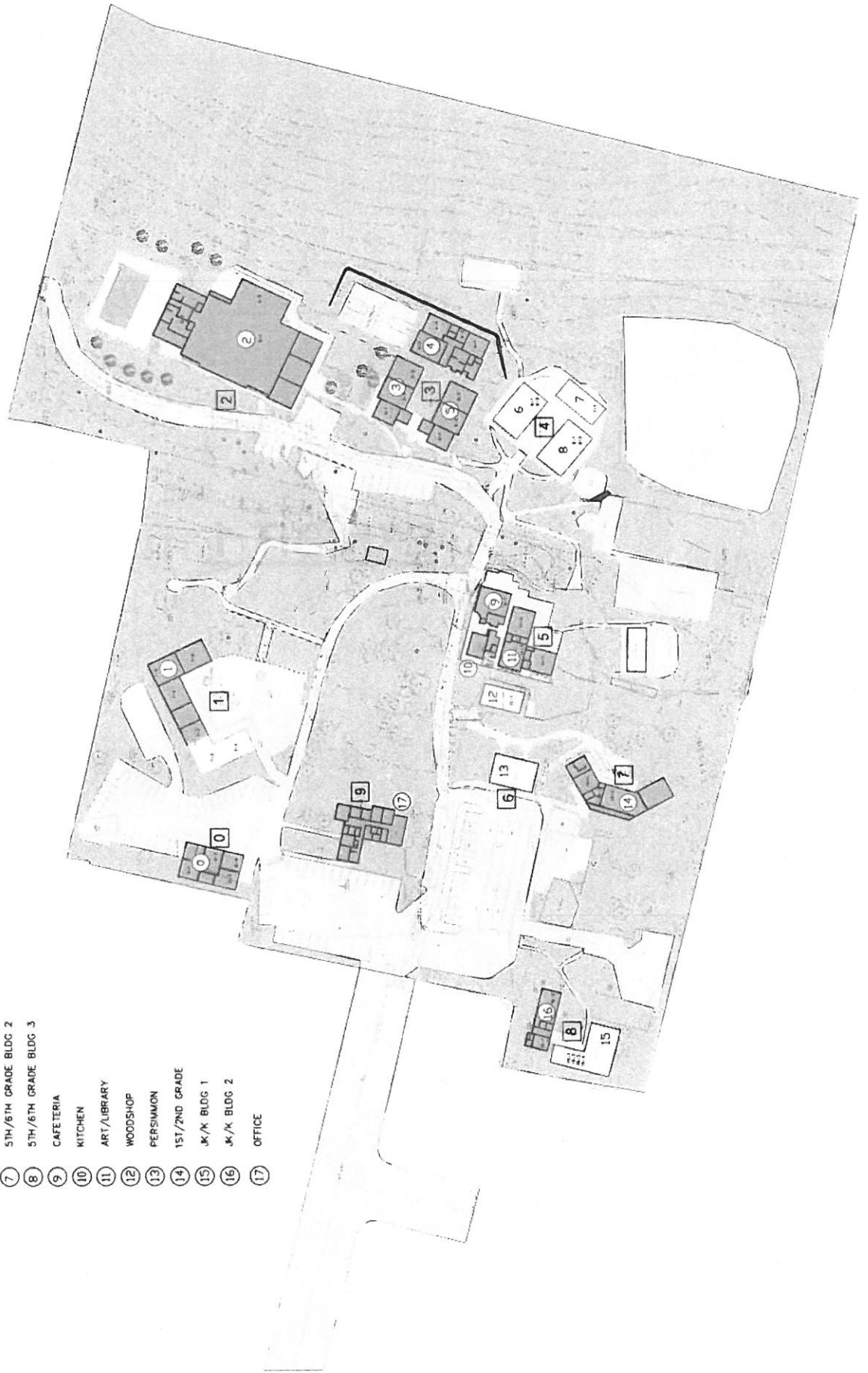
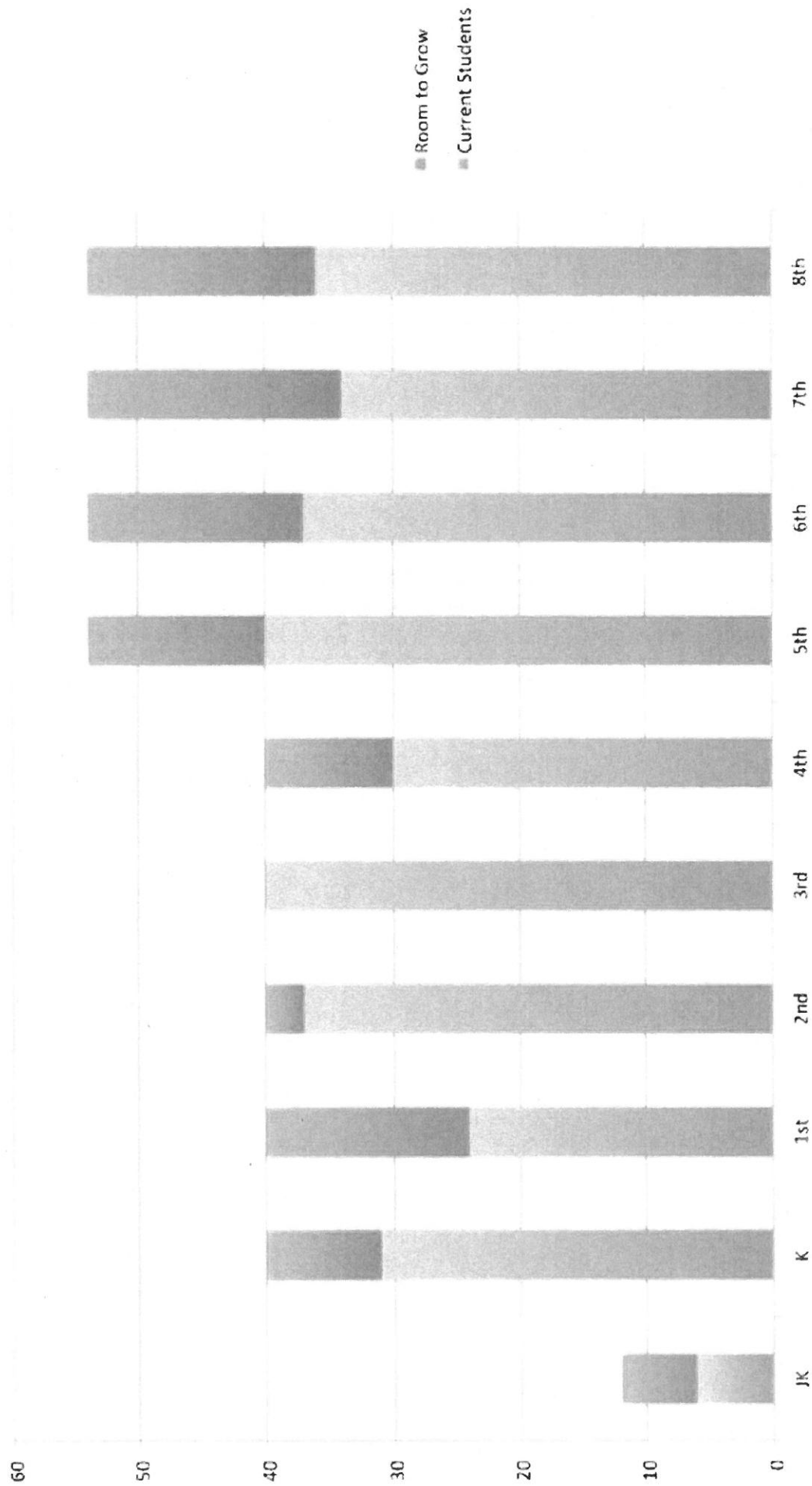


EXHIBIT 2



Capacity Goals per Grade Level
 Junior Kindergarten 12 Students, Kindergarten-4th Grade 40 Students, 5th-8th 54 Students

EXHIBIT 3



EXHIBIT 4



MEMORANDUM

To: Town of Los Gatos Planning Commission

From: Brian Canepa, Nelson\Nygaard

Date: September 15, 2014

Subject: Traffic Analysis for Proposed Enrollment Increase at the Hillbrook School

Introduction

The purpose of this memo is to provide an overview of the Hillbrook School's (Hillbrook) current and proposed traffic conditions to inform the discussion regarding the approval for expanding enrollment from 315 to 414 students. Hillbrook has proposed an aggressive target for the number of vehicles entering and exiting the campus during school days, which is based on the success of its pilot transportation demand management (TDM) program. In addition to evaluating the proposed Average Daily Traffic (ADT) limit against national trip generation standards and existing vehicle counts, this memo discusses the adequacy of roadway capacity on Marchmont Drive, and provides an overview of Hillbrook's approach to TDM in general.

Average Daily Traffic

Hillbrook has proposed adopting an ADT limit on the number of vehicles that may enter and exit the school on an average, typical school day throughout the school year. Setting this ADT limit helps to ensure that the school does not cause excessive traffic impacts, and has been embraced as an effective strategy by both the school and residents of the surrounding neighborhood. By counting the entire day, as opposed to solely the peak hours, Hillbrook's proposed ADT number captures all traffic, including the midday period. This ensures that traffic is not simply shifted from the peaks to other times of the day.

Hillbrook already collects data on the number of vehicle trips exiting campus. Data is collected by Sensys, a third-party vendor, and comes from underground sensors installed at the school gate. The data from these sensors is sent directly to an off-site (neutral) vendor for collection and storage. In the 2013-14 school year, daily exiting vehicle trips averaged 430 in the fall and 422 in the spring, for an average of about 425.5 vehicles exiting the campus daily throughout the year. Every vehicle must drive both to the school and away from it at some point; therefore, the total number of vehicle trips (i.e. all day traffic count) is twice the number of vehicles exiting the school, or about 851 average daily vehicles on Marchmont Drive.

With enrollment increased to 414 students, the school proposes to create an ADT limit of 960 total vehicles on average during typical school days (480 vehicles exiting the school). According to the Institute of Traffic Engineers (ITE) *Trip Generation Manual*, 9th ed., the projected trip generation rate for private schools with an enrollment of 414 students is 1,107 average daily trips¹. Hillbrook has proposed a more aggressive limit of 960 daily trips, which reflects the school's success thus far in reducing trips under its current enrollment over the past 10-15 years, and, which is much lower than the rate presented by ITE.

By contrast, a group of residents near the school has proposed a limit of 400 average daily trips (200 vehicles exiting the school each day), a reduction of more than 460 trips from current traffic levels. While the school has reduced its trip generation rate in recent years, it is not reasonable or feasible to reduce trips to 400 total, even when maintaining current enrollment. The school's proposed ADT limit of 960 is well below the amount predicted by ITE (1,107). Given that the school's TDM program has already greatly reduced average daily vehicle trips, a proposal to cut daily trips by over 50% is not a realistic expectation. In our professional opinion, setting a limit of 400 average daily trips is not based on any reasonable or established methodology for projecting trip generation and, therefore, is not an appropriate or realistic limitation for the school.

Proposed Trip Cap in Context

Traffic volumes near Hillbrook are generally far lower than on streets near other schools in Los Gatos. A 2013 study conducted by the Town of Los Gatos² of average daily traffic on streets adjacent to Fisher Middle school, Van Meter Elementary school, Blossom Hill Elementary school, and Los Gatos High school found traffic volumes ranging from 1,111 vehicles to 16,336 vehicles, orders of magnitude higher than Hillbrook's proposed ADT of 960 vehicles. Traffic counts from the 2013 study, as well as a 2012 study of traffic outside St. Mary's School³, are shown in Figure 1. Traffic from other land uses was included in these counts, though many of the streets included in the counts are residential in nature and have low volumes of traffic from non-school uses.

¹ A letter from residents near Hillbrook incorrectly states there is a separate set of ITE trip generation rates for private schools in different locations (residential or non-residential) and/or with differing numbers of access points. For private schools, ITE does not provide information about whether the sites were located in residential or other types of neighborhoods, or the number of access points for their study sites. A standardized rate for K-8 private schools has therefore been used in this calculation, consistent with calculations performed by Town staff.

² The 2013 study of Los Gatos traffic was provided by the Town's Planning staff.

³ Final Report, St. Mary's School Expansion Traffic Study, July 12, 2012.

Figure 1 Average Daily Traffic (ADT) on Streets Adjacent to Schools in Los Gatos (2013)

school	Count Location	ADT
Fisher Middle school	Fisher Avenue (Between Roberts Road and Mitchell Avenue)	4,163
	Roberts Road (Between Blossom Hill Road and Fisher Avenue)	3,098
Van Meter Elementary school	Los Gatos Boulevard (South of Nino Avenue)	16,336
	Nino Avenue (East of Fisher Avenue)	1,885
Blossom Hill Elementary school	Blossom Hill Road (East of Cherry Blossom Lane)	14,605
	Cherry Blossom Lane (South of Blossom Hill Road)	3,573
Los Gatos High school	Main Street (South of High school Court and Chicago Avenue)	10,060
	New York Avenue (East of Pleasant Street)	1,111
	Pleasant Street (South of Brooklyn Avenue)	2,443
St. Mary's School	Main Street (East of Lyndon Avenue)	3,330
	Masol Avenue (North of Bean Avenue)	1,756
	Tait Avenue (North of Main Street)	1,164
	Tait Avenue (North of Bean Avenue)	1,455
	Bean Avenue (West of Victory Avenue)	1,139

Source: Counts at Fisher Middle school, Van Meter Elementary school, Blossom Hill Elementary school, and Los Gatos High school conducted by Town of Los Gatos in September 2013. Counts at St. Mary's School conducted by Quality Counts, LLC.

During the 2013-14 school year, Hillbrook generated an average of 194 total vehicles during the peak hour from 7:30-8:30 a.m. (i.e. 97 vehicles exiting the school). In practice, this translates to an average of fewer than two vehicles traveling in each direction per minute on Marchmont Drive during the busiest hour of the day. Over the course of a typical day, the number of vehicles traveling in each direction drops to well under one per minute, or, more realistically, it means that no vehicles will be traveling on Marchmont Drive for significant portions of the day outside of the peak periods. Put into the larger context of Los Gatos traffic, Hillbrook's actual traffic volumes are much lower than average for streets adjacent to schools in Los Gatos, and are reasonably low even for a residential street with no other land uses.

Using Average Counts

Hillbrook proposes to set a limit based on the average daily traffic to and from the school throughout the school year, excluding weekends and holidays. This ensures that a representative picture of traffic conditions is captured on most days. By contrast, setting a "hard cap" on the number of days the school can exceed certain vehicle trips would be less representative of typical conditions.

The number of average daily vehicle trips is a standard industry measurement, and is used by ITE for virtually every land use analyzed in its data set, as opposed to the number of days per year a land use might exceed those levels. Moreover, vehicle limits at other private schools in the region have followed a similar approach. The Castilleja School in Palo Alto and the Menlo School in Atherton both must comply with counts that are conducted on days with no special events, representing typical school days. It is very important that the school take steps to reduce the impacts of special events, but the most representative measurement of Hillbrook's impact on residents is an average daily traffic count, which is consistent with ITE's approach and the approach taken by other private schools that are subject to vehicle limits as part of their Conditional Use Permits.

The average daily traffic count for the school year would be calculated by counting the number of vehicles entering and exiting Hillbrook every school day throughout the school year, from 12:01 a.m. to 11:59 p.m. Days when school is not in session would be excluded, such as weekends and vacation days when traffic volumes to Hillbrook are much lower than a typical school day, unless there is a special event that draws a particularly large number of cars to campus. The resulting count is an average of traffic on school days across each monitoring period (e.g. the first semester, second semester, and summer term). By excluding days without school, this methodology ensures the average count used to measure Hillbrook's compliance with the ADT limit is representative of school days only, and is not artificially lowered by including days when school is not in session.

For example, if a given week had the traffic counts shown in Figure 2, only Monday through Thursday would be included in the average count, because Friday is a holiday without school, and school is not in session on weekend days. Note that if weekend days and the holiday were included, the average count would be 544 vehicles, much lower than the 906 vehicle average for school days only (a count of 906 vehicles means that 453 unique vehicles entered and exited Hillbrook). The same methodology would be extended over the entire school year, from August to May, to reach an annual average for school days.

Figure 2 Example of Average Daily Traffic Count Calculation (Hypothetical Data for Example Purposes)

Day	Day Type	Daily Traffic Count
Monday	Regular School Day	915
Tuesday	Regular School Day	888
Wednesday	Regular School Day	921
Thursday	Regular School Day	900
Friday	Holiday (No School)	121
Saturday	Weekend (No School)	50
Sunday	Weekend (No School)	12
Average	School Days Only	906

Roadway Capacity

Marchmont Drive is the sole access point to Hillbrook. Given the residential character of the street, it is especially important that traffic volumes do not exceed a threshold that would cause excessive delay and related impacts for residents. A road's capacity is determined not by the surrounding land uses, but rather by design factors such as its width, the number of lanes, and the type of controls at intersections (e.g. stop signs or stop lights). The standard methodology for evaluating the capacity for a roadway is a measurement known as Level of Service (LOS), which is described in Chapter 16, "Signalized Intersections," of the Highway Capacity Manual, published by the Transportation Research Board of the National Academies. This manual includes guidelines for analyzing capacity on all types of roadways, including low-volume residential streets, such as Marchmont Drive.

The LOS methodology addresses the capacity of intersections by calculating the amount of delay that occurs on average for a vehicle approaching an intersection during the peak hour of traffic. LOS grade E or better is considered an acceptable traffic condition, while LOS grade A or B indicates stable flow with few or no delays. The 2012 *Hillbrook School Expansion Traffic Study*, prepared by TJKM, determined that the LOS grade at intersections along Marchmont Drive will not degrade or change as a result of the proposed enrollment expansion to 414

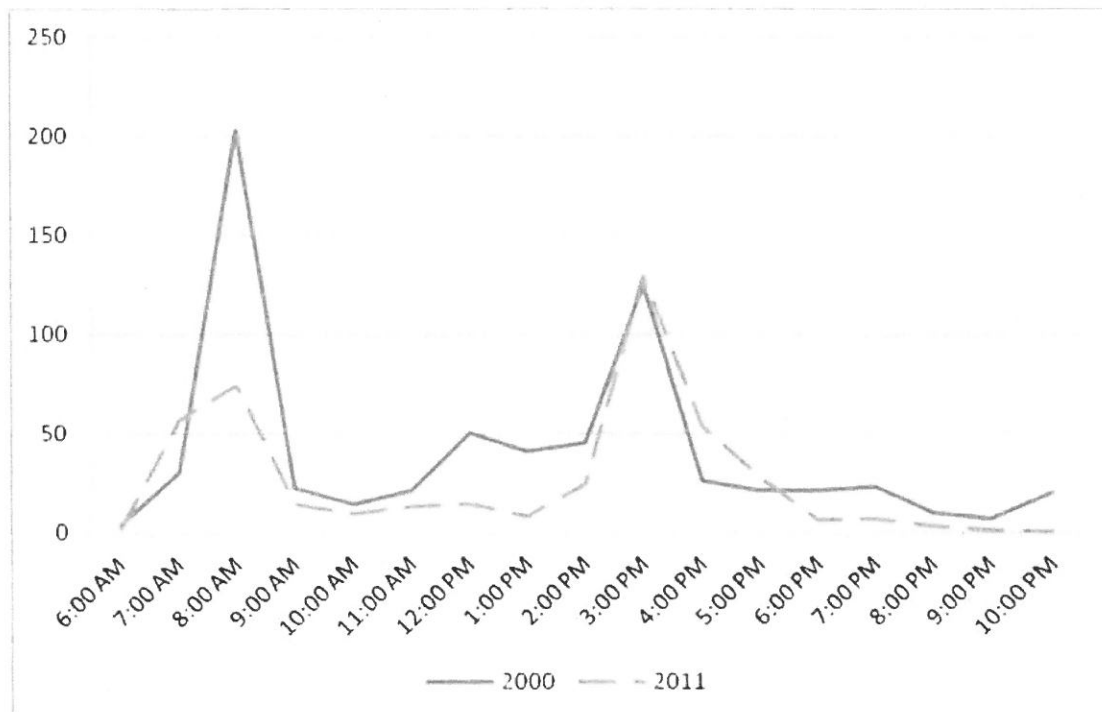
students, even without implementing the trip-reduction measures that are proposed. The intersection of Marchmont Drive and Hilow Road, the intersection closest to the school entrance, is currently LOS A in both the morning and afternoon peak period, and is projected to remain so even if enrollment is expanded. The intersection of Marchmont Road and Englewood Avenue is currently at LOS B in the morning peak, and LOS A in the afternoon peak period and is not projected to degrade or change with the increase in enrollment.

These A and B LOS grades indicate that Marchmont Drive has more than enough capacity to comfortably and safely accommodate Hillbrook traffic without causing significant delay, under existing conditions and with expanded enrollment, as determined by accepted, established capacity measurement methodologies. By implementing further TDM measures, Hillbrook can further reduce the impact on residents and ensure that Marchmont Drive remains a tranquil street with minimal or no traffic delays, even during peak periods.

Effective Transportation Demand Management

Hillbrook has implemented a pilot TDM program over the past decade that has successfully reduced its daily trip generation rate and diverted an increasing number of students from single driving trips to transit, walking, and biking. Figure 3 illustrates Hillbrook's success over the past decade in reducing driving trips.

Figure 3 Average Traffic Volumes by Hour at Hillbrook: 2000 and 2011 (Vehicle Exits Only)



Now, the basis of Hillbrook's refined proposal for the expanded enrollment request, which includes mandatory TDM and traffic monitoring, is a "three-legged stool" that incorporates the three key elements for an effective program:

- Trip reduction programs for families enrolled at the school
- Enforcement of average peak period and daily trip limits
- Penalties for non-compliance

The ultimate goal of this TDM program is to reduce traffic in the neighborhood, while facilitating an expansion of student enrollment. Hillbrook has implemented several programs to address the first "leg of the stool", including an extensive shuttle system for students, a walking school bus program, and an expanded carpool program. Hillbrook also has hired a Transportation Coordinator to oversee these programs and ensure families are aware of the options available to them. As detailed in this memo, Hillbrook addresses the other two "legs of the stool" by agreeing to a limit on the number of vehicle trips to the school on average school days, which will be enforced by penalties administered by the Town.

Taken together, the three components of this program will ensure that driving trips to the school are reduced well below the average for a school in a similar setting. This program also provides the Town and nearby residents with an enforceable mechanism to ensure that Hillbrook will take action to remediate traffic if it exceeds the limits.

EXHIBIT 5



RECEIVED

SEP 20 2012

TOWN OF LOS GATOS
PLANNING DIVISION

MEMORANDUM

To: Mark Silver and Chuck Hammers
From: Brian Canepa and Cathleen Sullivan
Date: September 14, 2012
Subject: Final TDM Plan

INTRODUCTION

Hillbrook School, located in the Town of Los Gatos, CA, is a Junior Kindergarten through 8th grade private school founded in 1935, and located on its original site since 1936. Hillbrook operates under a conditional use permit (CUP) from the Town of Los Gatos. The school is proposing an increase in enrollment of 99 students, from the current 315 students to 414 students which will impact the CUP.

The key CUP regulations that apply to transportation are:

- **Enrollment:** Limited to 315 students
- **Carpooling:** Reporting on voluntary carpooling efforts twice a year for the months of February and September.
- **Traffic Counts:** The Town shall conduct traffic counts twice annually at the Marchmont Drive gate (appropriate months chosen by Town staff). School is limited to no more than 165 vehicles leaving the school between 7:30 – 8:30 AM and 2:30 – 3:45 PM.
- **Emergency Access Road:** Ann Arbor Drive cannot be opened at any time for public or school use.

A *Hillbrook School Expansion Study* was conducted in 2011 by TJKM to analyze the potential impacts of the increase in enrollment. Key relevant findings of that study include:

- There is "adequate capacity for the roadway system to accommodate the additional traffic from the proposed 99 new students." (TJKM, p. 20)
- The restriping of waiting aisles in order to provide additional capacity for the waiting and drop-off/pick-up zones, which Hillbrook has since implemented. TJKM's subsequent queuing analysis found that there is ample space remaining in both the AM and PM peaks and that, "the vehicle accumulation of drop-off/pick-up activity is expected to be contained within the school site during both a.m. and p.m. school peak hours with the proposed increase in school enrollment." (TJKM, p. 20)
- Exiting vehicle volumes from the school (Marchmont Drive near the school gate) reached a maximum AM peak hour exit volume of 128 and a maximum PM peak hour exit volume recorded of 135. Five-year average historical counts of traffic taken during the CUP windows of 7:30 to 8:30 AM and 2:30 to 3:45 PM showed average peak volumes of 146 and 149 trips, respectively. According to TJKM's ratios at these traffic levels, proposed

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Hillbrook School**

school expansion would generate an additional 45 AM outbound trips and 47 PM outbound trips which, when combined with existing trips, would slightly exceed the CUP limit of 165 (by 27 cars in the AM and 31 cars in the PM).

- Though their findings indicate no significant impact from the expansion, TJKM still recommended that Hillbrook “prepare and implement a more thorough, aggressive Transportation Demand Management (TDM) plan to improve the current procedures as specified in the ‘Hillbrook School Handbook’. Some of the TDM measures may include proactive plans to encourage carpooling and transit use, including strong incentives, staggered drop-off/pick-up schedules for students, etc.” (TJKM, p. 25)

Hillbrook contracted with Nelson\Nygaard in the spring of 2012 to develop this Transportation Demand Management Plan in response to TJKM’s recommendation to accommodate the proposed expansion. This TDM plan analyzes existing conditions at Hillbrook, including the results of a recently completed online transportation survey and recommends strategies to enhance the school’s TDM program.

EXISTING TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAMS

To ensure compliance with their CUP and to strive to be a good neighbor, Hillbrook already has in place the following TDM programs:

- **Online Carpool Matching Program:** Families are strongly encouraged to carpool upon enrolling at Hillbrook and throughout their tenure at the school. Hillbrook provides online maps to facilitate carpool matching and periodically contacts families who do not carpool to assist them in connecting with other nearby families. The School’s assertive promotion of the carpooling program has yielded a great deal of success as over half of Hillbrook students carpool to get to school (around 60% according to recent surveys describe further below).
- **School Shuttle Service:** For the 2010-2011 school year, Hillbrook School began providing private shuttle transportation for its students on two routes serving Los Altos, Cupertino, Saratoga, Rose Garden, Willow Glen and segments of greater San Jose; the service is provided by Durham School Services. The San Jose route begins at 7:00 AM and makes six stops before reaching Hillbrook at 7:45 AM and the Los Altos route begins at 7:10 AM and makes three stops before reaching Hillbrook at 7:50 AM. Both shuttles depart the school in the afternoon at 3:20 PM. Using the shuttle requires payment of an annual fee; pricing is based on the number of children in a family and whether students ride one or two ways. Students also have the option to ride any single morning or afternoon for \$6 each way.
- **Education:** Families are educated as to the importance of limiting the school’s traffic impact on the surrounding neighborhood.
- **Traffic Management:** Hillbrook staff monitors morning drop-offs and afternoon pick-ups to ensure smooth efficient movement of vehicles into and out of the school, preventing queuing on neighborhood streets.
- **Staggered Afternoon Pick-ups:** To alleviate afternoon peak congestion, Hillbrook has a staggered dismissal and pick-up schedule as follows: Junior Kindergarten and Kindergarten are dismissed at 2:45 PM and parents must pick up children by 3:00 PM, first through fourth grades are dismissed at 3:00 PM and parents must pick up children

by 3:15 PM, and fifth through eighth grades are dismissed at 3:15 PM and parents must pick up students by 3:30 PM. Faculty and staff are not permitted to leave campus until after 3:45 PM.

Existing Public Transit Access

There is one Santa Clara Valley Transportation Authority (VTA) bus route that operates in the vicinity of Hillbrook. Route 49 runs along Los Gatos Boulevard from the Los Gatos Civic Center in the south to the Winchester Transit Center (a light rail station) in the north approximately every 30-40 minutes during the peak and every hour midday. The nearest bus stops to Hillbrook for Route 49 are on Los Gatos Boulevard at Shannon Road and at Kennedy Road.

EXISTING CONDITIONS

Transportation Survey

In early April 2012, Hillbrook School conducted an online survey of parents to better understand commute patterns and programs that might encourage the campus population to not drive to campus. The findings of this survey help inform the choice of strategies that may have the greatest impact on reducing future vehicle trips to campus and parking demand.

Parents were asked to complete one survey for each child at Hillbrook. 249 surveys were completed, representing approximately a 79% response rate. It should be noted that the survey was intentionally crafted to be responded to for each child as opposed to each family. By having a "per child" survey, it was able to identify travel behavior differences between children within the same family, as results showed that children within the same families do sometimes take different modes of transportation to and from school. In addition, the "per child" survey accurately tallies total student mode split, without which small families would be overrepresented and larger families would be underrepresented.

Transportation Mode

Hillbrook School already has a relatively high percentage of families who do not drive their students alone to school. Nearly 60% of students arrive at school in a carpool and another 18% take the school shuttle or walk. The survey showed that somewhat more Hillbrook families and drive alone in the afternoon than in the morning.

Figure 1 Hillbrook Student Mode Share

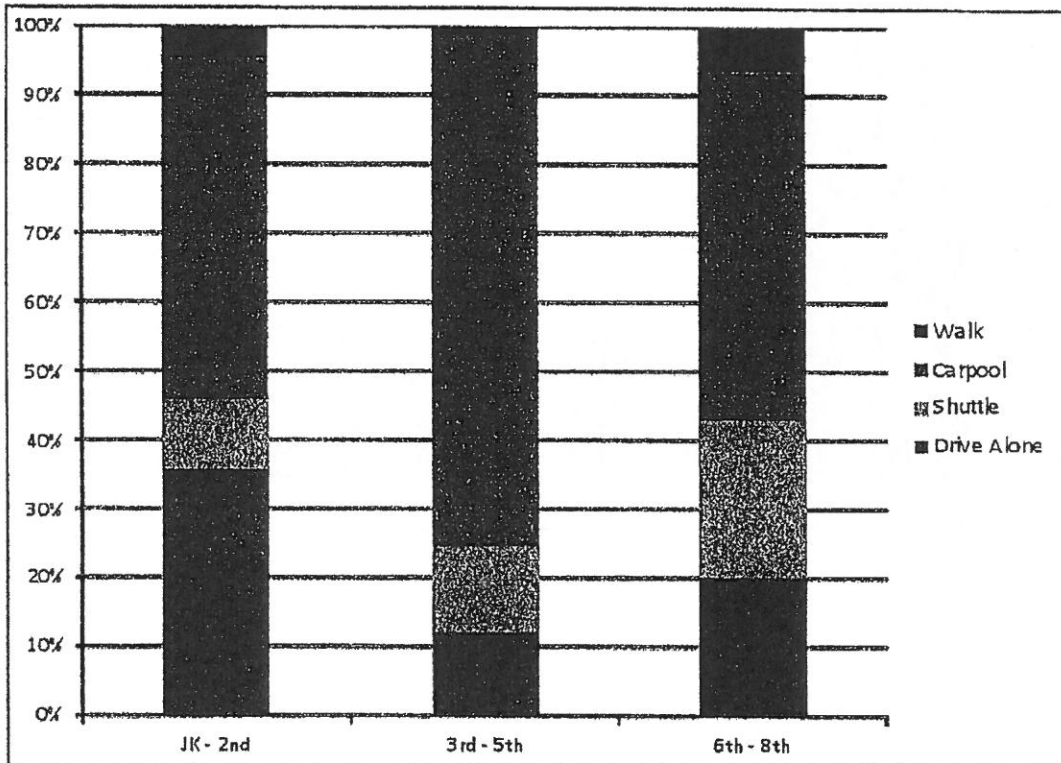
	Arrival at School	Departure from School
Drive Alone	24%	36%
Carpool	58%	50%
Shuttle	14%	11%
Bike	0%	0%
Walk	4%	3%

Source: Hillbrook School Transportation Survey, April 2012

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As might be expected, older students are more likely to take the shuttle than younger students, and younger students more likely to be driven alone, particularly junior kindergarteners. Interestingly, students in grades 2 through 5 carpool the most. The drop in carpooling with students older than 5th grade may be due to more after school activities and/or greater use of the shuttle. Figure 2 shows the arrival transportation mode by grade level using three general categories: Junior Kindergarten-2nd grade, 3rd grade-5th grade, and 6th grade-8th grade. Figure 3 shows in more detail how use of each mode varies across age groups.

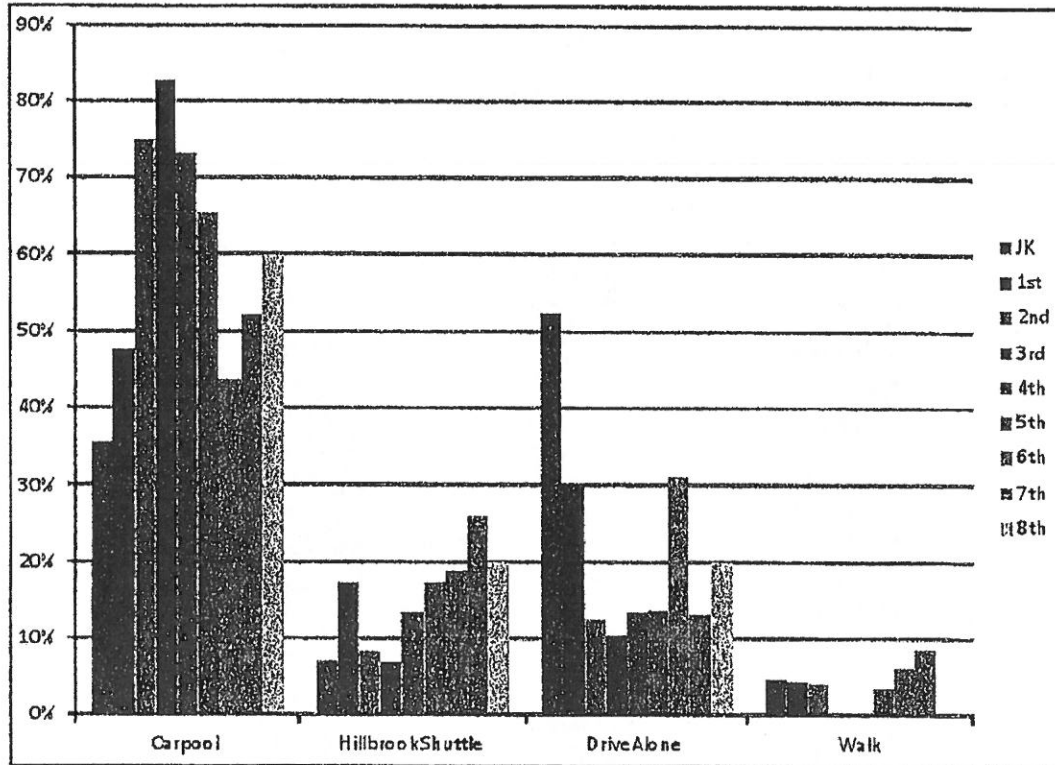
Figure 2 Hillbrook Arrival Mode Share by Grade Level Group



Source: Hillbrook School Transportation Survey, April 2012

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Figure 3 Travel Mode to School by Grade Level

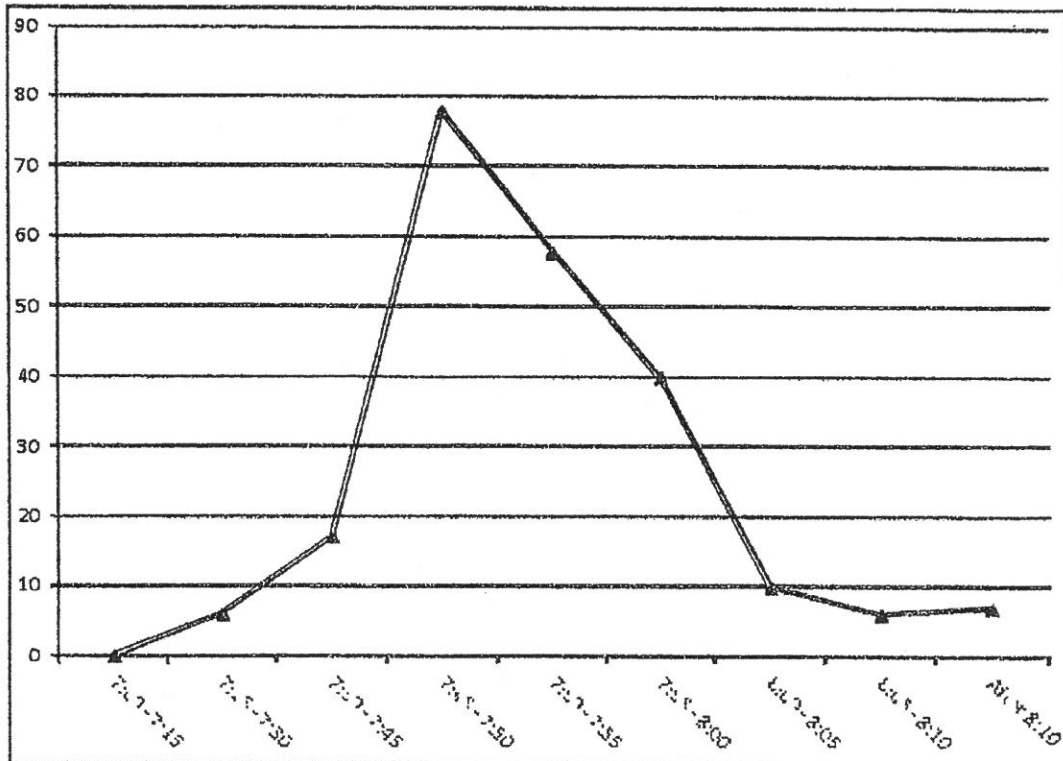


Source: Hillbrook School Transportation Survey, April 2012

Arrival and Departure Times

Student arrivals to Hillbrook are highly concentrated in a 10-15 minute window in the morning. Almost 80% of Hillbrook students arrive between 7:45 and 8:00 AM (over 60% arrive in only 10 minutes between 7:45 and 7:55 AM). Arrival times are shown in Figure 4.

Figure 4 Student Arrival Times



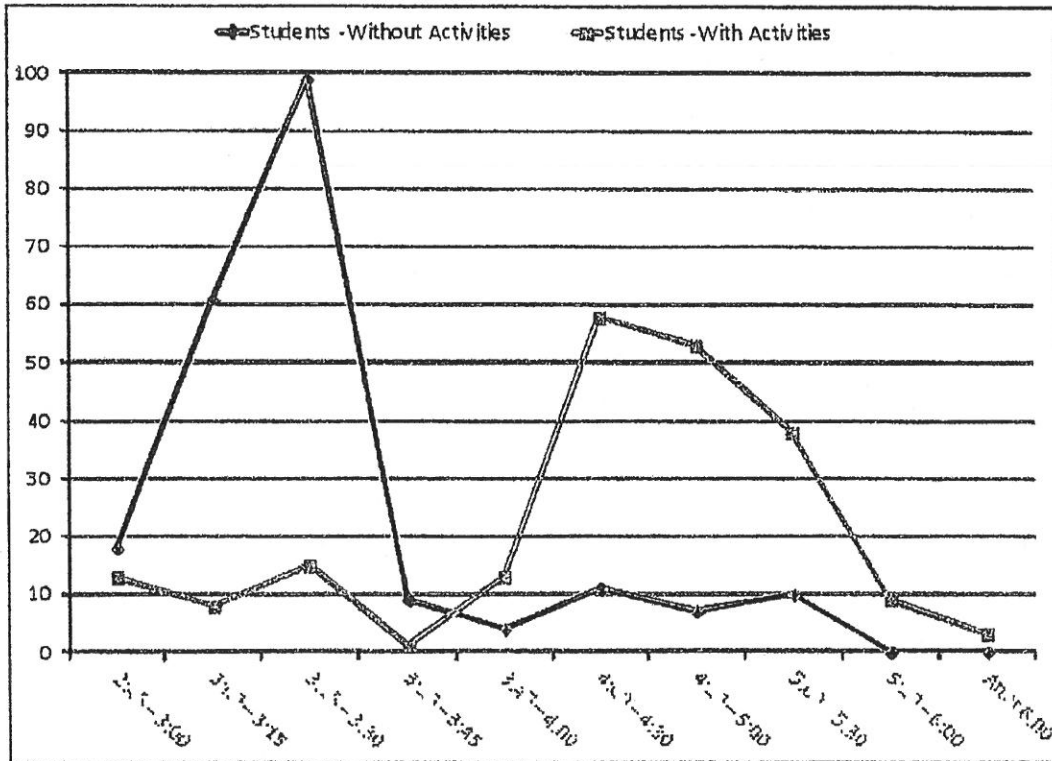
Source: Hillbrook School Transportation Survey April, 2012

Afternoon departures from campus depend primarily on whether students participate in after school activities. In addition, as mentioned above, Hillbrook has staggered dismissal times.

On a day when there are no after school activities, nearly three-quarters of student families report leaving between 3:00 and 3:30 PM. When there are after school activities, nearly half stay on campus until after 4:30 PM. Departure times, as reported in the survey, are shown in Figure 5.

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Figure 5 Student Departure Times



Source: Hillbrook School Transportation Survey, April 2012

Barriers to Carpooling, Taking Shuttle, Walking and Biking

The April 2012 survey asked parents about the greatest barriers to carpooling, using the Hillbrook shuttle, walking or biking to campus. The following describes the most commonly selected reasons.

The top reason that parents indicated for not carpooling to Hillbrook was a desire to maintain flexibility and independence. After school activities, both on and off-campus was the next most common reason selected. It should be noted that over half of respondents indicated they “already carpool.”

Figure 6 Barriers to Carpooling to Hillbrook

Barrier to Carpooling	Percent of Respondents that Selected
Maintaining flexibility/independence	32%
I/my child has off-campus activities after school	27%
I/my child stay(s) after school for activities	26%
It is slower than how I/my child currently gets to school	11%
I want the time with my child	10%
I worry about liability and/or safety	6%
I don't know who lives near me	5%
I like my alone time	2%
I/my child prefer(s) to bike or walk	2%
I don't think my child will be happy	1%

Source: Hillbrook School Transportation Survey, April 2012

The clear top reason that parents indicated for not using the Hillbrook shuttle was inconvenience in accessing shuttle stops. In addition, many respondents stated that it is slower than their current mode and after school activities. Also notable is that 13% of respondents indicated that the shuttle cost was a barrier to using the shuttle.

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Figure 7 Barriers to Taking the Hillbrook Shuttle

Barrier to Taking Shuttle	Percent of Respondents that Selected
Shuttle stops are not convenient (e.g. not near my home/way to work)	56%
It is slower than how I/my child currently gets to school	29%
I/my child has off-campus activities after school	24%
I/my child stays after school for activities - shuttle leaves too early	22%
It is too expensive	13%
I want the time with my child	7%
I don't think my child will be happy	7%
I worry about liability and/or safety	5%
I did not know about the shuttle	0%

Source: Hillbrook School Transportation Survey April, 2012

In terms of barriers to walking and biking, a majority of parents indicated distance as the primary factor, followed by traffic safety.

Figure 8 Barriers to Biking/Walking

Barrier to Biking or Walking	Percent of Respondents that Selected
It is too far to walk or bike from home	79%
I worry about traffic safety	25%
My child is too young	14%
I have to carry too much stuff (heavy backpack, sports bag or other materials)	13%
Weather/Rain	10%
I worry about personal safety (crime/strangers)	8%
My child is not ready in time to walk	6%
Getting sweaty	2%

Source: Hillbrook School Transportation Survey, April 2012

Incentives to Carpool, Take Shuttle, Walk or Bike

When asked what might incentivize families to carpool, take the shuttle or bike/walk, three incentives were selected by a quarter to a third of respondents: additional shuttle routes, lower cost for the shuttle and routes running later in the day, as shown in Figure 9. The survey question allowing respondents to comment freely also indicated substantial interest in expanded shuttle service, including later afternoon service, more routes and fee reductions.

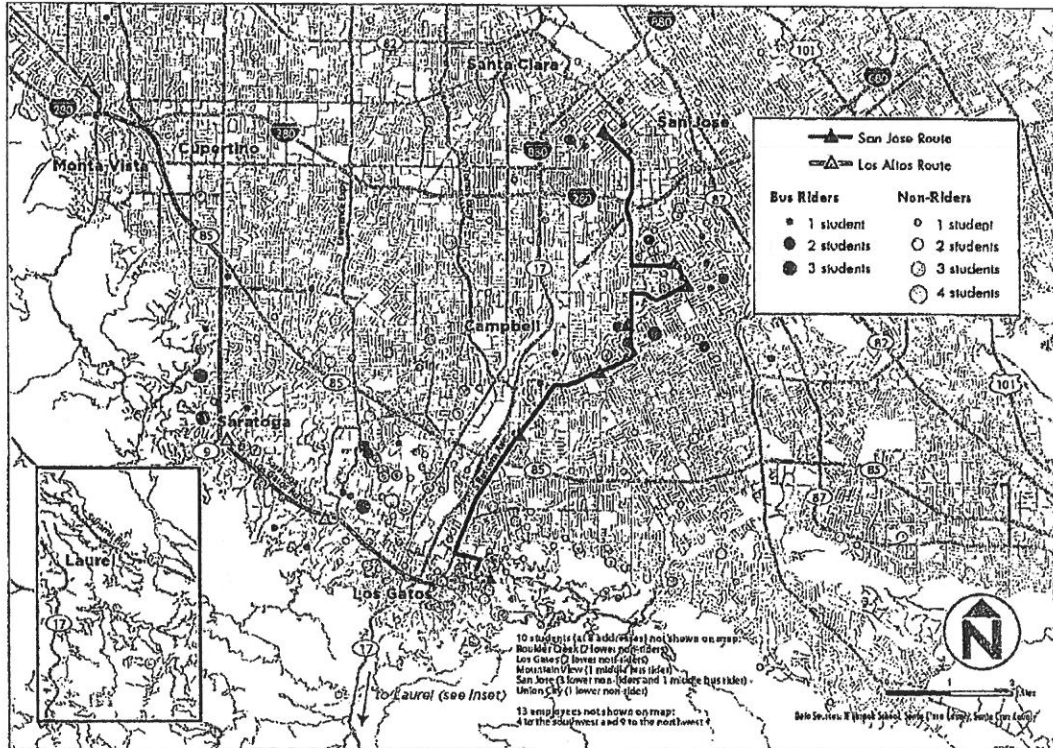
Figure 9 Incentives Not to Drive Alone

Incentives to Carpool, Use Shuttle, Bike or Walk	Percent of Respondents that Selected
Additional shuttle routes that went closer to my house	37%
Lower/no cost for shuttle	27%
Shuttle running later in the day	24%
A direct financial incentive not to drive alone/drive child alone	15%
A carpool matching service	8%
Nothing, I will only drive alone/drive my child alone	8%
Walking/Biking club (come to school in a group)	7%
Other improvements to support safer biking/walking in neighborhood	7%
Better bike facilities on campus – covered secure bike parking, showers, lockers, etc.	5%
A free guaranteed taxi/shuttle ride home if anything went wrong	4%
An on-site carshare (like Zipcar) for mid-day errands/appointments	3%

Source: Hillbrook School Transportation Survey, April 2012

In order to determine the potential for ridership gains from additional shuttle routes, student home locations were analyzed in conjunction with current shuttle routes. Given this information, it appears there may be opportunities for additional shuttle routes north and east of campus (discussed in greater detail under proposed strategies).

Figure 10 Student Home Locations and Shuttle Usage



Off-Site Park-and-Ride

When asked about their willingness to use an off-site park-and-ride facility, nearly 80% of survey respondents indicated yes or maybe for the morning, with a slightly lower number for the afternoon. Only about one quarter indicated that a financial incentive would increase their willingness to use an off-site park-and-ride, another quarter indicated that they might, and nearly half indicated that it would not increase their likelihood to use such a facility. The open-ended question yielded mixed support for the off-site park-and-ride concept, but feedback was mostly positive. Many parents stressed the importance of staff supervision, especially for afternoon pickups, as well as safe, predictable and organized operation.

Figure 11 Willingness to use an Off-Site Park-and-Ride

	Willing to use in AM	Willing to use in PM	Would financial incentive increase willingness?
Yes	40%	37%	26%
Maybe	39%	37%	27%
No	21%	27%	46%

Source: Hillbrook School Transportation Survey, April 2012

Parking Occupancy

Parking spillover into the neighborhood is not currently a problem at Hillbrook. There are currently 80 parking stalls on the Hillbrook campus. Parking surveys conducted midday for two days in early April 2012 indicated that there is ample available parking on campus. On both days roughly one-third of spaces were vacant (surveys conducted between 12 noon and 2 PM).

During special events, Hillbrook typically parks cars on the lawn and other places that are not designated parking spaces to ensure that campus parkers do not park in the surrounding neighborhood.

Campus Traffic Counts

As mentioned in the Introduction, TJKM conducted traffic counts as part of the *Hillbrook School Expansion Study* for one week, which showed a maximum AM peak hour exit volume of 128 and a maximum PM peak hour exit volume of 135. The study also cites the five-year average historical counts: 146 for AM peak hour outbound trips and 134 for PM peak hour outbound trips. Hillbrook also conducts regular counts. According to the last seven months of data (September 2011 – March 2012), PM peak hour outbound vehicle volumes averaged 138. TJKM estimated that the proposed school expansion would generate an additional 45 AM peak hour outbound trips and 42 PM peak hour outbound trips. Trips in the afternoon appear to be a more pressing issue since there is a higher drive alone mode share than in the morning. PM peak hour outbound vehicle data is summarized in Figure 12.

Figure 12 PM Outbound Traffic Counts

	Recorded	Additional Projected Trips	Projected
TJKM Counts (May 2011)	135	42	177
5-year historical average	134	42	176
Hillbrook Counts (Sept '11-Mar '12 average)	138	42	180
Average	136	—	178

TJKM also cites the five-year historical counts during the CUP counting periods, resulting in 146 AM peak hour outbound trips and 149 PM peak hour outbound trips. At these levels, the proposed school expansion would generate an additional 45 AM outbound trips and 47 PM outbound trips.

Outbound trip volumes with the proposed expansion are projected to exceed the Hillbrook CUP trip cap by 17-19% based on this data. The TDM strategies outlined in this report are designed to reduce vehicle trips in order to maintain compliance with the CUP after the expansion.

Shuttle Ridership

Counts conducted by the School reveal that more students ride the shuttle in the morning than in the afternoon. In addition, more students ride the San Jose bus than the Los Altos bus. Ridership counts on the Hillbrook Shuttle for January – March 2012 are shown in Figure 13.

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Figure 13 Hillbrook Average Shuttle Ridership (Jan-Mar 2012)

Route	AM Average Ridership	PM Average Ridership
San Jose	26	15
Los Altos	28	9

The relatively low average ridership on the Los Altos route, especially in the afternoon, could indicate an opportunity for alterations to the shuttle to increase productivity.

RECOMMENDED TRANSPORTATION DEMAND MANAGEMENT STRATEGIES

The following programs are designed to lower overall traffic levels by increasing use of the shuttle, carpooling, biking and walking as well as reducing the number of vehicle trips traveling through the Marchmont neighborhood to limit the impacts of campus expansion.

ALTERATIONS TO SHUTTLE SYSTEM

Hillbrook currently operates shuttle service to San Jose and Los Altos. The shuttle is used by approximately 14% of students in the morning and 11% of students in the afternoon. The San Jose route has higher average ridership than the Los Altos route.

In the recent transportation survey, the most prevalent barriers to using the shuttle selected by families were inconvenience in accessing shuttle stops, shuttle time compared to current mode, after school activities, and high shuttle cost. This data indicates that there are three options that could increase use of the shuttle system:

- Lower shuttle prices
- A shuttle operating later in the afternoon
- Additional routes to expand shuttle coverage or alterations to existing routes to make them shorter and more convenient.

Make Shuttle Free or Reduced Price to Encourage Ridership

Recommendation: Hillbrook School will either make the shuttle system free or lower cost in order to encourage student ridership.

Discussion: Removing perceived financial disincentives to taking the shuttle by making the shuttle free or reduced cost will encourage families to use the system thereby increasing ridership and decreasing the number of car trips to Hillbrook.

Program Design: Although the shuttle service will be free or reduced cost, students will still have to register with the school as a "shuttle rider" to ensure that sufficient capacity is available on the vehicles for the number of students who plan to ride.

Implement Afternoon Shuttle Departures

Recommendation: Hillbrook School will begin operating one afternoon shuttle run on each route, departing the school between 4:30 and 5:00 p.m.

Discussion: Offering a late afternoon shuttle run will remove one of the primary barriers that have prevented the shuttle from being a viable transportation option for families. This will not only increase the number of students using the shuttle in the afternoon, but will likely attract many new families to use the service who were previously prevented from riding because it was only viable in one direction and was too expensive to only ride one-way.

Program Design: Late afternoon shuttles would only be offered on days when there are after school activities at Hillbrook. The departure time of the afternoon shuttles will be determined by

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Hillbrook based on the dismissal times for afternoon activities. The routing of a late afternoon shuttle can be adjusted over time based on the make-up of after school activity participation.

Off-Site Kiss-and-Ride Stop

Recommendation: Hillbrook will implement an off-site “kiss-and-ride” stop in north-central Los Gatos within a 5-10 minute drive of campus that will allow families to drop their kids approximately 15 minutes before school starts and take a shuttle to the school.

Background Discussion: Hillbrook School can reduce the number of vehicle trips to campus by locating a shuttle stop in Los Gatos and offering a free short-distance shuttle to and from campus so that parents do not drive into the immediate vicinity of campus. This strategy would not eliminate trips, but would re-distribute them out of the neighborhoods immediately adjacent to Hillbrook.

It appears that there is a relatively high level of willingness to use such an option based on the results of the survey, where 40% of respondents said they would be willing and another 40% stated they might be interested. Interestingly, approximately half of survey respondents indicated that a financial incentive would not increase their willingness to use an off-site short distance shuttle. This indicates that Hillbrook families likely understand the larger traffic mitigation issues that Hillbrook faces and are willing to make alterations in their transportation patterns to help the campus. If implemented, especially as an optional program and not as a mandatory program, the School should continue to strongly emphasize the importance of traffic mitigation in the neighborhood to support families’ commitment to use the shuttle.

Although the remote shuttle appears to be a feasible option, a number of parents expressed the desire to have at least occasional opportunities to drop their students at school in order to be involved in the school and see what is happening on campus. As such, families may not use the remote shuttle on an every-day basis, but would likely be willing to use it on occasion.

Due the presence of a number of other schools nearby, this type of off-site kiss-and-ride shuttle could also service other schools in the area and could be explored as a joint venture.

Program Design: North-central Los Gatos could be a good location for such a kiss-and-ride stop as it is relatively close to campus and there is a large concentration of student residences there. In this location, it would likely be used by Hillbrook families in this neighborhood and farther north to drop their children here rather than driving to campus. It would be less convenient for those families for whom it would require out-of-direction travel, however it should be noted that the kiss-and-ride stops should be open and available to all children attending the school.

Good candidate locations should be identified in northwest or central Los Gatos where there are relatively high concentrations of families.

One critical component of program design is the importance of staff supervision at this site. Parents emphasized in the survey the importance of safe, predictable and organized operation for such a program to be a viable option for them. It is also crucial for such a system to be free or reduced price for families. Ease of access could also offer an incentive over driving through the neighborhood to Hillbrook.

Potential Future Shuttle System Adjustments

The two recommendations above will make the shuttle a much more flexible and financially attractive option for families. These changes, combined with active promotion of the upgraded shuttle system by Hillbrook, are likely to spur a significant increase in ridership and a commensurate decrease in auto traffic. However, it is very difficult to predict future ridership at this time.

Therefore, after these changes have been undertaken and ridership has stabilized, Hillbrook will also consider the following shuttle system changes:

- **“Right-sizing” shuttles.** Once the recommendations above have been made, Hillbrook will evaluate student shuttle ridership to determine if the size of shuttle vehicles meets its needs. Shuttle vehicles should be sized appropriately to maximize ridership and provide convenience to Hillbrook families.
- **Making adjustments to shuttle routes.** Convenience is currently a key barrier to shuttle use. Current ridership does not justify the addition of new shuttle routes. However, if ridership increases significantly and more vehicles are needed, it may be appropriate for Hillbrook to have each vehicle operate on a different route.

These changes will be considered within the next school year once the current TDM program changes have taken effect and ridership has stabilized.

Neighbor Communication Program

Recommendation: The School will create a separate webpage on its site devoted to addressing neighbor transportation concerns, providing a representative for neighbors to contact, and establishing a forum for neighborhood meeting. In the case of special events where shuttles are being used, the School will notify neighbors in advance.

Discussion: This recommendation will address neighbor concerns about shuttle, speeding, and other related transportation impacts in the neighborhood.

Program Design: To ensure an open and continuing dialogue with neighbors, the School should create a special webpage devoted to resident issues and have a School representative available to communicate with neighbors regarding their transportation concerns. As part of this initiative, the School should notify neighbors of irregular shuttle operations on residential streets at least two weeks prior to special events. Notifications can serve to inform residents both of the reasons driving the use of shuttles as well as the level of anticipated shuttle activity (e.g. three shuttles per hour on Marchmont Drive). In order to reach out to neighbors quickly, the School should develop an e-mail list of concerned neighbors to whom notices can be sent.

EXPANDED CARPOOL PROGRAM

Although there already is a high level of carpooling at Hillbrook and the most common barrier to carpooling indicated by families is convenience, which is a difficult barrier to overcome, the following represent opportunities to expand use of carpools at Hillbrook.

Zip Code Parties

Recommendation: Hillbrook will begin to hold zip code parties where high concentrations of Hillbrook families live.

Background Discussion: Zip code parties are a tool implemented at other schools that strengthens community relations and allows families who live near each other to get to know one another, and establish carpools.

Program Design: The School can organize small informal gatherings in neighborhoods at the start of every semester or every school year. The parties can be hosted by families with a Hillbrook staff person in attendance. This strategy will have moderate impact, eliminating trips through giving families additional tools to organize carpools.

OTHER TDM PROGRAM RECOMMENDATIONS

Safe Routes to Schools & Coordination with Nearby Schools

Recommendation: Hillbrook will organize a working group composed of Hillbrook staff, Town of Los Gatos staff, County staff (if necessary), neighbors, and the Blossom Hill School to improve safety in the neighborhood. This group would identify short and long term opportunities for slowing traffic in the neighborhood and improving the pedestrian and bicycle environment, including potential participation in the "Traffic Safe Communities Network" (TCSN), Santa Clara County's Safe Routes to Schools Program. Specific steps recommended for this group are detailed in the program design section below.

Background Discussion: There is a large concentration of student homes near campus, however a very small number of families walk or bike to school. Pedestrian safety improvements in the vicinity of campus would create safer walking routes and, if properly promoted, could encourage more biking and walking to school. Further, there are other schools in the vicinity that could benefit from pedestrian safety improvements; these schools could be partners in building momentum and attracting funds to make safety improvements.

Safe Routes to Schools is a nationwide program to encourage biking and walking to school. Hillbrook is fortunate that Santa Clara County has an existing Safe Routes to Schools Program that offers free services to K-8 schools in the County. The County's "Traffic Safe Communities Network" offers the following types of services:

- Assessments of the "walkability" and "bikeability" of an area
- Bicycle and Pedestrian Safety Education Classes
- Bicycle Safety Events
- Parent Traffic Safety Education and Training for Volunteers or Staff
- Traffic Safety Planning with engineers and police officers
- Tools such as safety vests, new signs, etc.

The Town of Los Gatos has received Safe Routes to Schools funding in the past for projects such as new sidewalks and sidewalk gap closures to improve pedestrian safety and accessibility to elementary and middle schools.

In addition to Safe Routes to Schools projects, the Town currently has a Neighborhood Traffic Calming program in effect, which highlights the Town's traffic calming goals such as limiting impacts on local streets. If a particular street meets at least one of the Town's designated criteria, residents can request a trial traffic calming project on their street with a 2/3 majority

neighborhood vote.¹ By doing so, a strong majority of residents can secure traffic calming projects if they feel that safety due to speeding or other factors is a concern.

Program Design: Hillbrook will organize a working group composed of Hillbrook staff, Town of Los Gatos staff, neighbors, and the Blossom Hill School to improve safety in the neighborhood. This group will identify:

- **Short-term “traffic calming” pilot projects**, such as using traffic cones to reduce traffic speeds.
- **Long-term grant funding opportunities** to institute any infrastructure or higher cost changes. The participation of the Town of Los Gatos will be important in acquiring grants as they would be the sponsor of any infrastructure projects that move forward.

Hillbrook, in conjunction with the working group, should contact the TSCN in Santa Clara County to get more information on the services they offer. To begin, an assessment of existing pedestrian and bicycling conditions in the area could help identify the most critical changes that should be made and next steps to pursue these improvements. It could also be beneficial to conduct a campus traffic safety training to increase awareness, and promote walking and biking. Those families that do walk to school could participate as examples. (TSCN: <http://www.sccgov.org/sites/sccphd/en-us/Partners/TrafficSafety/Pages/default.aspx>)

Transportation Coordinator

Recommendation: Identify a staff person to serve as the Transportation Coordinator for the School.

Background Discussion: A Transportation Coordinator would be very useful to the School to administer other commute benefits such as carpool matches, zip code parties, and the other recommendations included in this report.

Program Design: Identify a staff person to serve as the Transportation Coordinator for the School. A transportation coordinator will complement and enhance the benefits of other TDM strategies at Hillbrook and provide better “customer service” for Hillbrook’s families.

Change Transportation Monitoring Practices and Request a CUP Alteration

Recommendation: Hillbrook will make take the following steps to alter their data collection and traffic monitoring practices. The school will:

- Begin having a third-party vendor collect data on vehicles leaving campus on a daily basis through permanently installed hidden vehicle counters. Results of the data collection should be made available to the Town.
- Request a CUP amendment allowing for ongoing year-round trip counts and compliance to be measured according to the monthly average, not the result of two sets of counts.
- Commit to doing speed checks for one week each semester.

¹ Criteria include: 85th percentile speeds exceeding the posted speed limit by 5 mph, volumes exceeding 1,500 vehicles per day (vpd) for local streets and 3,000 vpd for collector streets, volume of trucks, over 30 feet in length, exceeding one-half of one percent of the total traffic volume, and curb parking occupancy exceeding 70% from 8AM to 7PM. Source: <http://www.town.los-gatos.ca.us/index.aspx?NID=161>.

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- Commit to conducting annual surveys of families to better tailor the TDM program to future needs

Background Discussion: The current CUP requires the Town to conduct traffic counts twice annually at the Marchmont Drive gate to measure compliance with the 165 outbound vehicle limit (during peak hours 7:30 – 8:30 AM and 2:30 – 3:45 PM). Hillbrook has continually met the CUP peak hour outbound vehicle cap. However, the current system of requiring counts twice per year on randomly selected days does not allow for an accurate depiction of traffic volumes over the course of a year. Therefore, it is a more reasonable approach to measure trips year-round and monitor the School's average number of monthly outbound trips.

Neighbors are concerned about evasion of the vehicle counters and speeding in the neighborhood. Therefore, the School will take steps to alleviate these concerns: collection of traffic count data through a system that is hidden from view to ensure that no one is evading the system and speed checks on a bi-annual basis.

In addition, the School will conduct an annual transportation survey of families, including their current travel behavior as well as stated future needs to allow the TDM program to adapt to changing demands.

Program Design: Hillbrook will request a CUP amendment that measures compliance with the peak hour outbound vehicle limit using monthly averages rather than the twice annual counts. This will require Hillbrook to install permanent counting devices to measure outbound traffic at the driveway of the school and have a third-party vendor track the data on a daily basis. The data will then be made available to the Town. The School will select a system that is hidden from view to eliminate evasion. The School will also conduct a speed check on Marchmont Drive and Hilow Road during one week each semester to address neighbor concerns about speeding. Finally, the School will conduct its annual survey of families approximately one month after the start of each fall semester to ensure the ongoing success of the TDM program.

TDM PROGRAM IMPACTS

The package of TDM strategies recommended in this report indicate that Hillbrook could reduce peak-hour vehicle trips by over 18%, equal to 34 trips during the afternoon peak period. With the proposed expanded enrollment, this would result in a total net gain of 10-12 PM trips, which would keep Hillbrook under its current trip cap.

It should be noted that TDM strategies work as a package, with many alternatives and incentives working together to encourage behavior changes. However, the largest contributors to this trip reduction are:

- The recommended alterations to the shuttle system
- An expanded carpooling program
- An off-site kiss-and-ride short-distance shuttle

It should also be noted that of these programs, only the carpool and shuttle recommendations will yield trip reductions whereas the off-site shuttle stop will primarily yield a reduction of trips on surrounding neighborhood residential streets.

EXHIBIT 6

Letter of Justification for CUP Modification Hillbrook School

Purpose

Hillbrook School is seeking to fully enroll its campus as envisioned in the Master Site Plan previously approved by the Town. Hillbrook's existing facilities can accommodate the enrollment level sought. Hillbrook has been part of the Los Gatos community for over 75 years, and 46 percent of current students are Los Gatos residents. Each year we turn away qualified applicants, including many Los Gatos residents, due to increasing demand for our program. Through an iterative application process that has enabled the viewpoints of different stakeholders to be heard, the school has been able to create a proposal that allows the school to increase enrollment without adding any incremental traffic through the neighborhood. Hillbrook will adopt an aggressive Traffic Demand Management plan, parts of which the school has already proactively implemented. As a part of this modification, Hillbrook also seeks to clarify and add transparency to a number of existing conditions of its CUP in order to improve neighborhood relations.

Hillbrook seeks approval to:

- Increase our enrollment from 315 to 414 students (Condition #4);
- Modify peak period traffic from a maximum of 165 to an average of 165 per peak period each trimester (New Condition #11A);
- Increase peak period traffic times to two hours in the summer with traffic limited to an average of 165 per peak period (New Condition #11B);
- Increase transparency of traffic counts by having a third party report average daily count of peak period cars as opposed to a twice yearly traffic count (New Condition #11C);
- Make minor changes to current Conditions 1, 10 and 11 to clarify their intent.

Background

Founded more than 75 years ago, Hillbrook School offers an extraordinary educational experience that prepares students for school and for life. Originally known as The Children's County School, the school served as a boarding school for wards of the state throughout the 1930s and 1940s. In the early 1950s, the school evolved into an independent day school and then changed its name to the Hillbrook School in 1960. Since then, the school has evolved into one of the leading independent schools in the Bay Area.

During the past 10 years, the school campus has been rebuilt and modernized, retaining its historical look and feel while bringing the school facilities up to date. The program has also evolved and expanded, balancing rigorous academics with a focus on social emotional learning and service to the community. The school is a vital part of the Los Gatos community, not only serving many families who live in Los Gatos and surrounding communities but also through the service efforts of our students and families. In just the past year, for example, students have volunteered at Live Oak Adult Day Services, participated in a telethon for "The Venue," and hosted a number of special needs students from the local public schools.

History of the CUP

The original CUP was approved in the late 1980s by the Planning Commission when the school sought to build Founder's Hall (the gym). To address neighborhood concerns that the Hall might be used for weddings and similar activities, Hillbrook agreed to limit Founder's Hall usage to school activities. The school also agreed to build a new access road and gate off of Ann Arbor to provide emergency access to the Middle School side of campus, but to limit the Ann Arbor access to emergency vehicles and construction equipment. (Condition #2). The school also agreed to limit enrollment to 315 students. (Condition #4).

In the late 1990s the CUP was amended as part of the school's application to rebuild the campus. The school's facilities had become dilapidated and were not earthquake safe. The new CUP conditions addressed neighborhood concerns about traffic. The school agreed to adopt a voluntary carpool program, and also agreed to limit car counts to 165 cars leaving campus during the two high impact traffic windows 7:30 – 8:30 am and 2:30 – 3:45 pm. (Condition #12)

In 2001 Hillbrook received ASA approval of a master site plan to rebuild the facilities on campus (PRJ-99-063). That approved master plan allows a total of 55,715 square feet of buildings. Since obtaining that approval, Hillbrook has renovated, rebuilt or replaced most of the buildings on site. Currently, the building square footage on the campus is 52,683 (see attached data table). Hillbrook can accommodate the requested 414 student enrollment within the 55,715 square feet provided by the approved master plan.

Our Program & Campus Usage

The educational program integrates rigorous academics with strong arts, athletics, and service learning. The school day begins at 8 am for grades 1-8 and 8:15 am for JK/K. Dismissal times are staggered, with JK/K ending at 2:45 pm, 1-4 at 3 pm, and 5-8 at 3:15 pm.

The school also offers after school programs for students. After School Enrichment offerings include dance, Lego engineering, woodworking, Introductory Spanish for JK/K, and drama. We also have a full range of competitive sports programs for our Middle School students, including volleyball, flag football, cross country, basketball, and lacrosse. Our Extended Care program to support working parents runs until 6 pm.

During the day, the school holds regular meetings of the Board of Trustees and the Hillbrook School Parent Council, and periodically hosts parent education speakers. The school hosts a limited number of evening events, including Back to School Nights for both Lower School and Middle School, parent education programs, Hillbrook School Parent Council meetings, a winter holiday concert, and Family Fun Night (a beginning of year celebration which involves the entire school community).

Weekend use is limited to a girls volleyball tournament typically in October, a boys and girls basketball tournament typically in February and/or March and an admission Open House in November. In addition, faculty and administrators come on campus to complete work, and grounds maintenance services are provided.

During the summer, the school operates a summer program, which includes various opportunities for students from JK-8. Programs have included a soccer camp, Camp Acorn for children in grades JK-1, a drama camp, and a Spanish immersion camp. The school also works with Breakthrough Silicon Valley, a non-profit that serves under-resourced Middle School students, to provide a rigorous, college preparatory program for Middle School students.

The school also holds periodic professional development opportunities for teachers and school leaders throughout the year. For example, last year the school hosted several groups of teachers and administrators from both public and private schools interested in learning about the school's iPad program.

Our Efforts to be a Good Neighbor

As a school, we work hard to be good neighbors. We send regular updates about school activities and strive to keep open lines of communication.

The biggest impact the school has on the neighborhood is in the form of traffic. As a school, we have taken a number of steps to mitigate traffic. Our Traffic Demand Management plan includes:

- A strong and consistent message to our parents to carpool and to obey all traffic laws in the neighborhood
- The creation of a web-based resource for parents that facilitates the creation of carpools
- Two bus lines (one that travels down Hwy 9, one from Willow Glen/Rose Garden neighborhood – over 100 students participating) that minimize the number of cars coming to and from campus
- The placement of portable signs in the neighborhood reminding parents of the speed limit and the importance of slowing down
- The regular presence of school staff in the neighborhood
- Regular requests of the Los Gatos/Monte Sereno police department to place portable electronic speed signs in the neighborhood and to be a presence in the neighborhood
- To address the summer traffic concerns expressed by neighbors, we are proposing a new condition to our use permit to regulate that traffic.

As part of our pre-application process, we decided in consultation with the Town of Los Gatos that a traffic study would be beneficial to verify that our request to increase enrollment would be viable. TJKM, the traffic consultant commissioned by the Town, performed its initial site observations and traffic counts in May of 2011, and performed a follow-up observation in December of 2011. As part of its initial observations, TJKM recommended the school add an additional stacking lane (from four lanes to five) and additional pick up/drop off spots (from four to six) in order to improve the traffic flow on campus. The school made this change in August 2011, and the impact has been extremely positive with traffic easily contained within the school site. Following our original submission in February, we hired Nelson\Nygaard, an internationally known traffic consulting firm, to help us craft a more aggressive Traffic Demand Management

Plan. That new plan, which was completed in September 2012, includes changes to our shuttle system to increase ridership which we have already implemented.

Proposal

- **Increase Enrollment To Improve Quality of Educational Program**

Current Condition #4: ENROLLMENT. *The enrollment shall be limited to 315 students.*

Proposed Revised Condition #4: ENROLLMENT. *The enrollment shall be limited to 414 students.*

Explanation:

The school's current enrollment cap of 315 was set back in the late 1980s. At the time, the school was structured differently, with a pre-school program of 45-50 children and a JK-8 program that hovered around 250 students. In the late 1990s, the school dissolved its pre-school program and moved to a structure with two classes (or sections) at each grade level. The school had increasing demand for its JK-8 and wanted to begin to even out the enrollment at each grade level within the constraints of the CUP.

Today, the school is seeking to increase the enrollment to 414 for two reasons. First, we hope to complete the process of evening out our classes begun in the late 1990s (see attached chart). By increasing our enrollment, we can have consistent enrollment (2 classes of 20 students) in our lower grades.

In addition, increasing our enrollment will enable us to achieve a signature piece of Vision 2015 – the school's strategic plan – allowing us to strengthen our Middle School by providing more academic flexibility, enhancing our co-curricular offerings (dance, music, athletics, robotics), broadening social opportunities, and bringing in new students and families who will add an exciting energy to our community. To accomplish this goal, we need to increase our Middle School enrollment from two classes to three classes. (see attached chart)

- **Replace Condition #12 with Condition #11A, B and C**

Current Condition #12: TRAFFIC COUNTS. *At the applicant's expense, the Town shall conduct traffic counts at the Marchmont Drive gate of Hillbrook School twice a year, during appropriate months chosen by staff. The maximum number of vehicles leaving the school during each of the hours of 7:30 A.M. to 8:30 A.M. and 2:30 P.M. to 3:45 P.M. shall not exceed 165 vehicles.*

Proposed Revised Condition #11.A: SCHOOL YEAR TRAFFIC COUNTS. *During the school year, the maximum number of vehicles leaving the campus during each of the periods of 7:30 A.M. to 8:30 A.M. and 2:30 P.M. to 3:45 P.M. shall not exceed an average of 165 vehicles per period each trimester. A permanent traffic counting device shall be installed and maintained by Hillbrook School to measure exiting traffic during these periods, with the records of traffic*

counts preserved electronically. Reports of the traffic leaving the campus during these periods shall be provided by Hillbrook School to the Town promptly after the end of each trimester.

Explanation:

Based on the analysis of Nelson\Nygaard, Hillbrook would recommend that the condition be modified slightly to read an average of 165 cars. We believe we can continue to operate within our current condition, but would recommend a shift to an average in conjunction with the installation of a permanent counting device. Hillbrook's transit service, staggered schedule, and efforts to promote carpooling have been extremely successful: As reflected in the Town traffic study (dated December 2011), our community typically generates an average of 135 vehicle exits during the peak periods. We recognize that to determine average exiting traffic, a permanent traffic counting mechanism would be necessary. Hillbrook is prepared to provide that system and has included the requirement in the proposed revised language of the condition (see #11C).

Additionally, for the reasons described in the next section, we are proposing that Condition #11A be limited to school year traffic, and that a new condition #11B be added to address summer campus traffic.

- **Clarify the Traffic Requirements Associated with Summer Use of Hillbrook's Campus**

Proposed New Condition #11B: SUMMER TRAFFIC COUNTS. During the period between the end of one school year and the beginning of the next school year, the maximum number of vehicles leaving the campus during each of the periods of 7:30 A.M. to 9:30 A.M. and 2:30 P.M. to 4:30 P.M. shall not exceed an average of 165 vehicles during either period. A permanent traffic counting device shall be installed and maintained by Hillbrook School to measure exiting traffic during these periods, with the records of traffic counts preserved electronically. Reports of the traffic leaving the campus during these periods shall be provided by Hillbrook School to the Town promptly after the beginning of the new school year.

Explanation:

As described above, Hillbrook has historically provided summer programming that compliments its educational focus during the school year. For the summer of 2010, we created new programs, including partnering with "Steve & Kate's" to jointly operate a camp and extended care program with a flexible drop-off and pick-up schedule. As the summer progressed, the programs grew in popularity, and with it, additional traffic throughout the day, until both well exceeded what was experienced in prior summers.

This became a source of confusion within the neighborhood, as the Hillbrook traffic was not following the school-year pattern due to the open drop-off and pick-up times and with day to day drop-in services. We believe it would be prudent to add a condition to the CUP to specifically address summer traffic, to more accurately reflect typical summer drop-off and pick-up times, which tend to occur over a slightly longer period than during the school year. We believe this condition will benefit the neighborhood by assuring that summer traffic during peak periods will be less concentrated than during the school year.

Proposed New Condition #11C: TRAFFIC COUNTING DEVICE: *A permanent traffic counting device shall be installed and maintained by the applicant to measure exiting traffic during the periods described in Conditions 11A and 11B, with the records of traffic counts preserved electronically and promptly posted to the applicant's website to be accessible to Town officials and the general public.*

Explanation:

The permanent traffic counting device would provide a transparent and convenient way for the school, the Town of Los Gatos and the general public to monitor Hillbrook's daily traffic counts.

Proposed New Condition #11D: TRANSPORTATION DEMAND MANAGEMENT PLAN: *The applicant shall take all necessary measures to ensure that the traffic counts describe in Conditions 11A and 11B are not exceeded, including utilizing as needed measures such as carpooling, shuttles, off-site "kiss-and-ride" programs, speed signs and the use of a traffic coordinator, all as described in the Transportation Demand Management Plan prepared by Nelson Nygaard and dated September 14, 2012. The applicant shall submit to the Town, a written report summarizing its traffic management measures twice a year for the months of February and September.*

- **Make Minor Changes to Other Permit Conditions to Clarify Them**

We believe that three of the Permit conditions would benefit from rewording to clarify their intent, without changing that intent. Those conditions are discussed in this section.

Current Condition #1: EXPIRATION. *Vesting for the Master Site Plan includes the demolition and reconstruction of the new classroom building under Architecture and Site Application PRJ-99-063. Once the application is vested, there are not further time limits to for the Master site Plan.*

Proposed Revised Condition #1: EXPIRATION. *Vesting for the Master Site Plan pursuant to Architecture and Site Application PRJ-99-063 has occurred and substantial work has been completed. Accordingly, there are no further time limits applicable to the Master Site Plan.*

Explanation:

When this condition was written, the Master Site Plan had not vested. It has vested now, and so the condition should be modified to reflect that.

Current Condition #10: LEASE/RENTALS. *No lease or rental of the campus facilities shall be permitted to third parties.*

Proposed Revised Condition #9: LEASE/RENTALS. *No lease or rental of the campus facilities shall be permitted to third parties, except for third party providers of educational programs consistent with Hillbrook's philosophy and mission.*

Explanation:

Last summer, questions were raised about the school's partnerships with several organizations, including Steve & Kate's, and whether these partnerships violated Condition #10. The condition as originally conceived and imposed was intended to preclude Hillbrook from hosting weddings and other social gatherings that were unrelated to Hillbrook's educational purpose. As a school, we do not believe that our current usage violates this condition, but we are amenable to clarifying this condition in order to eliminate future confusion.

Current Condition #11: *SIX MONTH REVIEW. This application shall be reconsidered by the Planning Commission six months from the date of approval.*

Proposed Revised Condition #11: *Intentionally deleted.*

Explanation:

As this condition related to the previous amendment to the CUP and has been satisfied, it serves no continuing purpose and should be deleted.

Application Process

On May 9, 2011, the school held an open meeting for the greater Marchmont neighborhood to share our plans for improving our Middle School. One week earlier we provided notice of the meeting to everyone within 300 feet of the school as well as all of the neighbors along the full extension of Marchmont (from the school to Englewood). Sixteen people attended the meeting. We placed details about our plan on our website in order to allow all interested members of the community to learn more about our vision.

In mid-May of 2011, as part of our quarterly neighborhood newsletter, we included an invitation to all neighbors to meet with the school to share their thoughts about the proposed plans. As a result of that outreach we had three meetings with interested neighbors as well as one phone conversation.

As a part of our pre-application process, the Town of Los Gatos commissioned a traffic study. TJKM, the traffic consultant commissioned by the Town, performed its initial site observations and traffic counts in May of 2011, and performed a follow-up observation of the reconfigured stacking lanes in December 2011. The final traffic study issued by TJKM concludes that the increase in enrollment and increase in peak period exits sought by Hillbrook will not result in significant traffic impacts to the local streets. Following receipt of the study, we prepared our formal application to modify the CUP.

As part of our neighborhood outreach in May of 2011, we committed to hosting a meeting to review our CUP modification application before submission to the town. We held that neighborhood meeting on January 18, 2012, to share our plans and to receive feedback. Two weeks prior to the meeting we again noticed everyone within 300 feet of the school as well as all neighbors along Marchmont. 51 people signed in at the meeting. During the meeting, we heard concerns about the impact of traffic in the neighborhood as well as concerns about our summer usage. Since the meeting, we have had additional communication with interested neighbors and remain open to working with neighbors to find ways to address their concerns.

Revised and Submitted September 20, 2012

See our two Responses to the Town of Los Gatos dated July 26, 2012 and September 20, 2012 for additional information about our neighborhood outreach following the original submission in January.

Conclusion

As part of our effort to create the strongest educational program possible and to best serve the community, we are asking to have our CUP modified to increase our enrollment from 315 to 414 students, to change our peak period exiting vehicle limitation to an average of 165 per peak period each trimester, to add a condition regulating summer traffic associated with Hillbrook's campus, and to make the other minor changes to three existing permit conditions described above.

Sincerely,

Mark Silver
Head of School
Hillbrook School

EXHIBIT 7

Hillbrook Conditions of Approval Matrix

Existing CUP Conditions	Proposed CUP Conditions
<p>1. <u>Expiration</u>. Vesting for the Master Site Plan includes the demolition of the new classroom building under Architecture and Site Application PRJ-99-063. Once the application is vested, there are no further time limits to for [sic] the Master Site Plan.</p>	<p>1. <u>Approval</u>. This use permit shall be applied and administered in accordance with all conditions of approval listed below and in substantial compliance with the applicant's letter dated September 17, 2014 (attached as Exhibit A) and other applicant documents described below. Any changes or modifications to the approved use shall be approved by the Community Development Director, the Development Review Committee, the Planning Commission, or Town Council, depending on the scope of the changes.</p>
	<p>2. <u>Use</u>. The approved use is a junior kindergarten (JK) through eighth grade private school, including but not limited to all activities associated with typical operations of a JK through 8th grade private school, such as after class and after school programs involving sports, drama, and other student activities, festivals, dances, and similar activities for the student population, as well as educational opportunities for parents of current students, which are open to other interested parents, and educational opportunities for current faculty, which are open to other faculty, all subject to the limitations set forth within these conditions of approval.</p>
<p>2. <u>Emergency Access Road</u>. The emergency access road to Ann Arbor Drive shall not be opened up at any time to public or school use. The road may be opened for construction access only if it is part of the approved construction plan for the Architecture and Site application.</p>	<p>3. Same</p>
<p>3. <u>Carpooling</u>. The Town accepts the voluntary offer of Hillbrook School to maintain and promote a carpooling program for their students. Hillbrook School shall submit to the Town a written report summarizing the carpool participation. This report shall be submitted twice a year for the months of February and September.</p>	<p>See Traffic Conditions</p>

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	4. <u>Parking</u> . There shall be no Hillbrook-related parking on upper or lower Marchmont Drive, its adjacent courts, Hilow Road, Stonybrook Road, Englewood Avenue, Robin Way, Cardinal Lane, or Topping Way. There shall be no picking up or dropping off of students on the above-named streets.
4. <u>Enrollment</u> . The enrollment shall be limited to 315 students.	5. <u>Enrollment</u> . The enrollment (i.e. the number of students who have been granted admission to attend any program on the campus) shall be limited to 414 at any time during the regular school session and 414 at any time during any portion of the year when the regular school session is not occurring. The applicant shall submit a copy of the student enrollment roster to the Town's Planning division for verification. The roster shall be submitted annually two months from the first day of the school year.
5. <u>Employees</u> . The after school maximum number of employees on site during activities in the gymnasium which draws an audience shall not exceed 12.	6. Same.
6. <u>Nighttime Activities</u> . The maximum number of nighttime activities is limited to ten per calendar year. All activities shall conclude by 9 p.m. and all vehicles belonging to persons participating in these activities shall be off school premises by 9:30 P.M. All activities which draw an audience to the gymnasium shall take place after school hours.	<p>7. <u>Hours of Operation</u>.</p> <p>A. <u>Daytime Weekday Hours</u>. Daytime, weekday hours begin at approximately 7:30 A.M. when the students start to arrive for class and end at 6:00 PM, when the last of the programs for students [continuously] on campus concludes.</p> <p>B. <u>Nighttime Hours</u>. Nighttime activities are those activities which commence at or after 6:00 P.M., or prior, and extend beyond 7:00 P.M. All nighttime activities shall conclude by 9:00 P.M. and all vehicles belonging to persons participating in these activities shall be off school premises by 9:30 P.M. The maximum number of nighttime activities is limited to ten (10) per calendar year. No nighttime activities (after 6:00 P.M.) shall be allowed during the Summer Term (as defined below).</p> <p>C. <u>Weekend Activities</u>. During the weekend the campus shall be closed to any use by outside leagues or youth groups, the gym shall only be used for Hillbrook School activities and the weekend use</p>

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	shall be limited to an Open House event in October, and volleyball and basketball tournaments between Hillbrook School and other schools only.
7. <u>Weekend Activities</u> . During the weekend the campus shall be closed to any use by outside leagues or youth groups, the gym shall only be used for Hillbrook School activities and the weekend use shall be limited to an Open House event in October, and volleyball and basketball tournaments for Hillbrook School only.	7. See 7(C)
	8. <u>Neighborhood Coordination</u> . As part of the Hillbrook School's ongoing coordination efforts with its neighbors, a schedule of special events shall be provided to the neighborhood at the beginning of every school year. In addition to on-going and continual neighborhood outreach, the applicant shall conduct an annual neighborhood meeting to engage the surrounding neighborhood in discussions related to the operation of the school site and any concerns the area residents may have. Notification of the neighborhood meeting shall include notices mailed to owners and occupants on upper or lower Marchmont Drive, its adjacent courts, Hilow Road, Stonybrook Road, Englewood Avenue, Robin Way, Cardinal Lane, and Topping Way. Any resident wishing to receive notifications by mail and/or email can submit a written request to the Hillbrook School Traffic Coordinator.
	9. <u>Neighborhood Committee</u> . Hillbrook School shall establish a Neighborhood Committee comprised of two Hillbrook School Trustees, the Head of School, the Traffic Coordinator and four representatives from the neighborhood. The Neighborhood Committee shall meet quarterly to discuss issues of concern and maintain meeting minutes for the public or the Town's review.
8. <u>Gymnasium Doors and Windows</u> . The loading doors on the Ann Arbor side shall be closed at all times whenever activities are being held inside the gymnasium. The other doors and windows in the gymnasium shall be allowed to remain open during activities.	10. Same

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9. <u>Music</u> . Music from live bands shall not be amplified. One amplified DJ event is permitted per year.	11. Same
10. <u>Lease/Rentals</u> . No lease or rental of the campus facilities shall be permitted to third parties.	12. <u>Lease/Rentals</u> . No lease or rental of the campus facilities shall be permitted to third parties, except for third party providers of educational programs consistent with the Hillbrook School's philosophy and mission and in strict accordance with the Traffic Conditions set forth in Section 14 herein.
11. <u>Six Month Review</u> . This application shall be reconsidered by the Planning Commission six months from the date of approval.	13. <u>Compliance Review</u> . After the first enrollment cycle of increased enrollment, a compliance hearing shall be held by the Planning Commission to review Hillbrook's compliance with the provisions of this permit.
	Traffic Conditions
12. <u>Traffic Counts</u> . At the applicant's expense, the Town shall conduct traffic counts at the Marchmont Drive gate of Hillbrook School twice a year, during appropriate months chosen by staff. The maximum number of vehicles leaving the school during each of the hours of 7:30 AM to 8:30 AM and 2:30 PM to 3:45 PM shall not exceed 165 vehicles.	<p>14(A). <u>School Year Traffic Counts</u>. During the school year, the maximum number of vehicles leaving the campus during each of the periods of 7:30 AM to 8:30 AM and 2:30 PM to 3:45 PM shall not exceed an average of 150 outbound vehicles per peak period.</p> <p>14(B). <u>Average Daily Traffic ("ADT") Count</u>. The maximum number of vehicles entering and leaving the campus on a daily basis shall not exceed an average of 960 vehicles for each semester term (i.e. "First Term" (Fall/Winter) and "Second Term" (Winter/Spring)).</p> <p>14(C). <u>Summer ADT Count</u>. During the period between the end of one school year and the beginning of the next school year ("Summer Term"), the maximum number of vehicles entering and leaving the campus on a daily basis shall not exceed an average of 480.</p> <p>14(D). <u>Trip Cap Definition</u>. The Trip Cap shall be defined collectively by the averages of the AM and PM peak period counts and the ADT established in Sections 14(A-C) herein for the First Term, Second Term, and Summer Term.</p> <p>14(E). <u>Traffic Counting Device</u>. A permanent traffic counting device shall be installed and maintained by the applicant to measure traffic during the AM and PM peak periods, as well as</p>

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	<p>daily trips, with the records of traffic counts preserved electronically. These records of traffic counts shall be posted daily on the Hillbrook website, but in no event shall this traffic data be used to determine Trip Cap compliance.</p> <p>14(F). <u>Transportation Demand Management ("TDM") Plan</u>. The applicant shall take all necessary measures to ensure that the Trip Cap is not exceeded, including utilizing measures such as carpooling, shuttles, off-site "kiss and ride" programs, and speed signs, as described in the Final Transportation Demand Management Plan attached to the Draft Environmental Impact Report as Appendix D. The applicant shall submit to the Town a written report summarizing its TDM measures twice a year at the end of the First Term and the end of the Second Term.</p> <p>14(G). <u>Traffic Coordinator</u>. The applicant shall designate and provide a traffic coordinator, whose responsibilities shall include overseeing traffic operations and facilitating outreach with the public, employees, and parents. The Traffic Coordinator shall establish a working group of staff, trustees, and parents to discuss and address neighborhood issues on an ongoing basis. Annually, the Traffic Coordinator shall inform parents of designated routes of travel to and from the Hillbrook campus, as well as promote the elements of the TDM program.</p> <p>14(H). <u>Monitoring Protocol</u>. To monitor compliance with the Trip Cap, traffic data shall be collected from the sensors installed by Sensys Networks at the Hillbrook School three times a year, in December, May and August, which shall reflect the counts for the First Term, Second Term, and Summer Term, respectively. This data shall be provided to an independent, third-party vendor for analysis of the applicant's compliance with the Trip Cap. The resulting traffic count shall be the average of the counts collected over the course of each of the three school terms. This average shall avoid days immediately before or after holidays, minimum days, and days with inclement weather conditions. The analysis also shall take into account a reliability</p>
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	<p>factor for the margin of error inherent in the vehicle counting sensors, as well as any operational or mechanical issues that arise. The applicant shall be responsible for paying all costs related to this monitoring protocol.</p> <p>14(I). <u>Special Nighttime Event Exclusions</u>. To account for special nighttime events occurring after 6:00 PM, Hillbrook School may have up to 10 special nighttime event exclusions per year or 10 days on which the ADT trip limitation is exceeded, but not considered a violation. These special nighttime events do not represent typical operations of the Hillbrook School and shall be defined as an evening activity that is not typical of the normal operations of the Hillbrook School and will likely involve more than Hillbrook School families and employees.</p> <p>14(J). <u>Penalty</u>. If the averaging of the traffic count data shows that any variation of the traffic volumes (AM, PM, or ADT) exceeds the Trip Cap, the applicant shall pay a penalty of \$1,000 per excess trip (adjusted annually starting in 2015 per the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose area). Penalties shall escalate by \$5,000 per excess trip for each subsequent monitoring period the Trip Cap is exceeded and shall increase to \$10,000 per excess trip if the applicant is out of compliance for three consecutive monitoring periods. If a subsequent monitoring period confirms that the applicant is in compliance with the Trip Cap, no penalty shall apply and the penalty shall revert to the base level of \$1,000. Any penalty monies shall be used toward neighborhood traffic/pedestrian improvements as determined by the Neighborhood Committee in coordination with Town staff.</p>
	15. <u>Commercial Traffic</u> . No commercial traffic shall be permitted into or out of the Hillbrook gate before 7:00 A.M. on weekdays or weekends.
13. <u>Building Footprints</u> . The footprints of future buildings may be required to be modified during Architecture and Site	16. Same

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approval process to reduce tree impacts.	
	<p>17. <u>Indemnity</u>. Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.</p>

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