

**PLANNING COMMISSION
DRAFT ACTION MINUTES**

**TOWN OF ATHERTON
July 26, 2017
6:00pm
TOWN COUNCIL CHAMBERS
94 ASHFIELD ROAD**

1. ROLL CALL

**PRESENT: Eric Lane
Joann Byrne-Sockolov
Nancy Lerner
Randy Lamb
Paul Tonelli**

Senior Planner Stephanie Bertollo-Davis, Assistant City Attorney Jen Larson, and Town Arborist Sally Bentz- Dalton were present.

2. PUBLIC COMMENTS – None.

3. APPROVAL OF MINUTES

MOTION to approve the minutes of the June 28, 2017 as amended.

M/S Lamb/Sockolov Ayes: 5 Noes:0 Excused: 0

4. PUBLIC HEARING

a. Heritage Tree Removal Permit– 124 Austin Avenue (APN 059-292-020) – Request for a Heritage Tree Removal Permit to allow the removal of one heritage Norway spruce tree.

MOTION to continue this item to the August 23, 2017 Planning Commission meeting.

M/S Lamb/Tonelli Ayes: 5 Noes: 0 Excused: 0

b. Special Structures Permit and Variance– 264 Bay Road (APN 061-091-030) – Request for a Special Structures Permit to allow a habitable basement under an accessory building and a Variance to allow a detached garage to be located in the required front yard setback.

MOTION to continue this item to the August 23, 2017 Planning Commission meeting.

M/S Lerner/Sockolov Ayes: 5 Noes: 0 Excused: 0

c. Heritage Tree Removal Permit– 172 Tuscaloosa Avenue (APN 070-050-130) – Request for a Heritage Tree Removal Permit to allow the relocation of two heritage oak trees.

Senior Planner Davis gave an overview and answered questions.

OPEN PUBLIC COMMENT

The applicant, Charles Belser, presented the project and answered questions.

Christina Patterson, 176 Tuscaloosa, asked questions about the project and stated her opposition.

PUBLIC COMMENT CLOSED

The Commission directed the applicant to work with the Town Arborist and neighbor on possible replanting screening plan.

MOTION to continue this item to the August 23, 2017 Planning Commission meeting.

M/S Lamb/Tonelli Ayes: 5 Noes: 0 Excused: 0

d. Special Structures Permit– 55 Camino Por Los Arboles (APN 070-310-040) – Request for a Special Structures Permit to allow portions of the vertical sidewalls of the main residence to exceed 22 feet and portions of the main residence to exceed 30 feet. Senior Planner Davis gave an overview and answered questions.

OPEN PUBLIC COMMENT

The applicant, representative from Frank Gerry and Associates Architects, presented the project and answered questions.

The property owner, Sateez Kadivar, presented the project and answered questions.

Denise Kupperman, Resident, spoke on the project.

PUBLIC COMMENT CLOSED

MOTION to approve the Special Structures Permit to allow for portions of the vertical sidewall height of the main residence to exceed 22 feet and portions of the main residence to exceed 30 feet.

M/S Lamb/Lane Ayes: 3 Noes: 2 Excused: 0

e. Heritage Tree Removal Permit and Variance– 58 Mulberry Lane (APN 070-032-360) – Request for a Heritage Tree Removal Permit to allow for the removal of one heritage palm tree and a Variance to allow a detached garage to be located in the required front yard setback.

OPEN PUBLIC COMMENT

The property owner Marten Abrahamsen, presented the project and answered questions.

Neighbor, property owner 276 Atherton Avenue, spoke on the project.

PUBLIC COMMENT CLOSED

The Commission directed the applicant to work with the Town Arborist and neighbor on possible replanting screening plan.

MOTION to approve the Heritage Tree Removal Permit to allow for the removal of one, heritage palm tree.

M/S Sockolov/Tonelli Ayes: 5 Noes: 0 Excused: 0

MOTION to approve the Variance to allow for the construction of a portion of the detached garage to be located in the required front yard setback.

M/S Sockolov/Tonelli Ayes: 5 Noes: 0 Excused: 0

5. OLD BUSINESS

The Commission discussed the alternatives for Heritage Tree Ordinance revisions.

Denise Kupperman, Charles Belser, PPG Architects, Shaun Owen, Owen homes, Members of the public spoke.

The Commission directed staff to come back for an additional study session with more qualitative/quantitative data as feasible regarding the different distance alternatives considered for a Tree Protection Zone (TPZ), and to further address means of Town enforcement regarding projects that do not comply with tree protection measures prior to and during the construction process.

6. REGULAR AGENDA

MOTION to re-appoint Eric Lane as Planning Commission Chair.

M/S Sockolov/Lerner Ayes: 4 Noes: 0 Excused: 0 Abstain: 1

MOTION to re-appoint Randy Lamb as Planning Commission Vice –Chair.

M/S Tonelli/Sockolov Ayes: 4 Noes: 0 Excused: 0 Abstain: 1

7. COMMISSIONERS' REPORT

Commissioner Lane presented an architectural article regarding Eichler homes in Atherton.

8. STAFF REPORTS

9. ADJOURN – The meeting adjourned at 8:38 p.m.

Respectfully Submitted:

Stephanie B. Davis, AICP Senior Planner