

**PLANNING COMMISSION  
DRAFT MINUTES**

**TOWN OF ATHERTON  
May 23, 2018  
6:00pm  
TOWN COUNCIL CHAMBERS  
94 ASHFIELD ROAD**

**1. ROLL CALL**

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

**EXCUSED:** Randy Lamb

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

**2. PUBLIC COMMENTS**

None

**3. APPROVAL OF MINUTES**

**MOTION to approve the minutes of the April 25, 2018 with language as amended.  
M/S Sockolov/Lerner Ayes: 3 Noes:0 Absent: 1 Abstained: 1**

**4. CONSENT ITEM**

**a) General Plan Consistency Determination for the Capital Improvement Program Fiscal Years 2018/2020**

Motion to find the Capital Improvement Program consistent with the General Plan.  
M/S Lerner/Sockolov Ayes: 4 Noes: 0 Excused: 1

**5. PUBLIC HEARINGS**

**a) Special Structures Permit– 76 Ridgeview Drive (APN 070-330-050) – Request for a Special Structures Permit to allow a garage basement under an accessory building. Atherton Municipal Code Sections 17.15, 17.44.**

Senior Planner Stephanie Davis presented the staff report.

Commissioner Lerner asked if Menlo Fire looked at only having a single entry and exit for the underground garage.

Senior Planner Davis responded that the Town Building Official preliminary reviewed for compliance with minimum required entry/exit for the basement.

Commissioner Tonelli asked who oversees proper ventilation for the underground garage.

Senior Planner Davis responded the Town has that responsibility through the permitting process.

Commissioner Sockolov asked if there is any prohibition for hazardous materials in the basement.

Senior Planner Davis responded that the Town has a nuisance ordinance, but is not aware of any specific reference to hazardous materials.

Chair Lane asked if the proposal is for only one vehicle to be stored underground.

Senior Planner Davis responded that is correct.

#### OPEN PUBLIC COMMENT

Tim Chapelle, project architect, mentioned he had worked on a project on a different property in 2017 with the same proposal.

Chair Lane asked if the sprinklers proposed will be water sprinklers.

Mr. Chapelle responded that is correct. He also mentioned the proposal is meant only for storage and retrieval.

Chair Lane asked if any ventilation other than the door was proposed.

Mr. Chapelle responded no, but that it had been discussed.

Commissioner Tonelli asked about any lessons that had been learned from previously approved project.

Mr. Chapelle responded the lift system is not yet in place.

Commissioner Sockolov asked Mr. Chapelle if he believes the contractor has any safety concerns.

Mr. Chapelle responded that he believes they are curious, as it is not a common project, but nothing specific at this point.

#### CLOSE PUBLIC COMMENT

Chair Lane asked who in staff checks on the safety of the proposal.

Senior Planner Davis responded that this would happen through the plan check process by the Building Department, in conjunction with Menlo Park Fire.

Motion to approve the Special Structure Permit to allow a garage basement under an accessory building. **M/S Tonelli/Sockolov Ayes: 4 Noes: 0 Excused: 1**

- b) School Master Plan Update – 50 Valparaiso Avenue, Menlo School (APN 070-360-080)– Request for review of 2017 Annual Master Plan Update. Atherton Municipal Code Section 17.32.050.**

Senior Planner Stephanie Davis presented the staff report.

OPEN PUBLIC COMMENT

Loren Arms, Director of Facilities and Construction at Menlo School, introduced himself and made himself available for questions.

Commissioner Tonelli asked what sort of discussions have taken place for traffic to stay in compliance.

Mr. Arms mentioned the use of buses, as well as shuttles to and from Caltrain. He also mentioned financial incentives are provided for using public transit and that school has promoted electric vehicles and new parking charging stations that have been implemented recently.

Chair Lane asked why Mr. Arms believes the traffic numbers went up this past year.

Mr. Arms answered he does not see an obvious reason.

Commissioner Sockolov asked how the traffic counts are measured.

Mr. Chapelle answered the traffic counts are taken through the entrance.

Commissioner Sockolov asked if there is an impact from the school's proximity to Sacred Heart and if any coordination had occurred between the two schools.

Mr. Arms answered the measurements for traffic are taken specifically through the entrance to the school. He also noted security checks parking daily, and that they promote students and staff to park on campus.

Chair Lane asked if any discussion had taken place for ridesharing between the different schools.

Mr. Arms mentioned he will commit to reaching out to his counterpart at Sacred Heart.

Chair Lane expressed concerns about kids trying to get across the street at Valparaiso.

Mr. Arms mentioned he had not previously heard that concern. He noted that Menlo School does employ a crossing guard.

Commissioner Sockolov asked Mr. Arms had reached out to the City of Menlo Park due to safety concerns of crossing.

Mr. Arms answered he had not heard the concern and that Menlo School is at a stop light.

CLOSE PUBLIC COMMENT

Motion to accept the report on the 2017 Annual Master Plan Update for Menlo School.

**M/S Lerner/Tonelli Ayes: 4 Noes: 0 Excused: 1**

- c) Heritage Tree Removal Permit– 220 Park Lane (APN 070-330-050) – Request for a Heritage Tree Removal Permit to allow the removal of two heritage cedar trees. Atherton Municipal Code Section 8.10.**

Senior Planner Stephanie Davis presented the staff report.

Commissioner Tonelli expressed his confusion with the replanting plan.

Town Arborist Sally Bentz-Dalton mentioned that her report shows a replanting plan where the applicant will need to plant a lot of trees due to previous trees that she approved for removal that were in poor health. She noted a correction in the replanting plan that two 60" box trees, not gallon trees. She also mentioned that the oak tree next to the cedar is not a heritage tree.

OPEN PUBLIC COMMENT

Cris Franklin, project landscape architect, mentioned trees being kept are all oaks.

Commissioner Tonelli asked what short term impacts could affect the oak tree if the cedar is removed.

Ms. Franklin mentioned the project arborist assured the oak is far enough where it would not be impacted.

Chair Lane asked if removal of the tree on the side of the property abutting the neighboring property would affect anything on the neighbor's side.

Ms. Franklin responded that there is nothing that would be affected on the neighbor's side, and that the tree has limb failure that could affect both properties.

CLOSE PUBLIC COMMENT

Atherton resident asked about other trees are being removed and what the replacement plan is for those.

Town Arborist Sally responded the trees in the buildable area being removed do not have a replacement plan as they do not require a permit.

Motion to approve the Heritage Tree Removal to allow for the removal of two heritage cedar trees.

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

**d) Heritage Tree Removal Permit– 142 Almendral (APN 059-292-130) – Request for a Heritage Tree Removal Permit to allow the removal of one heritage incense cedar tree. Atherton Municipal Code Section 8.10.**

Assistant Planner Nestor Delgado presented the staff report.

Town Arborist Sally Bentz-Dalton mentioned the small growing area for the incense cedar tree due to the existing driveway and the presence of neighboring large redwood trees.

OPEN PUBLIC HEARING

Lisa Gani, property owner, mentioned the large amount of trees already on site. She noted the driveway was already in place when she moved in. She mentioned the hazards created by the tree for delivery vehicles due to the branches.

Commissioner Tonelli asked about the location of the replacement flowering cherries.

Ms. Gani responded these would be in the front of the lot.

CLOSE PUBLIC HEARING

Chair Lane asked Town Arborist Sally Bentz-Dalton if the proposed replanting plan is a typical replacement plan for the proposal.

Town Arborist Sally Bentz-Dalton responded that she would typically not approve the tree replacement plan, but she approved it due to the presence of other large trees on the lot and the benefit of having the replacement trees in the right-of-way.

Commissioner Tonelli asked if the replacement trees would become a hazard.

Ms. Bentz-Dalton responded no, and that the applicants will need to get an encroachment permit.

Chair Lane asked if there would be any issues with PG&E.

Ms. Bentz-Dalton mentioned that any digging in the right-of-way will require consult with PG&E.

Motion to approve the Heritage Tree Removal permit to allow for the removal of one heritage incense cedar tree. **M/S Sockolov/Tonelli Ayes: 4 Noes: 0 Excused: 1**

- e) Heritage Tree Removal Permit– 68 Euclid Avenue (APN 070-021-040) – Request for adoption of Mitigated Negative Declaration and a Heritage Tree Removal Permit to allow for removal of eight heritage redwood trees. Atherton Municipal Code Sections 8.10 and 15.32.100.**

Senior Planner Stephanie Davis presented the staff report. She mentioned a revised replanting plan memorandum had been made available to the Commissioners and to the public. Ms. Davis also mentioned an additional letter received from the property owners of 67 Marymont had been made available.

Commissioner Tonelli asked about the concerns from the applicants regarding draft condition 2.

Ms. Davis responded the concerns were about specific species that would provide adequate screening and that would not attract rodents. She noted the revised replanting plan meets these conditions.

Commissioner Tonelli asked if it would be at the discretion of the applicant where the replacement trees would be located.

Ms. Davis responded the language is specific as to where the replacement trees will be planted.

OPEN PUBLIC HEARING

Frank, LLC representing the homeowner, mentioned the trees are damaging the property and preventing additional screening.

Property resident mentioned the trees impede her ability to walk in privacy, and that some tree roots have damaged the existing shed and could damage the neighbor's pool. She noted some of the trees require a lot of water. She noted she needs space to walk due to her physical therapy, as well as privacy provided in the rear of the property. She noted the possibility of tripping created by the tree roots.

Camas Steinmetz, land use attorney for the project, mentioned the trees were not original to the property.

Chair Lane mentioned the removal of trees #1 through #5 make sense to him, but he is concerned over trees #6-8. He asked about watering techniques used for tree roots for tree number 6.

Kevin Kielty, project arborist, mentioned watering techniques would be done when the trees are younger to keep the roots down.

Chair Lane inquired about trees #7 and 8.

Kevin Kielty, project arborist, responded those two trees would cause future problems to existing garage.

Commissioner Tonelli asked what can be done now to trees 7 and 8 to make sure these do not affect the garage.

Kevin Kielty project arborist, responded deeper watering can be implemented to the tree roots. He noted redwood trees require a lot of water.

Tina, project landscape architect, mentioned the replanting trees by the walking path were selected due to the narrowness of planting area. She mentioned they chose the prunus ilicifolia due to its shorter height and proximity to power lines and that they chose to replant a douglas fir in the front due to its height as well.

#### CLOSE PUBLIC HEARING

Chair Lane asked the Town Arborist, Sally Bentz-Dalton about trees #6, 7 and 8.

Town Arborist Sally Bentz-Dalton mentioned these trees are healthy redwoods. She mentioned tree roots might be following the lawn water. She noted the landscape architect might re-design the walking path to save the trees. She noted the garage was never discussed with the applicant, mentioning the tree is over 14' away from the garage.

Commissioner asked about the two limbs on tree #6.

Town Arborist Sally Bentz-Dalton mentioned this is not ideal, but it is currently not affecting the tree. She mentioned the screening along the back fence is meant to mitigate between the rear yard neighbor, noting English laurel is not an ideal replacement but it was approved due to the additional screening provided.

Commissioner Sockolov asked if the Town is required to look at ADA issues ahead of consistency for the General Plan.

Town Attorney Jen Larsson responded that is a separate process and that the primary determination should be taken as a tree removal permit.

Motion to adopt the mitigated negative declaration.

**M/S Lane/Tonelli      Ayes: 4      Noes: 0      Excused: 1**

Motion to approve the Heritage Tree Removal permit to allow for the removal of five redwood trees (trees #1-5).

**M/S Lane/Sokolov      Ayes:    4          Noes:    0          Excused: 1**

Motion to approve the Heritage Tree Removal permit to allow for the removal of one redwood tree (tree #6).

**M/S Tonelli/Lerner      Ayes:    3          Noes:    1          Excused: 1**

**6. COMMISSIONERS' REPORTS**

Commissioner Tonelli expressed concerns of ventilation, and egress related to the basement garages under accessory buildings.

The Commission directed staff to research this topic of basement garages under accessory buildings for discussion at a future meeting.

**7. STAFF REPORT**

Senior Planner Stephanie Davis summarized the Heritage Tree Ordinance presentation to City Council from the May 16, 2018 meeting.

Chair Lane stated he attended the May 16, 2018 City Council meeting and expressed that he felt the Commission's efforts and basis of recommendations was not adequately represented nor explained during the City Council meeting.

**8. ADJOURN**

The meeting was adjourned 8:37 PM

Respectfully Submitted:

*/s/Stephanie Bertollo-Davis*

Stephanie Bertollo-Davis, Senior Planner