

**PLANNING COMMISSION  
APPROVED MINUTES**

**TOWN OF ATHERTON  
January 23, 2019  
6:00pm  
TOWN COUNCIL CHAMBERS  
94 ASHFIELD ROAD**

**1. ROLL CALL**

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

Senior Planner Stephanie Davis, Assistant Planner Nestor Delgado, and Assistant City Attorney Jen Larson were present.

**2. PUBLIC COMMENTS**

None.

**3. APPROVAL OF MINUTES**

**MOTION to approve the minutes of the December 5, 2018.**

**M/S Sockolov/Lerner Ayes: 4 Noes: 0 Absent: 1**

**4. PUBLIC HEARINGS**

- a) Special Structures Permit -355 Stevick Drive (APN 106-440-042) – Request for a Special Structures Permit to allow for the construction of a swimming pool/spa to be located closer than 8 feet to the main residence. Atherton Municipal Code Sections 17.15, 17.32 and 17.40.**

Commissioner Lamb abstained from the discussion due to being absent from December 5, 2018 meeting in which the item was initially discussed.

Senior Planner Davis presented the staff report.

**OPEN PUBLIC HEARING**

Paul Warner, project architect for Sage Modern, noted the intent of new design is to make the entire courtyard a secure space.

Sonia Senkut, property owner of 355 Stevick, noted the pool is meant for exercising.

## CLOSE PUBLIC HEARING

The Planning Commission discussed the safety of the pool and process for the submittal.

Assistant Town Attorney Larson mentioned the Commission can go back through the required findings.

Chair Lane asked regarding finding number 2.

Senior Planner Davis mentioned that the pool meets all other required setbacks other than the 8' to the main residence.

Commissioner Lerner asked if they could add a caveat referring to the safety of the pool.

Assistant Town Attorney Larson it would be difficult, as the submittal meets minimum building and safety codes.

Motion to approve the Special Structures Permit to allow for the construction of a swimming pool to be located closer than 8 feet to the main residence.  
**M/S Sockolov/Tonelli Ayes: 4 Noes: 0 Abstained: 1**

### **b) Heritage Tree Removal Permit – 233 Park Avenue (APN 070-343-010) – Request for a Heritage Tree Removal Permit to allow for the removal of three (3) on-site Heritage Deodar Cedar Trees. Atherton Municipal Code Section 8.10.**

Senior Planner Davis presented the staff report.

Commissioner Tonelli asked why in the staff report it said the Planning Commission is looking at trees 10 through 12, while in the arborist report it mentions trees 9 through 12.

Town Arborist Sally Bentz mentioned tree number 9 was approved for removal at the staff level.

## OPEN PUBLIC HEARING

Laura Mae Sarusi, project architect with Pacific Peninsula Architecture, mentioned they were considering replacing the trees being requested to be removed with oak trees, but the homeowner is allergic to oak trees. She noted that homeowner sent letter informing neighbors of the application and one neighbor responded with support.

Commissioner Tonelli asked about the location of the proposed redwood trees in relation to the overhead utility lines.

Ms. Sarusi answered they are looking to underground all overhead lines on the lot. Commissioner Lerner mentioned redwood trees can disrupt lawns or foundations.

Ms. Sarusi responded the trees would be planted away from any hardscape or major paving.

Commissioner Sockolov noted the already existing oak trees on the site.

Ms. Sarusi responded the proposed redwoods would serve to balance out already existing redwood trees on the other side of the property.

#### CLOSE PUBLIC HEARING

Motion to approve the Heritage Tree Removal Permit to allow for the removal of three heritage size Deodar Cedar Trees.

**M/S Lamb/Tonelli      Ayes: 5      Noes: 0      Absent: 0**

- c) Special Structures Permit -331 Stevick Drive (APN 070-031-230) – Request for a Special Structures Permit allow a tennis court to extend 17 feet into the required 30 foot rear yard setback for accessory buildings and structures. Atherton Municipal Code Sections 17.15, 17.32 and 17.40.**

Senior Planner Davis presented the staff report.

Commissioner Sockolov asked about the extent of undergrounding overhead lines.

Senior Planner Davis responded that as part of a future building permit, a new main residence is required to underground all overhead utility lines.

Commissioner Lamb asked if landscape screening would be part of the Commission’s motion.

Senior Planner Davis responded it would not.

#### OPEN PUBLIC HEARING

Betty Ho, homeowner of 355 Stevick, mentioned they would be able to meet the required setback if not for the double frontage of the lot. She mentioned that she spoke to neighbors and received support.

#### CLOSE PUBLIC HEARING

Chair Lane asked the distance from the back of the property to the service line of the tennis court.

Senior Planner Davis responded it would be 30’.

Motion to approve the Special Structures Permit to allow a tennis court to extend 17 feet into the required 30 foot rear yard setback for accessory buildings and structures.

**M/S Lerner/Lane      Ayes: 5      Noes: 0      Absent: 0**

## **5. COMMISSIONERS’ REPORT**

Chair Lane noted to ensure correct street addresses for future staff reports.

**6. STAFF REPORT**

Senior Planner Davis mentioned the Town will be hosting the General Plan Community Workshop on February 13<sup>th</sup> in Jennings Pavilion. She noted any feedback received during the workshop would be incorporated into the draft elements and then these would be brought back to the Commission, along with a draft environmental document.

Chair Lane asked about any annual items that were coming up soon.

Senior Planner Davis mentioned the General Plan conformance required by state law is usually done in May. She noted private schools would start presenting their master plans as well.

Commissioner Lamb asked if there is any follow-up that the Commission should be doing on inclusionary housing or SB-35.

Senior Planner Davis responded that the Accessory Dwelling Unit ordinance was updated last year and staff has been receiving applications for the conversion of existing accessory buildings into Accessory Dwelling Units.

The Commission directed staff to look into Planning Commissioners training in San Mateo County.

**7. ADJOURN**

The meeting was adjourned 6:49 PM

Respectfully Submitted:

*/s/Stephanie Bertollo-Davis*

Stephanie Bertollo-Davis, Senior Planner