

**APPROVED MINUTES  
PLANNING COMMISSION MEETING  
December 6, 2006  
6:00 p.m.**

**ATHERTON TOWN COUNCIL CHAMBERS  
94 Ashfield Road  
Atherton, California**

**REGULAR MEETING**

Chair Andrews called the meeting to order at 6:05 p.m.

**1. ROLL CALL:**

**PRESENT:**       **Bob Andrews  
Rose Hau  
Jim Dobbie  
Marion Oster  
Kristi Waldron**

City Attorney Marc Hynes, Deputy Town Planner Lisa Costa Sanders and Town Arborist Kathy Hughes Anderson were also present.

**2. APPROVAL OF MINUTES**

**MOTION approval of the October 25, 2006 meeting minutes as corrected.**

**M/S Oster/Dobbie       Ayes: 5   Noes: 0**

**3. PUBLIC COMMENTS - None**

**4. COMMISSIONER'S REPORTS - None.**

**5. GENERAL PLAN COMMITTEE REPORTS – The next meeting is scheduled for January 10, 2007.**

**6. STAFF REPORTS - None.**

**7. NEW BUSINESS - Set the Planning Commission Calendar for the year 2007.**

**MOTION adopt the Planning Commission Calendar for the year 2007.**

**M/S Oster/Waldron       Ayes: 5   Noes: 0**

**PUBLIC HEARINGS**

**8. Heritage Tree Removal Permit – 35 McCormick –** Heritage Tree Removal Permit request to allow the removal of one heritage tree. Atherton Municipal Code Section 8.10.

Lisa Costa Sanders presented the staff reported and indicated staff support for the removal of one Cedar tree at 35 McCormick to accommodate the construction of a new pool house.

Kathy Hughes Anderson responded to Commissioners questions.

OPEN PUBLIC HEARING

Steve Borlick, Architect, discussed the proposed sitting of the accessory structure.

CLOSE PUBLIC HEARING

**MOTION to approve the Heritage Tree Removal Permit to allow the removal of one heritage tree at 35 McCormick Lane based on the following finding and subject to the conditions of the Heritage Tree Removal Permit;**

**M/S Oster/Waldron Ayes: 5        Noes: 0**

**Finding:**

1. The removal of the tree would not be contrary to the purpose and intent of the Atherton General Plan.

**9. Major Alteration Permit – 51 Laburnam –** Major Alteration Permit request to allow the relocation of two historical urns from the property at 51 Laburnam Road to 224 Park Lane in Atherton. Atherton Municipal Code Section 8.14.090(B).

Chair Andrews recused himself from consideration on the item due to his proximity with the subject site.

Commission Oster recused herself from consideration on the item.

Lisa Costa Sanders presented the staff reported and reviewed the key points of the Ordinance. She stated that the Ordinance allows property owners to request a Major Alteration Permit to allow relocation of artifacts within Town. Ms. Costa Sanders reviewed the recommended conditions of approval and noted that the lamppost will remain on site. She indicated staff support for the request as it is consistent with the purpose and intent of the Ordinance.

OPEN PUBLIC HEARING

Marion Oster, Flood Circle, expressed concern with moving the artifact as it would lose its historic reference. She stated that the artifact is a part of the Lindenwood history.

Bob Andrews, James, stated that the artifacts within Lindenwood define its history. He stated that removing the artifacts take them out of context and distracts from the purpose of the Ordinance. Mr. Andrews stated that the collection of artifacts add to the character of Lindenwood.

Betsy Colby, Linden, urged the Commission to keep artifacts in Lindenwood.

George Sheehan, Flood Circle, stated that Lindenwood was identified as a special historic place in the Ordinance. He stated that losing the collection or artifact or one artifact would be a great loss.

Ron Peyton, Flood Circle, stated that he has two artifacts on his property and is supportive of keeping artifacts on-site. He stated that the Commission should not allow artifacts to move to another property.

Melinda Tevis, Tallwood Court, stated that artifacts should remain in place to keep them in context.

Suzanne Legallet, Selby, stated that we need to keep our heritage and history in Atherton were is was located.

Pat Dobbie, James, stated that once an artifact is moved, it is gone. She stated that we should leave history in place and would like all artifacts in Lindenwood to stay in place.

Randy Lamb, applicant, stated that he values the artifacts and would like to continue to preserve them. He stated that his request to relocate in Town meets the objectives of the Ordinance as it was approved by the Council.

Frank Sebastian, Lilac, stated that artifacts should remain in place and the Ordinance should be strengthened.

Darlene Sheehan, Flood Circle, stated that the urns were previously quite visible from the street.

Barb Peyton, Flood Circle, stated that the urns were in good shape and restored in 1994 and that Lindenwood history should not be moved.

Alicia Seebold, James Avenue, stated that the Lindenwood Association supports keeping artifacts in place.

#### CLOSE PUBLIC COMMENT

Commissioner Waldron asked City Attorney Hynes if the Commission has any discretion to deny a permit to remove property in light of the ordinance's provisions in section 8.14.070 which recognizes relocation of an object to another property within the Town. City Attorney Hynes advised that the Commissions' discretion was limited by the

ordinance and that the Commission has the authority to make sure the artifacts are protected, properly handled, maybe documented following some of the recommendations that Staff has made in the report, but as to the ability to deny, the Commission's discretion is limited.

Commissioner Waldron stated that she feels artifacts should stay in place but does not feel that is what the Ordinance reflects.

Commissioner Dobbie stated that the very fact the item is before the Planning Commission indicates that it has discretion and that the purpose of the Ordinance is to preserve the history of Atherton with the Flood Estate in Lindenwood as a special place.

Commissioner Hau stated that the application before them is consistent with the Ordinance.

**MOTION to approve the Major Alteration Permit to allow the relocation of two historical artifacts from 51 Laburnam Road to 224 Park Lane in Atherton based on the following finding and subject to the conditions of the Major Alteration Permit;**

**M/S Hau/Waldron Ayes: 2 Noes: 1 (Dobbie)**

**Finding:**

1. The relocation of the artifacts would not be contrary to the purpose and intent of the Atherton General Plan.

**10. ADJOURN**

M/S Waldron/Hau to adjourn the meeting at 7:02 p.m. Motion passed.

**Respectfully submitted,**

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Lisa Costa Sanders, Deputy Town Planner