

**PLANNING COMMISSION
APPROVED MINUTES**

**TOWN OF ATHERTON
September 27, 2017
6:00pm
TOWN COUNCIL CHAMBERS
94 ASHFIELD ROAD**

1. ROLL CALL

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

Town Planner Lisa Cotsa Sanders, Assistant Planner Nestor Delgado, Town Arborist Sally Bentz and Assistant City Attorney Jen Larson were present.

2. PUBLIC COMMENTS – No public comments.

3. APPROVAL OF MINUTES

MOTION to approve the minutes of the August 23, 2017.

M/S Lerner/Tonelli Ayes: 3 Noes:0 Abstain: 2 (Lamb Sockolov)

4. PUBLIC HEARINGS

- a. Special Structures Permit– 385 Fletcher Drive (APN 073-183-020) – Request for a Special Structures Permit to allow for a swimming pool and spa to be located in the required front yard setback. Atherton Municipal Code Sections 17.15 and 17.40**

MOTION to continue the public hearing for a Special Structure Permit to allow for a swimming pool and spa to be located in the required front setback to the October 25, 2017 Planning Commission meeting.

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

- b. Heritage Tree Removal Permit– 477 Walsh Road (APN 074-371-080) – Request for a Heritage Tree Removal Permit to allow the removal of two trees. Atherton Municipal Code Section 8.10.**

Town Planner Costa Sanders presented the staff report. Town Arborist Sally Bentz reviewed the root system of the trees and the distance to the PG&E gas pipelines and noted that she cannot recommend removal of the trees as they are healthy. Planning staff does recommend removal of trees due to safety concerns because of distance to gas pipelines.

Town Planner Costa Sanders requested amendment to condition 2a of the Tree Removal Certificate to clarify language adding two (2) 24” or one (1) 36” tree *per tree removed*.

Commissioner Tonelli asked if request is denied, will the trees still be removed?

Assistant City Attorney Larson answered that it is true that PG&E do not have to go through the Town's process, it is more of a collaboration.

Chair Lane requested confirmation that the trees requested for removed are close to the gas pipeline.

OPEN PUBLIC COMMENT

Bill Chen from PG&E stated this batch of tree removals will be last of the current project. He noted that property owners have not requested replacement trees be planted on their properties.

Darren Clyne from PG&E states replacement trees are instead going to the Town.

Mr Clyne from PG&E stated only 10% of originally surveyed 600 trees in project site were impacted.

Chair Lane asked if this project was only tree removal project or subproject.

Mr Clyne responds that this is the only tree removal project. This will set the standard for gas line practices for future tree removals. He noted that they will continue to monitor the trees and some fail due to natural causes.

Commissioner Byrne-Sockolov asked about residents that do not choose to replace the removed trees.

Mr Clyne responded that they receive an inconvenience fee for the work done.

Commissioner Lerner asked about the meaning of "manageable" trees.

Mr Clyne responded that this means they are trees not in immediate threat to the pipeline. These trees are monitored regularly for health and removed once they have "died".

Chair lanes asked if trees to be removed are specifically in the way of the pipeline.

Mr Clyne responds yes, they are.

Commissioner Tonelli asked about proximity of trees to pipeline.

Mr Clyne responded that the trees are located within one to two feet of the pipeline

Commissioner Lamb asked if trees or pipeline was there first.

Mr Chen responded the pipeline was there first.

CLOSE PUBLIC COMMENT

Commissioner Tonelli expressed safety of pipeline trumping all other considerations.

MOTION to approve the Heritage Tree Removal Permit to allow the removal of two trees on 477 Walsh with the amended condition 2a in the Tree Removal Certificate.

M/S Lamb/Byrne-Sockolov Ayes: 5 Noes: 0

- c. Heritage Tree Removal Permit– 23 Valley Road (APN 073-261-300) – Request for a Heritage Tree Removal Permit to allow the removal of two trees. Atherton Municipal Code Section 8.10.**

Town Planner Costa Sanders presented the staff report and requested an amendment to condition 2a of the Tree Removal Certificate to clarify language adding two (2) 24” or one (1) 36” tree per tree removed.

OPEN PUBLIC COMMENT

Commissioner Lerner asked if two or three trees would be removed.

Town Planner Costa Sanders responded that one of the trees is not of heritage size and thus can be removed by right. The two trees require Planning Commission consideration.

CLOSE PUBLIC COMMENT

MOTION to approve the Heritage Tree Removal Permit to allow the removal of two trees on 23 Valley Road with the amended condition 2a in the Tree Removal Certificate.

M/S Lerner/Lamb Ayes: 5 Noes: 0

- d. Heritage Tree Removal Permit– 51 Valley Road (APN 073-261-300) – Request for a Heritage Tree Removal Permit to allow the removal of three trees. Atherton Municipal Code Section 8.10.**

Town Planner Costa Sanders presented the staff report. and requested an amendment to condition 2a of Tree Removal Certificate to clarify language adding two (2) 24” or one (1) 36” tree for removal of palm tree and one (1) 48” oak tree for the oak tree.

Town Arborist Bentz clarified it is only two heritage to be removed, as the third tree is not heritage tree.

OPEN PUBLIC COMMENT

Commissioner Byrne-Sockolov asked about previous tree replacements.

Arborist Bentz responded she has not heard back from previous tree removal replacements. She understands the homeowners do not want to replant in their homes and she needs to work with PG&E on the tree removal mitigation.

Mr Clyne responded they will comply and report back within 60 days of removal. They will replace according to decisions by the Planning Commission for the heritage trees and replace non-heritage trees on a 1 to 1 ratio.

Assistant City Attorney Larson stated an Agreement of where to place replacement trees can be worked out between PG&E and the Town for later implementation.

CLOSE PUBLIC COMMENT

MOTION to approve the Heritage Tree Removal Permit to allow the removal of two trees on 51 Valley Road with amended condition 2a in the Tree Removal Certificate.

M/S Lerner/Lamb Ayes: 5 Noes: 0

5COMMISSIONERS' REPORT

None

6STAFF REPORTS

Deputy Planner Costa-Sanders mentioned 385 Fletcher should ready for next meeting, as well as the Civic Center project. The Planning Commission will consider the , heritage tree removal, and overall review of design. Town Planner Costa Sanders mentioned a small café component to Civic Center, which may require zoning text amendment.

Town Planner Costa Sanders noted that Senior Planner Davis is working on General Plan updates.

Commissioner Lamb asked about any appeals to City Council from Planning Commission meetings.

Town Planner Costa Sanders responds no Planning Commission decision has been appealed recently.

6. ADJOURN – The meeting adjourned at 6:35 pm

Respectfully Submitted:

Nestor Delgado
Assistant Planner