

**PLANNING COMMISSION
APPROVED MINUTES**

TOWN OF ATHERTON

April 22, 2020

6:00pm

This meeting was held virtually.

1. ROLL CALL

PRESENT: Eric Lane
Nancy Lerner
Perry Narancic
Paul Tonelli

ABSENT: Randy Lamb

Principal Planner Stephanie B. Davis, Assistant Planner Jake Garcia, Town Arborist Sally Bentz Dalton were present.

2. PUBLIC COMMENTS

No public comment made.

3. APPROVAL OF MINUTES

**MOTION to approve the minutes of the March 25, 2020 Planning Commission Meeting.
M/S Tonelli/Narancic Ayes: 4 Noes: 0 Absent: 1**

4. PUBLIC HEARING

- a. **Lot line Re Designation- 48 Gresham (APN 0559-303-320)-** Request for a Lot Line Re-designation to allow for re-designation of the front property line designation pursuant to Atherton Municipal Code Sections 17.32 and 17.20.

**Motion to continue Item 4a to the June 24, 2020 Planning Commission Meeting.
M/S Narancic/ Lerner Ayes: 4 Noes: 0 Absent: 1**

- b. **Special Structures Permit- 147 Laurel Street (APN 061-370-090)-** Request for a Special Structures permit to allow a habitable basement under an accessory building pursuant to Atherton Municipal Code Sections 17.15, 17.32, and 17.40

**Motion to continue Item 4b to the May 27, 2020 Planning Commission Meeting.
M/S Tonelli/ Lane Ayes: 4 Noes: 0 Absent: 1**

- c. **Initial Study/Mitigated Negative Declaration, Heritage Tree Removal Permit and Tree Protection Zone (TPZ) Exception- 1 Edge Road (APN 061-252-010)-** Request for a consideration and adoption of a Mitigated Negative Declaration and approval of a Heritage Tree Removal Permit associated with the request for the removal of eight (8) heritage trees and Tree Protection Zone (TPZ) exception associated with two (2) heritage trees to remain pursuant to Atherton Municipal Code sections 8.10, 15.32.100, and 17.32.

Principal Planner Davis presented the staff report to the Planning Commission.

Chair Lane read public comment into record that expressed opposition to the project.

Principal Planner Davis also mentioned that applicant conducted their own public outreach and received two letters of support.

Commissioner Tonelli asked Town Arborist whether Tree 55 would infringe on buildable space with a TPZ Exception.

Town Arborist Bentz Dalton indicated that it would not likely survive a TPZ exception of 6 times or less.

Commissioner Tonelli asked why a 48-inch box replanting instead of a smaller planting.

Town Arborist indicated that it was to comply with the Heritage Tree Ordinance.

Commissioner Tonelli indicated support for the replanting of more mature 48-inch box trees.

Commissioner Tonelli asked how the woody nature of the lot will be affected by the tree removals and replanting efforts.

Town Arborist Bentz Dalton indicated that she would be working with the applicant to place the replanting in a strategic manner to ensure success.

Chair Lane asked why redwoods were being proposed for replacement and expressed concerns of resources needed to maintain redwoods as had been expressed at prior meetings.

Town Arborist Bentz Dalton deferred reasoning to the applicant.

Chair Lane asked if Tree # 53's and tree # 25's upper branches would affect building design.

Town Arborist Bentz Dalton indicated that branches were pruned high and would not impact the building, she also indicated that tree #25 would not allow for a second story within the Tree Protection Zone.

Open public hearing.

The Homeowners at 1 Edge Road, Joe and Wendy White introduced themselves and shared that their intent for the property is to build a house while preserving as many of the trees as possible, as they do enjoy the high abundance of trees.

Project Landscape Architect, Jessica Moon presented and outlined the project and explained the intent to preserve the woody nature, promote native species on site, and provide adequate screening.

Project Architect Takashi Yanai expressed the focus on ensuring the design preserved the woody and natural feel of the site.

Commissioner Tonelli asked what preliminary designs of the project will have on remaining trees.

Project Architect Yanai, indicated the intention would be to honor the remaining trees and further highlighted that the proposal for a couple of trees to be removed had been revised to keep in order to design around them.

Commissioner Lerner expressed that it was apparent the lot was selected because the homeowners want to appreciate the existing trees.

One public comment was received during the public virtual meeting by email from neighbor at 48 Encino, April Buhl, and read into record by Assistant Planner Garcia. Comment asked about the scope of the project and expressed the desire to preserve the woody nature of the site and neighborhood.

Neighbor Buhl further questioned why the canary palms are to be removed and why cedar trees were selected for replanting.

Close public hearing.

Commissioner Tonelli indicated he visited the site and was sympathetic to the restrictions that trees have on building. He also commended efforts to preserve the woody nature and supports the removal of the oak and redwood trees but does not see the removal of the canary palms to be necessary.

Chair Lane highlighted that the lot is very heavily wooded even after the proposed removal of the trees. He asked the Town Arborist why the canary pines were being considered for the removal.

Town Arborist Bentz Dalton indicated it was because they are nonnative.

Public hearing reopened.

Commissioner Tonelli asked the applicant if the canary palms could be kept and highlighted with building design.

Project Architect indicated that they would not likely highlight them and that the canary palm trees would feel foreign to the site.

Chair Tonelli asked how old the canary palms trees were.

Project Arborist, John McClenahan indicated that the canary palm trees are likely older than the house and too old to relocate. He also shared that vertical clearance of #25 and #53 would not be an issue to building design.

Close public hearing.

Chair Lane indicated that there is a lack of justification for the removal of the canary palm trees, and that there is not a finding for Heritage Tree Removal based on design or building style.

Commissioner Tonelli agreed with the Chair Lane and commended applicant for working to preserve the trees on site.

Commissioner Lerner agreed and stated that the Heritage Tree Designation requires a justification for removal in which the canary palms do not have.

MOTION to certify that the Planning Commission certify the 1 Edge Road Tree Removal Project Initial Study /Mitigated Negative Declaration is complete, adequate and complies with the California Environmental Quality Act (CEQA).

M/S Lerner/ Tonelli Ayes: 4 Noes: 0 Absent: 1

MOTION that the Planning Commission find that the proposed removal of 6 heritage trees (Tree #17, #50, #51, #54, #55, and #56) at 1 Edge Road in Atherton would not be contrary to the purpose and intent of the General plan, for the reasons outlined in the Staff Report, and that the Commission approve the tree removals subject to the conditions as listed in the draft Heritage Tree Removal / Tree protection Zone (TPZ) Exception Certificate with amendment to condition number three to strike tree #31 and #32, and an amendment to condition number six to specify that the replanting plan, include one 48 inch box size oak and that the applicant on preferred replanting native species to the satisfaction of the Town Arborist.

M/S Lane/Tonelli Ayes: 4 Noes: 0 Absent: 1

MOTION that the Planning Commission find the Exception to the Tree Protection Zone (TPZ) for heritage redwood Tree #25 and Heritage Tree #53 to six times the tree's diameters would not be contrary to the purpose and intent of the General Plan, for the reasons outlined in the Staff Report, and that the Commission approve the tree removals subject to the conditions as listed in the draft Heritage Tree Removal / Tree Protection Zone (TPZ) Exception Certificate.

M/S Tonelli/Narancic Ayes: 4 Noes: 0 Absent: 1

5. NEW BUSINESS

6. COMMISSIONERS' REPORTS

7. STAFF REPORTS

The next regularly scheduled meeting is set for May 27, 2020.

Principal Planner Davis, informed Commissioners of upcoming June 2020 expiring terms for Chair Lane's second term and Commissioner Lerner's first term. Principal Planner Davis further explained that recruitment efforts will begin in May and that Commissioner Lerner is eligible for a second term if she so chooses.

8. ADJOURN

The meeting was adjourned 7:24 PM

Respectfully Submitted:

/s/Stephanie B.-Davis

Stephanie B. Davis, Principal Planner