



TOWN OF PORTOLA VALLEY

7:00 PM – Special Meeting of the Planning Commission
Wednesday, February 17, 2021

**THIS SPECIAL MEETING IS BEING HELD
VIA TELECONFERENCE ONLY**

SPECIAL MEETING AGENDA

Remote Meeting Covid-19 Advisory: On March 17, 2020, the Governor of California issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the statewide Shelter-In-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020; and the CDC's social distancing guidelines which discourage large public gatherings, Portola Valley Town Council and other public board, commission and committee meetings are being conducted electronically. The meeting are not available for in-person attendance. Members of the public may attend the meeting by video or phone linked in this agenda.

Below are instructions on how to join and participate in a Zoom meeting.

Join Zoom Meeting Online:

Please select this link to join the meeting:

<https://zoom.us/j/95650209083?pwd=eDVZVVBQb2dvZzIxL3lBcDIyemxVQT09>

Or: Go to Zoom.com – Click Join a Meeting – Enter the Meeting ID

Meeting ID: 956 5020 9083 **Passcode:** 645900

Or Telephone:

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*6 - Toggle mute/unmute.

*9 - Raise hand.

Remote Public Comments: Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please send an email to Laura Russell at russell@portolavalley.net by 12:00 PM on the day of the meeting. All comments received by that time will be distributed to Commissioners and included in the public record.

We encourage anyone who has the ability to join the meeting online to do so. You will have access to any presentations that will be shown on your screen and can easily ask questions using the "raise your hand" feature when the Chair calls for them.

7:00 PM - CALL TO ORDER AND ROLL CALL

Commissioners Goulden, Hasko, Targ, Vice-Chair Kopf-Sill, Chair Taylor

ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on any subject not on the agenda may do so now. Please note, however, that the Planning Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

NEW BUSINESS

1. Upcoming Planning Commission Work Program (L.Russell)

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

2. Commission Reports
3. Staff Reports
 - a. PV Donates

APPROVAL OF MINUTES

4. Planning Commission Meeting of January 20, 2021

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours. Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission

FROM: Laura Russell, Planning & Building Director

DATE: February 17, 2021

SUBJECT: Planning Commission Work Program

RECOMMENDATION: Receive a report on upcoming policy planning work and projects that are expected to come before the Commission

DISCUSSION

In 2021 and 2022, staff is expecting to bring a number of advance planning initiatives and current planning applications to the Planning Commission. The purpose of this report is to provide the Commission and residents a preview of the significant upcoming items. Please note that the timelines below are preliminary and subject to change. This list may also be adjusted as the Town Council establishes priorities for the upcoming fiscal year and additional development applications are submitted.

Policy Planning

Accessory Dwelling Unit (ADU) Code Amendment: The State has passed additional laws since the last significant ADU update completed by the Town in early 2019. This amendment process will focus on compliance with State law and a limited number of policy questions that have arisen due to the State law changes. The Planning Commission is a recommending body and the final decision will be made by the Town Council. This item is expected to come before the Planning Commission in early spring 2021.

Significant Tree Ordinance Amendment: The Conservation Committee is recommending changes to the list of protected trees in Town. ASCC has already provided feedback and staff will be working with the Conservation Committee on the final details of the proposed changes. The Planning Commission is a recommending body and the final decision will be made by the Town Council. This item is expected to come before the Planning Commission in the first half of 2021 with the date to be determined.

Design Guideline Amendment for Increased Fire Safety: The Town's Ad Hoc Wildfire Preparedness Committee recommended revisions to the Town's Design Guidelines to improve

fire safety. ASCC will be the primary body that considers the proposed revisions. The Planning Commission will also review with the final decision made by the Town Council. A schedule for this work has not been established yet.

Housing Element Update: Every eight years, California municipalities must update their Housing Element, which is a required component of the General Plan. The Town is beginning the planning process for the Housing Element for the years 2023-2031. A central component of a Housing Element is the plan that addresses the number of housing units, at various economic levels, that a municipality must plan for over the 8-year cycle of the Element. The number of units is provided to each municipality through the Regional Housing Needs Allocation (RHNA) process. Staff provided updates to the Town Council on the RHNA process on [November 11, 2020](#) and [February 10, 2021](#).

The Town is working with 21 Elements, a collaboration of all the cities/towns in San Mateo County on the Housing Element update process, which will run through the end of 2022. The Town will also undertake its own robust public engagement process. In spring 2021, Town Council will provide direction on the Housing Element update process including the public engagement component. After that time, the role of the Planning Commission will be more defined, but it is expected to be significant. A FAQ on Housing Elements is included as Attachment 1.

Safety Element: California law requires municipalities to review and, if necessary, revise its Safety Element of the General Plan upon each revision of the Housing Element. There are specific requirements for the revision of the Safety Element as well as guidance from the Office of Planning and Research (OPR). A timeline for this work has not been established yet.

Development Applications

Fire Station 8: Woodside Fire Protection District (WFPD) is proposing updates to the existing fire station on Portola Road. ASCC conducted a preliminary review of the project on November 23, 2020. (Staff report and minutes can be accessed on the Town website [here](#).) At the time of the ASCC review, zoning compliance issues were identified that are in the purview of the Planning Commission. As a result, the applicant has submitted an application for a zoning text amendment for the Commission's consideration. The applicant has also made revisions to the project in response to ASCC and community comments. A preliminary review of the proposed zoning text amendment and CUP amendment is expected to come before the Planning Commission in March or April 2021. The Planning Commission is the recommending body for the zoning text amendment; the Town Council will make the final decision.

Stanford Faculty Housing – Wedge Property: The Planning Commission held a study session on [January 20, 2021](#) on the proposed project. Planning Commission review is expected to continue in 2021. A schedule has not been established yet. Additional information is available on the Town's website at www.portolavalley.net/projects. The Planning Commission is a recommending body; Town Council will make the final decision.

Neely Winery Conditional Use Permit Amendment: The Planning Commission conducted preliminary reviews of this proposed project in 2019 and early 2020. Progress was delayed due to the COVID-19 pandemic but review has resumed. The applicant has made revisions in response to Commission and community feedback and the Town is currently reviewing the

project under the California Environmental Quality Act (CEQA). The project requires review by ASCC and a public hearing before the Planning Commission. A schedule has not yet been confirmed for these meetings. The Planning Commission is the decision making body for this application.

Woodside Priory School Conditional Use Permit Amendment: Review of this project has recently begun after a delay due to the COVI-19 pandemic. Priory has requested an increase in enrollment and to make existing modular buildings permanent that were originally intended to be temporary. The process would also clarify provisions of the existing CUP and reporting process. This project is in the early phase of review; a timeline for Planning Commission consideration has not been established. The Planning Commission is the decision making body for this application.

ATTACHMENTS

1. Housing Element FAQ



TOWN OF PORTOLA VALLEY

HOUSING ELEMENT FREQUENTLY ASKED QUESTIONS

Updated February 4, 2021

1. What is the Housing Element?

Answer: The Housing Element is one of the mandatory elements that must be included in a Town's General Plan. The Housing Element provides goals, policies, and actions that help the Town plan for the housing needs for all segments of the Town's population. Housing Element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The Housing Element is required to be updated every eight years and must be approved by the State Department of Housing and Community Development. For more information about the State's role in the crafting of the housing element, explore the California Department of Housing and Community Development's page on housing elements.

2. What are the items that the Housing Element covers?

Answer: The Housing Element must include:

- An analysis of *current* housing needs, taking into account issues such as the number of people living in substandard or overcrowded housing, people with special housing needs, and people at risk of losing their affordable housing.
- An analysis of *projected* housing needs, including the Town's responsibility to zone for a certain amount of income-specific housing.
- An inventory of potential building sites where housing development is allowed and supported by infrastructure and the environment.
- An analysis of government controls on housing development.
- Identification of programs, policies and objectives that the Town will adopt to encourage the development of housing for different income and special needs groups, ensure equal housing opportunity, and preserve and improve the existing housing stock.

3. Who prepares and certifies the Town's Housing Element?

Answer: The Housing Element is prepared by Town of Portola Valley staff and associated consultants, reviewed and recommended by the Planning Commission, and finally adopted by the Town Council. The Housing Element must then be certified by the California Department of Housing and Community Development (HCD). This certification creates a presumption that the Element complies with State law.

4. How much housing do we need to plan?

Answer: State law requires each city and county plan for their "fair share" of the region's housing needs. The fair share is determined by each region's Council of Government. In the San Francisco Bay Area, the Association of Bay Area Governments (ABAG) determines the region's fair share through a process known as the Regional Housing Needs Allocations (RHNA).

For the current Housing Element, ABAG determined that Portola Valley's RHNA number is 64 units for the years 2014-2022. This means that Portola Valley was required to plan, through its zoning, to permit at least 64 sites. ABAG will release RHNA numbers for the next cycle (2023-2031) at the end of this year, but a current estimate for Portola Valley is 253 units. The Town is required to demonstrate capacity for the requisite units through an adequate amount of land zoned for particular housing types. If the Town does not identify enough sites, this shortfall will be carried forward to future planning cycles. The Town is not required to build the units itself; however, it is important to note that if enough units are not built, the Town may be forced to approve future projects that may not otherwise have been allowed.

5. How is a Town's/City's RHNA determined?

Answer: This is a complex process that begins with the State of California. The State prepares projections about expected population growth in the state and then allocates a portion of the total state population growth to each region. Regional planning organizations in turn distribute the regional allocation among local jurisdictions. For the Bay Area, the regional planning agency is the Association of Bay Area Governments (ABAG). There are five primary objectives in allocating the residences to local jurisdictions: increasing housing supply and mix of types of housing; promoting infill development, efficient development, and GHG reduction; improving relationship between jobs and housing; balancing existing disproportionate concentration of income categories; and affirmatively fostering fair housing. ABAG uses a formula with weighted criteria to accomplish these objectives and allocate the housing units. Recently, ABAG has also focused on influencing growth patterns to minimize green house gas emissions as is mandated by the State. For more information on the ABAG RHNA process, you can to their webpage at <http://www.abag.ca.gov/planning/housingneeds>.

6. What is AFFH and how does it relate to the Housing Element?

Answer: AFFH stands for Affirmatively Furthering Fair Housing. As of January 1, 2021, California law requires public agencies to administer their programs in a manner that actively seeks to achieve fair housing. One such program is the Housing Element. Pursuant to AFFH law, the Town has a legal obligation to take meaningful acts in addition to combating discrimination that 1) overcome patterns of segregation and 2) foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. To this end, all Housing Element revisions adopted after January 1, 2021 must include the following:

- A summary of fair housing issues in the jurisdiction,
- Analysis of data on segregation patterns,
- Assessment of contributing factors,
- Identification of fair housing goals and actions, including encouraging new affordable housing in opportunity areas, and
- Consideration of location in sites inventories and rezoning programs.

7. What does it mean to have a non-compliant Housing Element?

Answer: A Housing Element is considered out of compliance with State law if one of the following applies:

1. It has not been revised and updated by the statutory deadline, or
2. Its contents do not substantially comply with the statutory requirements. If a Housing Element is certified, there is a presumption that it is adequate, and a plaintiff must present an argument showing that it is in fact inadequate.

Over the years, California has steadily increased the penalties for not having a legally compliant Housing Element, and this trend is expected to continue.

8. What happens if a jurisdiction does not adopt a Housing Element or the Element does not comply with State law?

Answer:

1. **Limited access to State Funding.** Cities with a certified Housing Element may have preference for housing and infrastructure funds, whereas non-compliant cities may be ineligible for certain programs. For example, both the California Infrastructure and Economic Development Bank (CIEDB) and the Bay Area's Metropolitan Transportation Commission (MTC) award funds based on competitions that take into consideration the approval status of a community's Housing Element.

2. **Judicial action.** Where a city has been flagged as “non-compliant,” the Attorney’s General’s office is required to seek a court order to gain compliance. Initial fines can range from \$10,000 to \$100,000 per month, and may be doubled or even sextupled over time. If necessary, the court may appoint a receiver to take over from the city.
3. **Lawsuits.** Developers and advocates have the right to sue jurisdictions if their Housing Element is not compliant with State Law. Recent Bay Area cities that were successfully sued include Menlo Park, Corte Madera, Pittsburg, Pleasanton, Alameda, Benicia, Fremont, Rohnert Park, Berkeley, Napa County, and Santa Rosa. According to a memo from the Santa Barbara County Council, there has never been a city that has successfully argued that they do not need to comply with Housing Element law (July 2007, Housing Element Law: Mandates and Risks of Defiance). There are several potential consequences of being sued, including:
 - a. **Mandatory compliance** – The court may order the community to bring the Element into compliance.
 - b. **Suspension of local control on building matters** – The court may suspend the locality’s authority to issue building permits or grant zoning changes, variances or subdivision map approvals.
 - c. **Court approval of housing developments** – The court may step in and approve housing projects, including large projects that may not be wanted by the local community.
 - d. **Fees** – If a jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff’s attorneys in addition to the fees paid to its own attorneys. These fees can easily exceed \$100,000.
4. **Carryover of unfilled housing allocation.** The City would be required to carryover to the next housing element planning period any unfilled Regional Housing Need Allocation (RHNA) if the City fails to identify or make available adequate sites to accommodate its RHNA assignment. Therefore, in addition to identifying sites for the new period’s RHNA, the City would also be required within the first year of the new planning period to zone adequate sites to accommodate the RHNA from the prior planning period that was not provided.

9. What else must be updated along with the Housing Element?

Answer: State law requires the Town’s Safety Element to be updated at the same time as the Housing Element. Part of the Town’s General Plan, the Safety Element includes a set of goals, policies, and objectives based on an assessment of the potential impacts from natural hazards like climate change and fire. In addition, the Town’s Land Use Element may need to be updated to reflect any re-zoning that may be required in order to meet State mandates.

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PLANNING COMMISSION
Special Teleconference Meeting**JANUARY 20, 2021****CALL TO ORDER AND ROLL CALL**

Chair Hasko called the Planning Commission special teleconference meeting to order at 7:00 p.m. Planning & Building Director Russell called the roll.

Present: Planning Commissioners: Goulden, Kopf-Sill, and Targ; Vice Chair Taylor; Chair Hasko
Absent: None.
Town Staff: Laura Russell, Planning & Building Director; Stephanie Davis, Consultant Planner; Cara Silver, Town Attorney; and Leigh Prince, Legal Counsel

ORAL COMMUNICATIONS

Caroline Vertongen thanked the Commission for allowing the residents to participate. She wanted to confirm that the Commission received her email with all of her comments. Chair Hasko confirmed that Planning & Building Director Russell distributed an email this afternoon that included Ms. Vertongen's comments and attachments and that the Commissioners read them.

APPROVAL OF MINUTES**(1) Planning Commission Meeting of December 2, 2020**

Commissioner Kopf-Sill moved to approve the minutes of the December 2, 2020, meeting, as amended, if Planning & Building Director Russell determines an amendment is needed after listening to the recording. Seconded by Commissioner Goulden, the motion carried 5-0.

NEW BUSINESS**(2) Annual Election of Chair and Vice Chair**

Commissioner Goulden nominated Craig Taylor for Chair. Commissioner Targ suggested, based on the very few meetings held this past year and the obvious talent and intellect and diligence of the present Chair, that consideration be given, should she be interested, in Chair Hasko continue serving for a full term. Chair Hasko appreciated the sentiment, but felt it more appropriate in the spirit of a peaceful transition of power to pass the gavel on to Craig Taylor. Commissioner Targ acknowledged Chair Hasko's wishes and withdrew his proposal. Vice-Chair Taylor also acknowledged Chair Hasko's fabulous performance as Chair. Chair Hasko expressed appreciation on how flexible the staff and Commissioners have been to bring things together in this strange year. Commissioner Targ seconded the motion to elect Craig Taylor as Chair; the motion carried 4-0-1, with Vice-Chair Taylor abstaining.

Commissioner Goulden moved to elect Anne Kopf-Sill as Vice Chair. Seconded by Chair Taylor; the motion carried 5-0.

Chair Taylor thanked Commissioner Hasko for the peaceful transition of power. He said he hopes he can maintain the same fabulous standard set by Commissioner Hasko.

Chair Taylor acknowledged the wonderful turnout of 62 members of the public in attendance at tonight's meeting. He said the Town anticipates a number of significant projects this year, which will be exciting. He said public participation is critical to the process and the fact that so many joined tonight is

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wonderful. He said there will be times when it will seem long and arduous, but having everyone participate is what makes Portola Valley special and makes this process work.

Chair Taylor said although many people have previously attended Planning Commission meetings and understand the process, he took this opportunity to explain the meeting process for the benefit of new attendees.

At the beginning of the meetings is a time for oral communications, where people comment on topics that are not on the agenda. The Commission will hear the communications, but do not comment. If something needs comment, it will be placed on a future agenda for discussion.

Following that, the Commission goes through the agenda items. Tonight's major item is a study session. Chair Taylor explained that study sessions typically begin with a staff report and then an applicant presentation. The Commissioners then ask clarifying questions of the applicant. The item is then opened up to the public which is the opportunity for all the participants to voice their questions, comments, and/or concerns.

Chair Taylor asked that during the public comment period that everyone be civil, factual, and thoughtful in their comments. He said verbal comments are really best for critical points, and he encourages speakers to keep their comments to three minutes, particularly considering the large attendance tonight. He said he hoped he would not have to institute a hard time limit, and advised attendees that if they have more detailed comments that will likely surpass the three-minute limit, written comments are the best way to get detailed communication to the Commission. Chair Taylor assured everyone that the Commissioners read everything sent to them, and it also becomes part of the record.

(3) Planning Commission Priorities – Discussion in Preparation for January 27th Town Council Meeting

Planning & Building Director Russell explained that this is an opportunity for the Planning Commission to provide any feedback into this process. She said this is a bit different from what the other Committees do when they set their priorities list and submit them to Council. She said the Planning Commission will be reviewing applications that come before them. There will also be work coming up related to a revision to the Design Guidelines in response to wildfire safety concerns. There will also be an amendment developed for the ADU ordinance in response to State law. She said tonight is a chance, if the Planning Commission wishes, to add any other priorities to the process so that the Council can consider them for their priorities list, resources, budgeting, etc.

Commissioner Goulden asked if there will be work done on the housing allocation and Housing Element this year. Planning & Building Director Russell said staff will be providing updates and will start work on it in 2021.

Vice-Chair Kopf-Sill agreed with including the topics of fire safety and ADUs.

Commissioner Targ said he will be going through the issues on his list for each of the items that come before the Commission. He encouraged the Council to consider them as relevant for more specific issues. His lists include fire safety, fire danger, and fire resilience as first and foremost; engagement with the community, including participation and issues of openness and responsiveness; the Housing Element; and making sure there are places for kids.

Commissioner Hasko agreed with the priorities mentioned. She suggested more advance visibility of the bigger items that come before the Commission so they can better prepare. She further suggested communicating tentative timelines for some of the larger projects. She said it is also important to

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prioritize the transparency and ability of the public to have input in these tough times. She said that is something that deserves continual effort. She said even with a vaccine, it will not be a simple year, and it will be important for people to have multiple avenues. She said continuing to improve that and possibly looking at continuing that beyond COVID if it's working well. She suggested being open to changes in communication strategies around important Town topics.

Chair Taylor agreed with the comments made. He would like to see the Town use more technology to make things such as public comments easily accessible. He said people should not have to read through a 200-page agenda to find out what's going on. He said he will work with Laura to come up with something to put on the website as a place to have public comments in an easily digestible format to make it easier for the public to participate. He said there are now 67 residents in attendance. He said having ZOOM meetings has resulted in more attendees than they would have in a physical meeting, although they don't get to see those people. He recommended doing what can be done to improve on overall public communication because public participation is critical to the job they do.

Commissioner Goulden said there is a lot of misinformation floating around in places like PV Forum. He wondered if there was something that could be done from a fact-checking perspective to try to debunk some of those things before people get all worked up about things that are completely false.

Chair Taylor said he is hoping to create some project pages that people can access if they have questions about particular projects and the status of those projects without having to thumb through past agendas and minutes.

STUDY SESSION

(4) Stanford Faculty Housing Project – Known as the “Wedge” property – 3530 Alpine Road File #PLN ARCH0021-2019.

Commissioner Targ recused himself because he works for the University and felt it would not be appropriate for him to participate. Vice-Chair Kopf-Sill recused herself because she lives on Minoca which backs up to the Stanford Wedge property.

Commissioner Targ and Vice-Chair Kopf-Sill signed out of the meeting.

Chair Taylor explained that tonight, things will be discussed in a broad view and will not be getting into detailed issues and solutions. He said tonight they will try to get a broad understanding of the project. The goal is to set up several meetings after tonight regarding the various topics, and it is at those meetings that many details will be examined. He asked that the attendees think about the broad overview making their comments during the public comment section of the study session.

Planning & Building Director Russell explained that this meeting regarding the proposed Planned Unit Development on the Stanford Wedge is being held prior to the release of the Environmental Impact Report in an effort to introduce the Commission and public to the multi-step review process required for this project. A similar meeting has been scheduled with the ASCC.

Planning & Building Director Russell explained that the staff report is meant to assist the Planning Commission, Town residents, and any other interested parties in introducing the proposed project scope, the associated entitlements/approvals to be considered by the Town, and an overview of the Town review and decision-making process. The staff report provides a broad overview of the proposed project and the process. It does not include a complete technical analysis of all details included with the project. She said that thorough technical review will be presented in upcoming public meetings.

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The Town Committees and consultants have reviewed the plans and provided preliminary comments, as detailed in Attachment 2 to the staff report.

Planning & Building Director Russell introduced Stephanie Davis, the Town's Consultant Planner for this project; Cara Silver, the Town Attorney; and Leigh Prince, Legal Counsel from Town Attorney Silver's firm.

Planning & Building Director Russell described the meeting format as follows:

- Staff presentation, followed by questions from the Commission for staff
- Applicant presentation, followed by questions from the Commission for applicant
- Public Comments using the "raise your hand" feature in Zoom
- Commission Discussion

Planning & Building Director Russell led the presentation, describing the background of the project as detailed in the staff report. She pointed out that staff's presentation will not include a complete compliance review or technical evaluation of project details, a CEQA evaluation, or decision-making or formal action by the Planning Commission.

Consultant Planner Davis provided the high-level overview of the proposed project scope, as detailed in the staff report.

Planning & Building Director Russell continued staff's presentation, discussing the requested approvals or entitlements to be considered by the Town, the required review processes, and the next steps, as detailed in the staff report. Planning & Building Director Russell noted that notice was sent to neighbors within a 1,000-foot radius of the site on January 7; it has been publicized on Town News, website, and social media; and the comment letters received are included in Attachment 3 of the staff report. She said additional comment letters received after publication of the staff packet were forwarded to the Planning Commission via email. She said the applicant has also conducted their own outreach as part of their process.

Staff recommended the Planning Commission receive the presentation, ask questions of staff and the applicant, receive public comment, provide feedback and recommendations to the applicant, and provide feedback to staff regarding specific areas where more information would be helpful and discuss a possible compilation of public comments, perhaps providing a complete record on the website. Planning & Building Director Russell said while it may not be possible to answer all questions here tonight, after this study session and the ASCC study session on Monday, staff will provide an FAQ document in response to questions from the public and Planning Commission.

Chair Taylor invited questions from the Commission. He said that because this is a broad overview, he is hoping to determine the topics and issues that need to be addressed, without getting too much into the deep details of the project itself. He said there will be plenty of time and multiple Planning Commission meetings regarding this proposed project.

Commissioner Goulden said the State Density Bonus Law seems to be key, appearing to be a requirement per State law. He said that this may not apply if there is no CUP or PUD. He asked if the Town not liking the implications of the density law would be a reason to deny a CUP and PUD.

Attorney Prince said the State Density Bonus Law is independent of the decision on the CUP or PUD. She said if the State law provides that if the developer agrees to construct a certain number of affordable housing units, they are entitled to additional density as well as concessions and waivers. She said there are very specific reasons in the State law that allow a denial. She said there are

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requested incentives or concessions that would go to the project itself, but the Town would be making a decision on the CUP and PUD for different reasons, looking at making different findings. Attorney Prince said they should be thought of separately.

Commissioner Goulden asked if the Town has absolutely ensured that this project will qualify for the State Density Bonus Law items. Specifically, he said there were some comments about the need for the market rate units to be similar to the other units. Attorney Prince said that State law does not dictate the size of the units and said it is focused on the formula of the percent of affordable housing of the base level project, and then it provides another formula to determine the density bonus and incentives that a project would be entitled to. She said staff has gone through that process to determine those calculations. She said the size of the units themselves are separate and apart from the State Density Bonus Law requirements.

Commissioner Goulden asked if the timing of this Stanford project will count toward the next set of housing goals coming up. Planning & Building Director Russell said that at this time they don't know for certain, because it would be difficult to project a solid timeline if the project were approved. She said they do cautiously think it is likely that the units would count in the next Housing Element cycle. Chair Taylor suggested a solid answer to this question be on staff's list.

Commissioner Goulden said if this project were to be developed as individual homes, per the current zoning, it would be approximately 21 homes. Planning & Building Director Russell said the base zoning, according to the calculations, allows 21 lots, and the Code assumes there is one single-family home per lot. In response to Commissioner Goulden's question, Planning & Building Director Russell said it could be one single family home per lot plus an ADU.

Chair Taylor said that assumes the lots are all buildable. Planning & Building Director Russell said the lots have to be buildable according to all of the Town's Code requirements in order to be subdivided into that configuration or there would have to be specific lots that were designated for other use, such as utilities or set aside as open space. Chair Taylor asked if the determination has been made that there are 21 buildable lots on the entire 75 acres or on the smaller portion. Planning & Building Director Russell said the determination of 21 buildable lots includes the entire 75 acres.

Commissioner Goulden asked if he could see how the proposed residential development compares to the current barns and horse facilities already there. He asked if it was roughly the same or larger. Planning & Building Director Russell said staff does not have that information immediately available, but the applicant team has created a graphic for that. She said if they don't get to that tonight, it can be shared later.

Commissioner Goulden asked if the Woodside Fire Department's January 15 memo was indicating they have okayed everything except the two items discussed in that memo. Planning & Building Director Russell said they are asking for additional clarification from the Fire Marshal, but her understanding from when she last spoke to him about it is the items on the January 15 memo are recommendations from the Fire District, and there is a separate document that includes comments that have been running through different versions of the project. She said to her reading, those comments appear to be largely satisfied. Planning & Building Director Russell said that rather than relying only on her interpretation, they have requested clarification from the Fire Marshal and will bring that back to the Planning Commission.

Commissioner Goulden asked if the proposed units would be eligible for ADUs in the future. Planning & Building Director Russell said the applicants are not proposing ADUs, and so it is currently being evaluated as if ADUs would not take place at that site. She said what needs to be clarified is if the

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applicants voluntarily elect to not have ADUs on the property and restrict it as such, what that would mean in the future with regard to State law.

Town Attorney Silver said the new ADU law does cast some doubt on whether covenants that prohibit ADUs are enforceable. She said in general, if this were a private developer, and they were to place a CC&R disallowing further ADUs, that traditional covenant is no longer enforceable under State law. However, because this is an institutional organization and because Stanford has a way of conveying property that is different than other private landowners, there may be a different type in interpretation. She said that, as a practical matter, if the applicants state they don't intend to build ADUs, that can, for the most part, be relied on.

Commissioner Goulden said there was some discussion of the Hermit Fault. He asked if that is an open issue. Planning & Building Director Russell said they've been doing research with the Town Geologist regarding the history of that fault and what's known about it, and then there will be a lot more information to be covered later.

Commissioner Goulden said one of the stories rolling around was that Stanford doesn't pay taxes. He assumed this was not the case in this situation, but he asked for confirmation of that. He asked who would own the BMR units. He said the other ones are meant to be privately owned. Planning & Building Director Russell said with regard to taxes, staff's understanding is that the owners of the homes would purchase the building and have long-term ground leases from Stanford for the underlying property, and they would pay property taxes the way a typical property owner would. She said the BMR units are intended to be rentals, with a preference program for residents that live or work in Portola Valley. She said there would be policy decisions made regarding how to establish the preference program. She said Stanford had indicated that they would operate the BMR units and ensure the rules are enforced so they can be available as rental units for Town residents.

Commissioner Goulden asked about the open space part of the property and if it had been sorted out whether or not it would be open space like Mid-Pen Open Space, like a POST-owned property, with trail easements just for the trail, or if the entire area is open space. Planning & Building Director Russell said the current proposal is for it to be private open space, not generally available to the public. She said only the trails component would be available to the public. Stanford would continue to own and maintain the open space, consistent with the vegetation management plan and consistent with any other legal agreements that the Town would enter into. As discussed earlier, Stanford is proposing to use all of the units that can be built on the full property, clustering them together, and it would be required for them to preserve it as open space for the life of the project. It could not be developed in the future as in addition to this development. She said there will be legal mechanisms in place, but those have not yet been established.

Chair Taylor asked if there is going to be an easement on the open space or if it is because they've used up their development rights there is no practical way to do anything with the space. Planning & Building Director Russell said because they are using their development rights, they cannot develop the remainder of the parcel. She said there are different legal instruments the Town can use to ensure they don't develop it, but that has not yet been established.

Commissioner Hasko asked if staff knows anything right now about feasibility of the trails and the subcommittee recommendation to move the project south. She asked if it is a future item to be looked into. Planning & Building Director Russell said it is an appropriate item for future discussion, given the Committees' comments that have come to the Commission.

Commissioner Hasko said that, based on the Trails and Paths Committee comments, she wasn't sure if there was a legal distinction here that would need to be understood. She said they are asking for

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certain trails and adding one, which is in discussion, but Stanford's response was that's okay as a condition of approval. Commissioner Hasko said she didn't know if that was a different legal treatment than granting an easement. She asked what the choices or analysis needs to be in order to figure out – assuming there's some agreement on the appropriate paths – how to lock it in legally. Planning & Building Director Russell said in the course of the planning review process, that is just starting, including all the different entitlements discussed tonight, especially the Vesting Tentative Map, the general location for the trails would be identified. She said that would be within reasonable parameters that the experts would determine as to where that trail would be and the extent of it, which would be an important part of the entitlements that the Planning Commission and Town Council would consider. She said then the right instruments would be in place with the conditions of approval so the Town's Public Works and perhaps the Trails Committee, along with the applicant's engineers, go into the field and look at the exact topography, the exact tree locations, and actually locate the trail. She said conditions would typically be crafted to ensure that happens and that it meets the standards of the overall approval.

Commissioner Hasko asked if there were any examples from local communities that have preference programs. She said this needs to be understood and in particular, why they are restricted for 55 years. Planning & Building Director Russell said there are examples of other communities that have preference programs. She said there must be caution exercised when they are drafted due to fair housing laws, but there are good examples available to follow. Planning & Building Director Russell said there have been different time limits set for affordable housing projects over the years, and 55 years is the number now.

Commissioner Hasko asked about the role of NV5. She said their comments appeared to be wide ranging on a number of issues, and she could not tell the scope of their engagement and what they had been looking at. Planning & Building Director Russell explained that NV5 is an engineering consulting firm in contract with the Public Works Department. She said the consultant contract is overseen by Public Works Director Young, and he works very closely with them. Public Works Director Young also personally reviewed all of the comments for this project. Planning & Building Director Russell said NV5's role is to review the project for technical consistency with State laws, with standard engineering practices, and with the Town's Municipal Code to determine compliance. She said it may be challenging in the way some of their comments are worded, for example, calling something acceptable when it only means that what is on the plans is acceptable to go into the review process, that there is not a technical engineering red flag that would prohibit that solution from working out in the end. She said they do not mean to imply that anything is signed off or approved because they have found the plans to be acceptable.

Commissioner Hasko asked if there were other PUDs in town besides the Ranch. Planning & Building Director Russell said the Ranch is a planned community with all of its own zoning. She said this project is a step down, a PUD, and there are numerous PUDs in Town – such as the Priory, Blue Oaks, etc.

Commissioner Hasko said it is referenced that the PUD applications need to consider a number of things. She asked if they can actually integrate fire hazards. She said it seemed limited to emphasizing geologic hazards and earthquakes. Planning & Building Director Russell said that may be partially due to context, with staff just taking an excerpt of the Code. She also pointed out that the Code does not always have the strong language around fire safety that would be included today. She said the fire safety elements are well picked up in the EIR and that information will also be available to the Commission.

Commissioner Hasko asked if the Town can get information on examples where the criteria for denying a waiver has been met and how they are analyzed. Planning & Building Director Russell said that is something that will be considered further.

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Commissioner Hasko asked why the Subdivision Committee has no representative from the Traffic Safety Committee or the Planning Commission.. Planning & Building Director Russell said the Code does not require it. It does require an ultimate review by the Traffic Safety Committee, but it is not a listed participant in the Subdivision Committee.

Commissioner Hasko asked for clarification regarding zero lot lines. Planning & Building Director Russell explained that a zero lot line is when a house is built immediately on the property line with no setback.

Commissioner Hasko asked about the timing of the placement of story poles. Planning & Building Director Russell said they are still working through the approach and timing because they've been trying to monitor the situation with COVID and wanted to provide real focus and attention on these study sessions. She said the intention is to receive feedback from the Planning Commission and the ASCC on the scope of the story poles and the staking that would be provided on-site. She said the applicant would then install the story poles and staking according to that feedback, followed by the on-site visits or meetings, whatever form that might take.

Commissioner Hasko asked if utilities undergrounding had been discussed yet. Planning & Building Director Russell said it has been discussed and that the utilities are proposed to be undergrounded.

Commissioner Hasko said the Trails and Paths Committee stated there has been no engagement to address some of their comments. She asked if that had been remedied, has started, or is to be done. Planning & Building Director Russell said she attended the Trails and Path Committee meeting to provide information on the process. She said the applicant is ready and available to attend their meeting and to participate with them in a meaningful way. She said they are also looking to see if there is any feedback that comes up in these study sessions.

Commissioner Hasko said a neighbor discussed an easement and observed there had been no engagement by Stanford on that easement. She asked if that has been remedied. Planning & Building Director Russell said she has asked the applicant to look into that further and will let them speak to that.

Chair Taylor said almost all of his questions have been asked and answered. He asked if after the study sessions there can be an ordered list of the meetings developed. He would like to see that the meetings dovetail in a way that makes sense and that the public can understand how the meetings interrelate to each other. He said there will be a lot of Planning Commission meetings as well as a lot of subcommittee meetings. He said he thinks it is important there be some overview of how the meetings interact with each other. Planning & Building Director Russell said that can be done, and she will rely on working with the Chairs of the Committees and Commissions in order to put that together.

Chair Taylor invited the applicant to provide their presentation.

John Donahoe, Stanford University Real Estate, introduced himself and Larry Strain, a Principal at Siegel & Strain Architects. He said that a number of members of the Stanford consultant team were also in attendance.

Mr. Donahoe thanked the Town staff for providing a good overview of a relatively complicated project. He invited the Commissioners to feel free to ask any questions at the conclusion of his presentation.

Mr. Donahoe said Stanford came into the project beginning in approximately 2016, when the Town Council started to have a community-wide engagement discussion on housing issues, trying to provide more housing within the community, the ADU ordinance, considering development of housing on

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Town-owned property, and also talking to Affiliated Housing sites within the Town's Housing Element. He described the background of the land. He said while Stanford has not initially had an interest in developing residential, the property has been designated as residential since the Town's incorporation and has been in the Town's Housing Element since the early-1990s as a potential affiliated housing development site.

Mr. Donahoe said Stanford's needs are for providing new faculty housing to attract new faculty to the University. He said they are not immune from the issues of rising home prices in the Bay Area. He said potential new faculty members often like Stanford until they become aware of the housing prices in the area.

Mr. Donahoe said Stanford has developed new faculty housing on the main campus and is recently occupying a housing project in Palo Alto on Stanford property and have a rental project for faculty under construction in Menlo Park. He said the discussion has been around developing the property with a light touch and not necessarily a standard development providing large homes on large lots. He said they are not a market developer and do not intend to profit off of this particular project, with their goal being to provide housing for their faculty. He said the Town asked them to put proposals together, and they submitted their application in 2019. The next big step, in addition to this community outreach, is to have the Draft EIR released, which will provide everyone with impartial information on potential impacts of the project.

Larry Strain said the project was well presented by staff. He described the site data, the initial concept, the concept as submitted, the common area, the defensible native landscape, the yards, park area, floor plans, and elevations.

Mr. Donahoe described their prior annual fire protection program, the fire safe design, wildfire modeling, and the vegetation management plan. He described the fire safety and design of the homes, fire-hardening, underground power lines, all electric homes with solar panels, 200-foot wildfire break from homes implementing Cal Fire and WFPD requirements for defensible space, water line extension and new fire hydrants, redundant source of water for Westridge community, and fire access land and new fire maintenance road. He described how a vegetation management plan is developed, beginning with wildfire modeling. He said the Draft EIR has retained a wildfire consultant that will look at the area and review the plans. He explained that wildfire modeling examines density of different vegetations, slopes, and weather patterns. After executing their vegetation management plan, the hazards in the area will be reduced by 99 percent. He explained that the vegetation management plan provides guidance for reducing fuel volumes by grazing, cutting, and removing vegetation; implements Cal Fire and WFPD requirements for defensible space; reduces the possibility of fire traveling through tree crowns; maintains healthy, dominant, natural, fire-resistant vegetation; builds a new permanent road up to the middle of the property for fire engine access and maintenance activities; and protects significant trees, environmental habitats, and archaeological resources. He shared diagrams of the proposed loop trail. He shared the habitat map, which will be reviewed as part of the EIR. They do not want to disturb riparian corridors or potential streams. He said as they proceed to the Committee review process the Draft EIR will be available.

Mr. Donahoe said the community workforce housing will help the Town achieve its portion of the Bay Area RHNA needs during this historic housing crisis, providing twice the number of affordable housing units required. He said the Town will decide the target population and level of affordability. Stanford will fully fund, build, and operate the affordable units and provide faculty housing to help them retain top-tier educators and researchers. He said the new property tax revenues, fees, and other taxes are assessed to fund the Town, public school districts, and the WFPD. He said the oak woodland and extended trail network will be preserved. He said the project will make the property safer than it is

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today with undergrounding of the PG&E power lines along Alpine Road and with the vegetation management plan that will increase safety across all 75 acres.

Chair Taylor invited questions from the Commissioners.

Commissioner Goulden asked if they had the option to build more than 39 units, if they would have done so. Mr. Donahoe said when they made their initial presentation to the Town Council in 2017, one of the comments was, "Is that all?" He said when they set out to do the math and follow the rules, it came out to a maximum of 41 units, with at least six affordable units. Mr. Donahoe said he never thought of them as having a choice. They followed the process which led them to that number, and they designed the project around that number. He said when a significant project is undertaken, the usual desire would be to maximize the resources, but they were also very sympathetic to the ongoing community interest regarding any kind of development in Portola Valley.

Mr. Donahoe shared a screen overlaying the proposed project with the current horse operation. That particular area was chosen for the development because, among other reasons, it was the flattest, the closest to Alpine, and would require much less tree removal and ground disturbance. If they wanted to add more units, they would have had to do substantially more grading, tree removal, and disturbance to the site. After reviewing many alternatives, they felt this was the best overall approach. He said for a project like this, the goal is to balance and compromise the benefits versus impacts.

Commissioner Goulden said there were some comments about moving the entire project 25 feet south. He asked if that idea was still being considered. Mr. Donahoe said this issue has come up several times. He said they are very hesitant to do that for many reasons. As the property gets shifted, the level of grading and amount of tree removal increases significantly. They felt it was important to concentrate the area with the least amount of disturbance.

Commissioner Goulden asked if they considered the suggestions about servicing the area with the Marguerite bus and if Portola Valley residents could take advantage of that. He said he also heard the suggestion of doing the whole loop, Alpine to Portola Road and up Sand Hill as part of a regular route. Mr. Donahoe said it would be nice to be able to do that, but it is a relatively small project in relation to serving running bus lines out there. He said there are some components about the site that make it unique from a transportation standpoint. He said the 29 homes will be occupied by Stanford entities so they know where they live and where they work, which is not true in most other residential projects. In this case, Stanford already has a variety of traffic demand management solutions offered to faculty and staff such as Zip cars, bicycle trails, carpool, vanpool, etc. He said they offer a large a la carte menu to each of these individual people. He said faculty don't necessarily have 9:00 to 5:00 jobs, and running a Marguerite or dedicated bus will not likely have the necessary ridership.

Commissioner Goulden asked about the applicant's thoughts on ADUs. Mr. Donahoe said it was never their intent. He said the lots are small and quite frankly won't have room for additional ADUs.

Commissioner Goulden said at some point he would like to hear the thoughts behind what prompted the concessions and waivers. Mr. Donahoe agreed this should be a dedicated topic in order to do it justice. He said in looking at the Town's inclusionary zoning, a developer is only required to provide the Town with a lot, not to build or construct the affordable units. He said one of the biggest benefits to the community, in addition to getting the affordable units, is that Stanford will build them and occupy them using the Town's criteria, and also manage them. He said that is a big issue from the Town's perspective that hasn't yet been discussed. He said other communities are large enough to have their own housing departments or they contract with nonprofits that do the work for the Town. In this case, Stanford will perform that function and provide an annual report to the Town.

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Commissioner Hasko said she understands they have the general sense the Marguerite probably would not have the ridership, but asked if there had been any formal analysis of that yet. Mr. Donahoe said there has not.

Commissioner Hasko said there is a statement by Stanford in the documents that surveying the Canyon Trail or the property line is too expensive to figure out where the Canyon Trail goes. She asked if that has been costed out or if this is just a gut response based on experience. Mr. Donahoe said it is based on experience. He said they provided to the Town, and will present to the Trails Committee next week, their review of this issue. He said it is not so much the cost issue. He said they are willing to look at a variety of trail alignments. He said they want to make sure it is clear to the Committee, this Commission, and the Town Council, that trails in and of themselves are fine, but one must also be aware of any unintended consequences of those trails. For example, the Canyon Trail, which has been discussed a lot, in most cases is not on their property, and their concern has been how they implement a trail that is not on their property. He said the second issue is the possible environmental impacts. He said he's been told, "Well, we've always run trails in creek beds. We've always done it that way." Mr. Donahoe said environmental laws at state and federal levels have changed dramatically over the years. His concern is that the community understands that this is not as simple as just building the trail and assuming it's done. In their other areas, they try to route the trails to avoid any potential impacts in addition to the impacts they are aware of. He said the third issue is there is the tradeoff of providing public access into this land at the risk of increased fire risk.

Commissioner Hasko she was just asking the very narrow question of whether the surveying in and of itself was a problem. She said if the Canyon Trail isn't even on their property, that's a different topic. She said she didn't have a view, but was just trying to get educated about what the sensitivity was to looking at that.

Commissioner Hasko said there is mention of discussions or different analyses about the right of way for Alpine Road needing to be 100 feet total. She asked if the required width of the right of way got worked out or if it was still part of the discussion. Mr. Donahoe said they've worked with Public Works Director Young. He said one of the advantages of being Stanford is they actually own the land on the other side of Alpine Road. He said they have worked to create a route so that they can get 100 feet all the way through. In some cases it may be on the project side of Alpine and in some cases they may be using a little more of the other side. He said the General Plan wants 100-foot right of way for Alpine, and the plans presented demonstrate how that would be achieved.

Commissioner Hasko said there is obviously a lot of work that will be going on. Without getting ahead of everything, she asked about the plans to move the horses occupying that area. She asked if they should be thinking about managing that transition and if there is a timeframe to keep in mind for that. Mr. Donahoe said it has been discussed a lot. There are currently eight horses on the property. It is not a full-service stable and has no water or power. He said they would like to work with the tenant and assist them in finding another location. He said the challenge will be finding something in the same affordability range, and they are willing to use what resources they have to try to assist with that. He said with regard to timing, they don't necessarily need to do anything until they are ready to start construction so they still have a significant amount of time.

Chair Taylor asked if there were any hard deadlines on the project. He said he understands there will be a lot of meetings and a lot of analysis to do. He said if the project goes forward, he would be interested in combining this with the RHNA numbers that may be coming in. He asked what Mr. Donahoe thought about the overall schedule. Mr. Donahoe said there are several months of work ahead. He said the EIR will come out with a 45-day review period at which time Committee meetings should be started. He said there is no drop-dead date on it from Stanford's perspective. He said they are not a normal market rate development with an option on the property. He said they have done

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projects of this nature in the past and fully recognize that it is important to go at the Town's pace and not their own pace. He said they would like to keep things moving. He and Planning & Building Director Russell have had multiple conversations since late-October simply on how to do site visits on the property, but COVID has obstructed a lot of things they would have liked to have done to date that still need to be done. They understand the need to work through the Town's process as well as the COVID issues.

With no further questions, Chair Taylor invited public comment.

David Cardinal has lived on Golden Oak for 30 years. He said he would like to think about pros and cons overall instead of focusing on minutia. He said three obvious pros are seeing more Stanford families in the area. He said Stanford has so far been a terrible steward of the Wedge property for whatever reasons with regard to fuel mitigation. He said he would like to see Marguerite serve Townspeople who just need the short journey into Stanford or Menlo Park. He said overall he thinks this will be a good thing.

Chair Taylor asked Planning & Building Director Russell to add Marguerite to the traffic discussion.

Nan Shostak said she is a geologist, retired from teaching geology at San Jose State. She spent years researching local geology and the 1906 earthquake and wrote a master's thesis on it. She said she recently sent to staff a short paper on the impossibility of safely evacuating Portola Valley in the event of a large earthquake. She said the founders of the Town had the wisdom to recognize the seismic hazard and risk of living in this area and had the foresight to make geologic hazard maps for the Town. She said right now the particular concern is the Hermit Fault. She said the Hermit Fault has a long, well-documented history, confirmed by all geologists who have mapped this area since 1924. She said it was on the geologic hazard and ground movement potential maps until 2017 when it was inexplicably removed. She said she can't find any report to either the Planning Commission or Council to explain why it was removed. She said the Council adopted a policy approving other changes to these maps, which are documented, but there is no mention of the Hermit Fault, which has completely disappeared from the maps. She said it is shown on all except the current Portola Valley maps as crossing through Stanford's proposed building site and Alpine Road, passing through the housing. She said if a large earthquake from the San Andreas triggers movement on the Hermit Fault, Alpine Road at the Wedge will be impassible until extensive repairs are made. She said there is also a heightened risk of wildfire ignition spread, especially after an earthquake, if housing is allowed to be developed on or near a potentially seismically hazardous geologic fault, as has been proposed. Ms. Shostak said part of the mapped fault lies directly under some of the houses on Stanford's site plan. She said Stanford's own geotechnical report found indisputable evidence of a fault in the middle of the proposed development site, and they only filled five bore holes there. The Town's Geologist recommends the fault be located by an on the ground investigator, that its geologic character be determined, and that its potential for seismic risk to the houses proposed for the site be evaluated. She said this is critically important and needs to be done soon. She said the Town must question the wisdom of building houses for families near and immediately above this geologic fault that has been known about for a long time. She said the potential seismic activity is unknown because it has not yet been thoroughly investigated. She said the Town must not put the cart before the horse. She said a thorough, independent, on-site investigation of the Hermit Fault on the Wedge should be completed before development plans are considered further.

Chair Taylor said there will be additional meetings when geology is discussed and more information can be brought at that time.

Don Bullard, Fire Marshal, said this 75 acres on the Stanford property is situated adjacent to three large inaccessible box canyons, below ridges of hundreds of houses, which would be inaccessible and nearly indefensible in a wildfire. He said this is of high concern to Woodside Fire and poses a very high

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fire risk to the residents of Portola Valley and the Firefighters. He said the vegetation management plan, in concert with the ignition resistant building materials, would indeed reduce the hazard, but in no way resolves the ultimate risk. He said the Wedge canyon and surrounding canyons will continue to be as problematic as they always have been. He said they are very difficult to access and defend, as are the houses on the ridges. He said cluster housing in the WUI is risky business, posing the highest risk for structure-to-structure ignition. He said we have to learn our lessons from past mistakes. He said putting cluster housing in the WUI equates to a severe fire risk and is why we will continue to lose more and more structures to wildfire in California. He said less structures on the property would be a compromise well worth the benefit of a safer community. He said he is open to and looks forward to discussions on how to make this project safer for the community. He said that per damage assessments for communities that have been subject to wildfire, structures with 30 to 100 feet of defensible space and substantial distances from other structures have had a much better survival. He said the Stanford proposal promotes the opposite concept. He said cluster housing does not allow for true wildfire resiliency or defensible space between houses, which is why Blue Oaks was planned with large separation from structures. At that time, he said the Planning Department put wildfire at the forefront of the Blue Oaks PUD. He said reduced setbacks and reduced lot sizes are not in the best interest of wildfire resiliency in any WUI area. He said if there is an exterior or ignition of any one structure, there will likely be structure-to-structure ignition because of the close proximity. Fire Marshal Bullard said all of Woodside Fire Department's resources could easily be overwhelmed in this type of incident. He said the San Mateo County Board of Supervisors disapproved a zoning production change in all high fire risk areas. He said future land use and wildfire prone lands should use information from catastrophic losses in other communities as part of their roadmap. He said the CZU fire lost 1,300 structures and 87,000 acres. There are not 87,000 acres in Portola Valley, but there are 1,500 homes that could be lost. Fire Marshal Bullard recommended that these issues be thought about as this project moves forward. He said he is open to discussions about making this development safer.

Rita Comes agreed with Commissioner Goulden's initial concerns about affordable housing. She said many concessions are being made for this particular project – wildfire and seismic safety and others – and there are only six affordable housing units. She said the 27 homes range from three bedrooms and four bedrooms up to approximately 2,300 square feet. She said the 12 units include six that are 475 square feet, three that are 600 square feet, and three that are 975 square feet. She said with the Town's Zoning Ordinance, the units are supposed to be of equal design and quality as the market rate units in the project. She asked how a family can stay in town with affordable units not compatible. Ms. Comes said the erasure of the indigenous people in town will continue if time is not taken to acknowledge and preserve the knowledge. She said this area was a magnificent local place for the indigenous, with clusters of villages all along the ridges. She said this information is available from the Stanford archeology department and also in Nancy Lund's book. Ms. Comes asked the Native American Heritage Commission in Sacramento about that particular location, and she received a message from Sarah Fonseca asking if anything was ever found on that property. Ms. Fonseca advised Ms. Comes that a records search of the Native American Heritage Commission Sacred Lands File was completed for the information she had submitted for the project. Ms. Fonseca said the results were positive, and she provided a list of leaders in the Native American community to contact for more information. Ms. Comes said Stanford did its first annual fire mitigation at the site in early September, which happened to be on red flag days, with heavier equipment than what was approved by the Fire Marshal. Ms. Comes supported the urgent need for prompt and effective mitigation of the wildfire hazards, but was also concerned with the artifacts and other habitational or burial of indigenous people on the property. She wants to make sure that information is found, identified, and preserved, and that the Muwekma and Ohlone people review those sites before more large equipment is brought in.

Helen Wolter said she hopes that preferences for the BMR housing are offered to people who work in town, which is allowed under the Fair Housing Act. She said they have problems with staffing teachers at the schools in this area where the average house price is \$3 million. She asked if the common open

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space is open to public. She said under the Quimby Act it is often asked that 50 percent of the open space is accessible to the public as a community benefit. She said with regard to the loop trail, she is tired of seeing bicyclists hit in Portola Valley, and she would hope the trail would be wide enough for bicyclists and pedestrians, a multi-modal trail. She asked if Portola Valley had coordinated with other nearby towns in San Mateo County. She said in Santa Clara County, Stanford has nearly maxed out their allowable permitted use. She doesn't know where we're at with San Mateo County, which leads to the mitigations in Marguerite. She said because the town is so low density, it is incredibly difficult to create transit. She said since a multi-unit development is being created, there is the potential possibility of creating more density, although she understands that is not in the General Plan. She said there could be a few units at potentially three stories with additional units built on top of them. She said if the developer stays under five stories, it is still affordable. Ms. Wolter said she understands her neighbors are worried about higher density and safety, and she appreciates all the wildfire considerations. She said that as the Town barrels toward having to meet the RHNA numbers, and because everyone lives in town as it is and there is no managed retreat, considering higher density would allow more transit possibilities.

Gary Hanning, Chair of the Town's Trails and Paths Committee. Mr. Hanning said when they prepared their comments in response to the application, they tried to look at them keeping the Trails and Paths Element of the Town's General Plan in mind as well as from the vantage point of the folks who would live on the Wedge, because they are the ones who would most often use the trails. From the General Plan Trails and Paths Element perspective, the Committee tried to accomplish several things. They tried to network the trails system together. He said the only way to grow the trail system is through the subdivision process. He said it is part of the Trails and Paths Element that they work to interconnect the various sub-trail systems of the Town. He said this current proposal fails to meet that goal. He said the Canyon Trail is very important because it is the main artery from the Wedge up into the Westridge neighborhood. He said the Canyon Trail is not on any of the maps. He said part of it probably is on private property, but there is a portion of it that has existed since the 1960s on the Wedge property; however, that has also vanished from the maps. He said that is their primary reason for asking, in concert with the Conservation Committee, to move the subdivision south to reestablish that trail that connects the portions of the Canyon Trail that are on private property to Alpine Road. He said it is a very important piece necessary to interconnect the various neighborhoods and to accomplish the goals of the long-term vision of the Trails and Paths Element. Mr. Hanning said another part of the Element is multiuse. He said this proposal does not provide for bicycles or a person pushing a baby carriage. He said they want to see the trail system opened up to more types of users, which is the basis for asking to move the existing Alpine Trail inwards into the property, away from the traffic and noise of Alpine Road, and which would provide an opportunity to widen it. It would be kept a dirt trail, but would allow for bicycles to use the trail. Mr. Hanning said the highlighted considerations would be the multi-use issue, variety of different trails, and the ability to interconnect whatever trails that come about as a result of the subdivision, being able to interconnect those trails with the rest of the trail system in Portola Valley.

Rusty Day thanked the Commission for letting the Town know there will be multiple additional hearings because many residents want to ensure that their concerns will be heard. He said it is gratifying to see the Commission respond so positively to this and to open up for further comments. Mr. Day said it is critically important that Portola Valley facilitates and encourages the development of affordable housing, especially for low-income families. He said, however, that Stanford's economic analysis shows that the concessions it is seeking are not economically justified and are a bad deal for the Town. He said Stanford claims the total cost of the project before concessions is \$50 million, but with concessions the cost can come down to \$37 million. Stanford is seeking \$13 million in concessions from the Town. Stanford also claims the cost of constructing affordable housing units will be \$3.5 million. Mr. Day asked why the Town should give Stanford \$13 million in concessions to build \$3.5 million in affordable housing. Mr. Day said if the \$13 million in concessions is allocated based on the

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relative amount of faculty housing and affordable housing that Stanford proposes to build, more than 83% or \$10.8 million of the concessions is attributable to the faculty housing. Mr. Day asked why the Town should give Stanford more than \$10.8 million in economic concessions to build faculty housing in Portola Valley, housing that only Stanford faculty can own and occupy. Mr. Day said Mr. Donahoe asserts that one of the benefits is that Stanford would own and manage the affordable housing. Mr. Day said that means it will not be taxable, all the revenue on it will not be taxable, and they will not be paying property tax on it because they will own it. He said with regard to the houses, they will not be paying property tax on the land, and the residents will be paying property tax on the house. Mr. Day said, to expand on Fire Marshal Bullard's comments, many of the concessions sought by Stanford will increase the project's fire hazards and not reduce them. Mr. Day said that as Mr. Donahoe presented Stanford's modeling of fire hazard, he noticed that in the bottom right-hand corner of the presentation, the output is all colored green so it looks good to go, with a notation that says "greater than 99 percent reduction in hazard." Mr. Day said he hopes a session is scheduled to discuss fire hazard. He said that modeling does not account for the contribution of structures to fire and treats every structure as non-burnable and adding no net energy to a fire. Mr. Day said the Planning Commission needs to hear how the Zoning Ordinance is designed to protect us from fire and how the concessions that Stanford is asking the Town to make increases the hazard of fire by reducing the size of lots, increasing the amount of housing that can be built on those small lots, getting rid of the easement for roads, no pathways, and an entire cacophony of things the Commission needs to hear and understand. Mr. Day asked if staff and Stanford can please post tonight's presentations on the project website.

Mr. Day asked if the Commission would take public comments on the Planning Commission's priorities. He said they were addressed earlier in tonight's meeting, but no public comments were taken, and it would be good to hear the public's opinions on what the Planning Commission's priorities might be.

Chair Taylor said the meeting on the 27th is the Council's priorities for the Town, and he will work with Planning & Building Director Russell to see what they can do.

Mary Hufty said she is on the Woodside Trails Club Board. She said her comments concern the missing ingredient in the planning process to date, which has been curiosity and respect for the community and the Town's experts. She said she feels at this meeting that issue is resolving, and she looks forward to seeing it get better and better. She asked that all involved recognize and respect the fundamental requests that have already been made but unacknowledged. She said, as indicated in the package, 300 residents signed a letter sent to Stanford's Planning and Entitlements Department and to the Town's Planning Department on February 12, 2020, regarding the unacceptable risk for fire. She said this could have saved a lot of time. The risk was first outlined by Fire Marshal Denise Enea on September 1, 2019. She said there has been no response to the Fire Marshal's concern about the risk. She said the hazard to the project has been modified, but not the risk to the community, as specified by Fire Marshal Don Bullard and Rusty Day. She said there must be a risk-based fire study, not hazard-based, that provides understanding of the fundamental threats present. She asked if Stanford was curious or respected the citizens' real concern for their safety. Ms. Hufty said the community is committed to green connections for wildlife and people with the trails being a major asset to the greater community. She said it seems to surprise both Stanford and the Town that the citizens are willing to fight for those connections. She said the Alpine Canyon Trail does not need to go through the canyon right on the stream, as it does currently. She said it has been grossly underfunded for years. She said it can run along Stanford and can connect Westridge Shady Trail to the Alpine Corridor, Ford Field to Alpine Inn, and Ladera. She said they need to understand why the citizens think it's important to respect the trails and wildlife corridor. She said there needs to be an equivalent of the Alpine Canyon trail. Ms. Hufty said there should be respect for the land and its contribution to the environment and to history. She said at the Wedge, there are three specific seasonal streams running in winter to Los Trancos Creek that are recognized by the San Francisco Bay Regional Water Quality Control Board. She said when the Portola Valley Conservation Committee requested a 100-foot setback from the

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Alpine Canyon Creek, the club was surprised by the lack of curiosity or respect for what is there. Poignantly, history has collided with prehistory on the Wedge site. Long dead cowboys tell the tale of blast shafts that were drilled through prehistoric artifacts on the Jasper Ridge formation cliffs on the Wedge. Ms. Hufty said they respectfully request in-depth subsurface archeologic studies to assess the extent of the artifacts and a disclosure of the history and residue of mining on the site. They request respect for their values and hope for curiosity about the true strengths and values of this land.

Kristy Corley said the feedback being received from the residents is that they expect the Stanford Wedge application process to be inclusive of resident involvement. They want the process to succeed so the best interests of PV residents are represented. She said they care about a successful, robust, open process in Town and care about transparency and community engagement. She said they expect full disclosure of information and ask Committees, Commissions, and Town Council to reach out to residents in every way possible to be inclusive and transparent. She said they care about sharing information, even in draft form, to keep residents informed when requests are made of the Planning Commission. She requested there be a 90-day discussion period rather than a 45-day period when it comes down to the last efforts for Stanford to hear residents in town. She cited three examples where the process has not been as open as hoped: 1) No response to the 100 Portola Valley residents who signed a letter to the Planning Commission requesting story poles of all the units be posted, as homes are required to do, instead of just a few. 2) No response to the 110 residents who signed a letter asking for an additional study session for the Planning Commission and ASCC. She said she was thrilled to hear Chair Taylor state there would be multiple meetings to discuss these things. 3) They asked to review the traffic reports and were told the traffic reports are still being drafted. However, she sees that Stanford has received the traffic report, but the residents have not had a chance to examine it. She said there should be robust traffic and parking reports of Alpine Road and all its tributaries, preferably not during a pandemic when the traffic might be lower. She's asked for larger previous traffic studies, such as Neely, Blue Oaks, Town Center, and Ranch projects. She said she was thrilled to hear they were planning to attend the Trails meeting and encouraged them to visit the Bike and Traffic Committee as well. She said Alpine Road is the evacuation route, and it is vital to the community to understand its limitations. She said the Fire Marshal needs to thoroughly review the traffic report and comment on it. She shared her concerns about the arborist tree removal plan. She said at the beginning she was told there would be no removal of trees prior to the permit being given to the applicant yet months later a permit has been issued to remove many trees and bring tractors onto the land. She said they are trying to do an EIR to protect the environment, yet some things are being allowed to happen that may not have protected the environment. She said they are deeply concerned about fire safety and families being able to successfully evacuate in the event of a fire.

Barb Eckstein, member of Trails and Paths Committee. Ms. Eckstein reiterated that the current trails proposal from Stanford does not address any of the suggestions made by the Trails Committee over the last year and a half. She said their goal is for trails for everyone in town and trails that extend the trail system for everyone. She said this includes the Canyon Trail or, if not possible, a parallel trail running up Stanford property so the Westridge neighborhood of extensive trails is connected with Alpine. She said they would appreciate a collaborative effort with Stanford instead of the very frustrating silence they've had in the last 1-1/2 years. She said in the General Plan they are trying to bring more trails, which is what this town is really about.

Chair Taylor asked Mr. Donahoe if it is appropriate that he reach out to the Trails Committee prior to the Draft EIR. Mr. Donahoe said they have not been directly invited to attend a meeting. He said in other communities, staff reaches out to the applicants to make them aware of the various committee meetings, but every community is different. He discussed this issue last week with Planning & Building Director Russell, and once they get through tonight, he will be prepared to reach out to the Trails Committee.

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Sylvia Thompson said Portola Valley has high fire danger and very few exit routes. She asked if, prior to thinking about adding more residences, there has been any study done about whether all the residents of this town would be able to evacuate in time in the event of a wildfire or earthquake. Chair Taylor said that will definitely be discussed in the fire safety discussions. He said the County of San Mateo has worked out evacuation routes with Zonehaven, and he would anticipate Woodside Fire Protection District will be weighing in on this.

Gerry Kohs said when looking at the ratio of 39 total units, 27 houses and 12 rentals with 6 affordable rentals, it appears to be 15 percent for affordable housing, but that 15 percent doesn't hold up when considering the square footage. He asked why the calculations were made on the ratio of units instead of square footage. He said he supports affordable housing, but believes the Town needs a lot more than that small amount of square footage. He said there are six units, but the square footage ratio is very small in proportion to the 27 larger houses.

Robert Younge said there has been a lot of discussion on how the property has been cleaned up and it is appreciated. He said it is difficult for the community to understand the safety risk here. He said he understands this is COVID, but it would be helpful if, in a controlled fashion, the community could be invited in to try to look at the property to understand what's been done. He said it would be nice to go back into the upper parts of the ridge so the community can understand the magnitude of the risk. Chair Taylor said he will work with Planning & Building Director Russell to see if some kind of public visitation day can be organized. He said we are still a ways out on that process because a lot of things need to get sorted out before that happens but thinks some kind of visitation, if Stanford agrees, would be a useful thing.

Judith Murphy, Chair of Conservation Committee. Ms. Murphy said she was surprised to hear tonight for the first time that the Committee should have reached out to Stanford to invite them to speak with them. She thought the mechanism was via the reports the Committee was sending to them. At any rate, she urged that when the Town does reach out, they have joint meetings with Conservation and Trails because they have so much in common. She said Conservation has consistently stressed that one of the most significant recommendations is to move the entire project south. She said she understands there are reasons that would be difficult, with more land disturbance, more tree removal, etc., but the benefits of that additional 25 feet on the north in terms of habitat, trails, evacuation possibilities, and trail connectivity are enormous. She said it obviously will be expensive to do that, but it is still pretty flat down there and does not really start to rise up until past the 20- to 25-foot area. She said that would solve a lot of problems for the town and would be an important concession for Stanford to seriously consider. Chair Taylor will speak with Planning & Building Director Russell and Mr. Donahoe to arrange a joint committee meeting.

Rita Comes said tonight's meeting was very beneficial. She said there were several people who were unable to attend and asked that this recording be posted immediately. She said Town Manager Dennis told her it would be posted right away, and she hopes that is done so people who were not here tonight can see it by this weekend.

With no additional public comment, Chair Taylor invited the applicant to comment.

Mr. Donahoe said they value everyone's opinions. He said he wanted to correct the record on some statements that were made. Mr. Donahoe said they have not seen any traffic report from the Town. He said Planning & Building Director Russell has been incredibly consistent in that they will not see the Draft EIR until it is released to the community. He said they have done an initial traffic investigation at least two years ago, but have not seen any of the work the Town has prepared as part of the EIR. Mr. Donahoe said it is critical that the various committees have the Draft EIR available as they look at and make recommendations on the project. He said any project of this nature includes tradeoffs. He said

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an EIR is intended to be an informational document for the decisionmakers. He said it gives the decisionmakers impartial information on the topics that were studied. He said he is eager to see the Draft EIR and is eager to get back before the Committees so that everyone is responding to the same information, be it on biotics or archeology or fire safety or any other issues. He thanked the community and the Commission for their comments tonight.

Chair Taylor said Mr. Donahoe may consider meeting with the Committees – not to make decisions, because he agrees that until the Draft EIR is ready, they are not ready to start talking tradeoffs, but to make sure the Committees feel heard. He said it sounded tonight like the Committees felt they were sending messages into a blackhole which sounds more like a communication issue rather than a disagreement. Mr. Donahoe said it is important to point out that this is a very unusual project and does not necessary fit the sequence and cadence of other projects as have been reviewed by the Town of Portola Valley. He said there is a tentative map, and they have gone through four different submittals with the Town, responding to all of the communication received from the Town Consultants. He said there is a process, and it takes a fair amount of time. He said the scoping session for the EIR is a year old on January 27, 2020. He said if various Committees aren't used to projects of this nature, he certainly understands their frustration because of the expectation that things would have happened more quickly. Chair Taylor expressed appreciation to Mr. Donahoe for working with the Town process, realizing that this is a long process and there is no shortcutting.

Chair Taylor brought the item back to the Commission for comment.

Commissioner Hasko said this will be a very special project, with an important implication for the community and Stanford. She said the Commission takes that very seriously and does want a transparent process. She said the process may not be as efficient as everyone would like, but she encouraged comments and questions and said they will do their best to work with the Town in terms of making sure information is known. She said there are so many questions that came to her mind reading through the packet, her goal is to get up to speed and informed through these many sessions that will take place. She said the Commissioners did read every letter and submission, even those that came in today, and they will continue to do so. She said she will be asking questions, particularly regarding the fire-related assessments, and will need to get educated on the models and how people think about these issues. She said she appreciated the Fire District weighing in and highlighting their concerns. She said those will be critical discussions. With regard to understanding the law and calculations, she will want to understand the underlying calculations for the 21 lots, the slope density rules, etc. She wants to make sure that when talking about certain density, they know how they got there and would like some substantiation. She said the trails in town are critical to the residents of Portola Valley and how they interact with the environment. She said she will be looking at all of the issues raised by the questions and comments to get a greater understanding of the reasons for the proposals and issues presented. She said getting into the details of both sides of that will be important. She said the issues around having a wildlife corridor there will be important. She said she will also want to look at the more predictable things such as traffic, safety, parking ratios making sense and not creating hazards on a very busy road, light pollution, the Hermit Fault, open space, understanding how to lock in the affordable housing in a way makes sense for the community, etc.

Chair Taylor said Commissioner Hasko's list lines up with his list of topics to discuss at additional meetings.

Commissioner Goulden said if the housing numbers come through as expected and get allocated in the correct timeframe, the Town's quick estimate was that just to meet the State laws, they would need 10 Stanford Wedge projects. He wondered if instead of the concern that it's too big, the Town could get to a point where they want more. He said that needs to be kept in mind because depending on how the Town moves forward, things like getting a conservation easement on the open space part of the

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property will basically mean the Town can't change that later on, basically being locked in. He said his initial thought is that's something that should be done, but is more hesitant when thinking of the long term. He said at some future point, all available lots will be built in Portola Valley, and pretty much in the whole Bay Area. He said the question is would 21 individual houses be better or worse than Stanford's proposal, which may be the comparison to look at. With respect to trails and fire, Commissioner Goulden said it often comes up that different parts of the General Plan can contradict each other. He said, for example, the Housing Element encourages more housing, but on the other hand there are concerns around the rural nature and traffic, causing some conflicts. He said people would love to have trails in the project. He would like to discuss whether those are guidelines and recommendations or requirements and how that applies in this case to this development proposal. He said that question also shows up in some of the fire areas. He said this land has been zoned for development for years. If a developer had built 21 homes, the Planning Commission may not have even seen it if it was all built according to zoning. He said there is a certain amount of property right associated with owning the property, just like every other individual in Portola Valley has. He said the fact that it's Stanford doesn't change the fact that they have property rights. He said there should be the discussion about what the Town desires, which might be accommodatable, but also what happens if they can't get to that, where the Town stands from a legal perspective. He asked what can be required from a fire safety perspective if they've already met all of the codes.

Chair Taylor agreed there were some conflicting goals. He said as the Planning Commission moves forward, it is their job to gather input from the residents and help everyone in town understand what those goals and conflicts are, and then come up with the best plan possible. He said it is 10:30 p.m., and the Stanford people are online and 50 residents are still online, which shows the Town has good partners that are willing to work through the problems.

Town Attorney Silver suggested the public be allowed to comment on Agenda Item #3, the Council goals.

Rusty Day said SB-1241, enacted into the Government Code, adopted in 2012, requires municipalities with very high fire hazard severity zones, like Portola Valley, to adopt by 2015 an amendment to the Safety Element of their General Plan that sets forth and hazard and risk assessment for wildfire to the community. He said the Governor's Office is directed to come out with the technical guidance to instruct communities on how to do that assessment. He said the Governor's Office of Planning and Research came out with that guidance in 2015 and updated it in November 2020. He said it is extensive and specific and designed to implement Cal Fire's Wildfire Strategic Plan of 2018 and tells communities like Portola Valley exactly what needs to be done in order to assess the wildfire hazard and risk, and answers questions such as if everyone from town can evacuate. He said while this was all required to have been done by 2015, it has not been done in Portola Valley. He suggested that the Planning Commission prioritize getting that done. Chair Taylor said he will bring that issue to the Council.

Mary Hufty said there should be an active Seismic Safety Committee, and there is geologic strength in the community to support that. She said the Committee has not convened in the last three years.

Rita Comes requested more transparency. She said she was glad to see the projects section on the website, but she would like to see more. She said everyone referenced the January 30, 2020, minutes that were in draft form, and she has sent a couple of messages about them and asked about it, but would like some kind of call or response. She said she would like to see more transparency, listening to the residents and working with the residents. She said they live in and love this town and are not trying to be "No, we don't want our neighbor to do this or don't want somebody else to do that." She said they love this town and want to be here forever and enjoy it. She said they appreciate everything, but asked that the Town listens to them when they have questions and answers those questions. She

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said that if the website on the Stanford Wedge was updated there would be fewer questions. She said she is sure that more documents have been received since before Thanksgiving, but they have not been updated, and she's been asking every couple of weeks. Chair Taylor said the goal is to continue to improve on transparency. He said that is also Council's and the Town Manager's goal.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS**(5) Commission Reports**

None.

(6) Staff Reports

Planning & Building Director Russell said they are working on a list to bring to the ASCC and Planning Commission and populating the projects webpage. They are working on an update to reorganize the Stanford portion of the page to make it easier for residents to find information.

ADJOURNMENT [10:35 p.m.]

Commissioner Hasko moved to adjourn. Seconded by Commissioner Goulden, the motion carried 3-0.