

Chair Clark called the regular meeting to order at 7:30 p.m. in the town center Historic School House meeting room.

**Roll Call:**

ASCC: Clark, Breen, Hughes, Warr

Absent: Aalfs

Town Council Liaison: Toben

Planning Commission Liaison: Zaffaroni\*

Town Staff: Deputy Town Planner Vlastic, Planning Technician Borck

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*\*Zaffaroni arrived at approximately 8:00 p.m.*

**Oral Communications**

Oral communications were requested and the several residents of the Grove Drive area spoke to express serious concern over the design of the detached garage now under construction at 10 Grove Drive (i.e., Dhillon). The focus of the concerns was on the design and exterior materials being used for the 600 sf garage with studio space.

Chair Clark advised that the ASCC could not specifically discuss the project, as it was not an item noticed for discussion at the meeting. He clarified, however, that the ASCC appreciated hearing the concerns of neighbors and could set the matters of concern for discussion at a future date. He also asked for staff to provide any appropriate input.

Vlastic advised that staff had been made aware of neighbor concerns. He noted that the garage was considered and approved by the ASCC in July of 2008 and that it has been determined that the garage, as now under construction, exceeds the approved height by approximately 1.5 feet. He further advised that this matter has resulted in a “stop work” order on the project and that the applicant has been contacted to consider options to address the height problem and, as possible, the concerns that have been expressed by neighbors to town staff.

The following oral communications were offered:

**Curt Taylor, 35 Grove Drive**, expressed concern over the “unsightly and obnoxious” design of the garage and contended that it did not conform to the design guidelines set forth in Section 18.64 of the municipal code. He added that the town needed better noticing procedures to ensure all in the neighborhood would be made aware of such proposals and that a “bad” decision was made in this case. He looked to the ASCC and town to correct the problem and achieve a final design that was compatible with the neighborhood.

**Eric Wentzel, 214 Grove Drive**, shared the concerns expressed by Mr. Taylor, particularly relative to noticing and sought understanding on how such a building could have been found acceptable.

**Jon Silver, 355 Portola Road**, commented that the building design was inappropriate and that the ASCC is seen as the “first line of defense” to protect the town relative to poor design. He encouraged a correction that was now possible relative to the height issue. He

also stated that all who comment “tonight” should receive notice of the project when plans for resolving the height problem are presented to the ASCC.

**Kathy Feldman, 315 Grove Drive**, shared the concerns of the other speakers and stated she tried to appreciate the design but has become more concerned every time she passes the structure. She characterized it as “ugly,” a “tractor shed or pump house,” and stressed that, in her opinion, there was “nothing good about it.” She added that if it can’t be changed to an appropriate design, that the emergency connection from Georgia Lane to Grove Drive should be opened so that she and visitors to her property don’t have to pass by the structure.

**(?) Marshall, (?) Grove Drive**, shared the concerns of the other neighbors, wondered how this design could have been approved, and requested that the ASCC do all it can to correct the design problems. It was stressed that as a town resident since 1970, nothing of this character had been seen in town over all those years.

**Ken Reed, 2 Grove Court**, also shared the concerns of the other speakers and wondered how the ASCC could have allowed the corrugated material to be used on the structure. He noted that, in his opinion, it was completely inappropriate for the site and area.

**Clair Jernick, 33 Grove Drive**, stressed that the metal material was reflective and that a “mistake” was made to allow its use. She offered that corrections are needed now with changes at least to the color and landscaping to ensure the building blends into the site. She offered that the building should blend with the house and that any required screen landscaping be subject to a bond, perhaps a minimum of three years, to ensure it is established and effective in screening views to the garage.

**Elain Junglieb, 33 Grove Drive**, supported the comments offered by Clair Jernick and others and asked that corrections be made as soon as possible.

**Leslie Latham, 150 Grove Drive**, also shared the concerns of others and stated that something must be done to correct the design problems with the garage.

**Jay Jernick, 33 Grove Drive**, shared the concerns expressed by others and stated that the garage design, in his opinion, does not pass the “rural character and value tests.” He worried that the structure would adversely impact property values in the neighborhood.

**Bob Feldman, 315 Grove Drive**, advised that his wife left before he arrived, but believed she presented comments that covered both their concerns. He stressed that all neighbors in the Grove Drive neighborhood should have received notice regarding this project, as they must pass this property to get to their homes. He also stressed that corrections were needed and was looking to the town and ASCC to ensure that such corrections were made and that all neighbors received notice when they would be considered.

After receiving the oral communications, **Warr** commented that while he was not present when action was taken to approve the 10 Grove Drive project, he understands that the ASCC is the “first line of defense” relative to project review. He stressed that perhaps in the case the ASCC did not “get it exactly right,” and that due to the height issue it appears there is an opportunity to make corrections to address the concerns that have been identified. He added that the ASCC has been doing the design review process for “almost 40 years,” and over that time has gotten most all of the design issues “right.”

Vlasic advised that a report on the 10 Grove Drive project would be provided to the ASCC and that it also appeared that the general matter of project noticing should be placed on a future ASCC agenda for discussion. ASCC members stated they would appreciate having a report on the 10 Grove Drive project and concurred with the need for a general discussion of noticing procedures. Clark also advised that when the project is returned to the ASCC for discussion, all those present should receive notice in addition to those who would normally be noticed for a project review.

### **Follow-up Review -- Architectural Review and Site Development Permit X9H-609, 40 Antonio Court, Larson**

Vlasic presented the January 8, 2010 staff report on this follow-up review of revised project landscape and grading plans, conditionally approved by the ASCC at its December 14, 2009 meeting. He clarified that the approval condition called for the follow-up review, as explained the staff report, prior to the time of the planning commission hearing on the site development permit. Vlasic clarified that the planning commission hearing on the site development permit is now tentatively scheduled for February 3, 2010.

ASCC members considered the January 8<sup>th</sup> staff report and the following revised grading and landscape plans:

- Sheet C-1, Preliminary Title Sheet, Lea & Braze, Engineering, Inc., revised 1/5/10
- Sheet C-2, Preliminary Grading & Drainage Plan, Lea & Braze, Engineering, Inc., revised 1/5/10
- Sheet C-3, Preliminary Grading & Drainage Plan, Lea & Braze, Engineering, Inc., 1/5/10
- Sheet L1.0, Planting Plan, Bernard Trainor + Associates, 1/11/10

Michael Pierry, project architect, and Michael Bliss, project landscape architect, presented the revised plans to the ASCC. They discussed the plan refinements, as noted in the staff report and also clarified that the other conditions of the 12/14 approval would be addressed as building permit plans are finalized.

Vlasic also specifically noted that a final construction staging plan would need to be provided for ASCC consideration and that neighbors would receive notice when this plan is to be reviewed by the ASCC.

Public comments were requested, and the following were offered.

**Jon Silver, 355 Portola Road**, commented that he did not know any of the project details, but had seen the story poles at the site. He wondered about visibility and conformity to the general plan provisions relative to “this highly visible site.” He “hoped” the ASCC had taken this into consideration.

Clark also recognized two immediate neighbors, Mr. Brown, 30 Antonio Court, and Mrs. Mackowski, 45 Los Charros, as being present and wondered if they had any additional comments to offer in addition to those presented at previous meetings. They did not offer any additional input.

In response to the comments by Mr. Silver, Clark indicated that if he became familiar with the Priory PUD that this project is subject to, he would better appreciate how the design does conform to the town policies and standards. Mr. Silver thanked Clark for his response.

Following brief discussion, ASCC members concurred that while this was a “large” project relative to site grading, the plans were directed at cutting the house into the site and preserving the knoll and general character of the site’s topography as called for in the Priory PUD. Thereafter, Warr moved, seconded by Hughes and passed 4-0 to find that the revised plans address the consistency and landscape plan conditions as reviewed in the January 8, 2010 staff report.

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*Prior to consideration of the following application, Warr temporarily left the ASCC meeting room, noting he could not participate in the discussion as his firm is providing the architectural services on the project.*

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### **Follow-up Architectural Review for residential redevelopment and Site Development Permit X9H-605, 210 Golden Oak Drive, Young**

Vlasic presented the January 8, 2010 staff report on this follow-up review of a project conditionally approved by the ASCC on December 14, 2009. He clarified that the current consideration is to address landscape conditions, a floor area adjustment made in response to an approval condition, and for final action on the requested site development permit, all as discussed in the staff report. He also clarified that the landscape plan refinements and floor area refinement were developed with additional input from ASCC members Breen and Clark in follow-up to the 12/14 ASCC action and that these ASCC members would provide additional information relative to the plan revisions.

Vlasic also referenced a January 7, 2010 letter, with clarifying photo images, from Virginia Bacon, 205 Golden Oak Drive, on the proposal and a January 8, 2010 response from CJW Architecture to this letter. These communications were made available to ASCC members as was a copy of a January 11, 2010 letter to the town from Ms. Bacon expressing project concerns and requesting an addition to the December 14, 2009 ASCC meeting minutes. (See comments at the end of these minutes for the ASCC action on the requested addition to the 12/14/09 minutes.)

ASCC members considered the staff report and referenced communications and the following revised plans, unless otherwise noted, dated 12/18/09 and prepared by CJW Architecture:

- Sheet: T-0.1, Title Sheet (with project data)
- Sheet SU1, Topographic Survey, Lea & Braze Engineering, Inc., 6/24/08
- Sheet: A-1.01, Near Neighbor Site Plans, 11/20/09
- Sheet: A-1.02, Impervious Surface and Setback Average Site Plans
- Sheet: A-1.1, Site Plan
- Sheet: A-1.2, Site Plan – Construction Staging, Tree Protection
- Sheet: L-1, Site Preparation Plan, Cleaver Design Associates
- Sheet: L-2, Landscape Plan, Cleaver Design Associates
- Sheet: A-2.1, Floor Plans
- Sheet: A-2.2, Lower Level Plan and Roof Plan
- Sheet: A-3.1, Exterior Elevations
- Sheet: A-3.2, Exterior Elevations
- Sheet: A-3.3, Pool Pavilion Plan, Elevation & Section

William Young, applicant, Mark Sutherland, project architect and Bob Cleaver, project landscape architect, presented the revised plans to the ASCC. They offered the following clarifications relative to the plan adjustments made with the input from commissioners Clark and Breen:

- The plans for oak and olive transplanting and new tree and shrub planting were developed to ensure screening of key views to and from neighboring properties and the street. In particular, use of oaks, transplanted olives and other native materials will help screen views to the master bedroom area from the street and property to the southeast.
- The plans include provisions for staged planting as recommended by the ASCC, but in actuality while three stages are identified, Stages 1 and 2 would be completed early and essentially at the same time.
- The plans include extension of native grass areas along the parcel frontage. Further, enhanced screening with native materials in informal masses is proposed along the east side and between the swimming pool and lower retaining wall.
- In terms of final placement of screen trees including the transplanted olives and oaks, this would be done in the field with an ASCC representative to ensure maximum screening of views of concern to and from the street and neighboring properties. It is believed that the planned placement of materials will be effective, but field adjustments will be done to maximize the screening benefits.
- The relocated oak planned for replacement of the eucalyptus tree that is to be removed just to the north of the pool would be planted early to the satisfaction of a designated ASCC member. This and the other planned planting below the pool and on the surrounding slopes would be placed in the gaps to maximize screening to and from views to the north and northeast.
- The floor area adjustments were made to achieve the objective to pull the building further away from the edge of slope, as intended with the 12/14 condition. At the same time, the configuration of the modified space was adjusted to accommodate plans for placement of furniture. The adjustments were shared with Chair Clark to ensure they conformed to the intent of the condition that he added to the 12/14 approval.
- The comments in the 1/8/10 letter from CJW relative to sewer connection provisions were reviewed and clarified as explained in the letter. It was also noted that the "gas-only" fireplace requires minimum venting and no chimney.
- In response to a question, it was noted that the retaining wall below the pool had been lowered by approximately six inches from the plan considered at the last meeting, but that this may not be fully clear from plan data.

Both Breen and Clark advised that the revised plans and clarifications offered by the project architect and landscape architect were consistent with the input they provided following the 12/14/09 ASCC meeting.

Public comments were requested and the following provided:

**Virginia Bacon, 205 Golden Oak Drive**, provided a letter from Susan Nycum dated January 10, 2010 and read the letter to ASCC members. (By reference, this letter is

incorporated into the minutes of this meeting.) Ms. Bacon stressed the points in the letter relative to procedures and lack of an additional neighbor site meeting, size of the project and it's "precedent setting" nature and that the town was at a crossroads relative to the scale of projects. Ms. Bacon also reviewed again her concerns with the master bedroom window, as presented at the 12/14/09 ASCC meeting and discussed in her January 11, 2010 letter to the town. She suggested the need for additional screen planting along the parcel's frontage and at the northerly corner of the pool.

**Jan Sweetnam, 190 Golden Oak Drive**, expressed appreciation for the added landscape efforts. He received clarification relative to the proposed *Myrica californica* plantings and that no changes were proposed to the redwoods along the street frontage and adjacent/on his property. He also sought assurance that window light spill would be minimized and that the retaining wall below the pool would be modified to be as low as possible.

**Gavin Christensen, 50 Alhambra Court**, stated appreciation for the added landscape efforts, but suggested the need for some additional plantings at the north end of the swimming pool, in the area where the eucalyptus is to be removed and also just below the north end of the house between the hillside live oak and the family room area. He also encouraged the early planting of materials as soon as possible so that they are well established at the end of the construction effort.

Cleaver reviewed the proposed planting plans to address Mr. Sweetnam's concerns. Breen advised that she believed the volume of proposed planting was appropriate and the additional materials would like result in over planting of the site. She also commented that the main issue was to field adjust the plantings to ensure that they are as effective as possible in terms of the screening objectives.

ASCC members discussed the revised plans and the site development permit application. Members concurred that the plan refinements were appropriate, but wanted to ensure that Stage 1 and Stage 2 plantings were completed as early as possible and that after installation they were protected from construction impacts. Members also concurred that the lower retaining wall should be "cut down" to the maximum extent possible within technical limits imposed by geotechnical and civil engineering factors necessary to ensure protection of the pool installation. Breen stated her hope that the wall could be lowered to be no higher than two feet if possible.

During discussion, members also concurred that when the olives are actually positioned, the view screening should be checked by a designated ASCC member and the project landscape architect and if the ASCC member concludes that some additional screen planting is needed this shall be provided to the satisfaction of the designated member, particularly to screen views to the master bedroom window areas.

Following discussion, Breen moved, seconded by Hughes and passed 3-0 approval of the follow-up submittal and the site development permit, including the clarification offered in the letter from CJW dated January 8, 2010, subject to the following conditions to be addressed, unless otherwise noted, to the satisfaction of a designated ASCC member prior to issuance of a building permit:

1. The final construction schedule shall provide for the early planting of landscape stages 1 and 2 as shown on plan sheet L-2 and these stages shall be combined into one stage. It is understood that the lower area, including pool wall and pavilion work, would be completed during the early stages of construction and the related landscaping

completed as soon as possible after the completion of this work. (Note: it was also understood that the portion of landscape "Stage 3" adjacent to the east side of the pool pavilion should be planted as early as possible.)

2. The early planting of materials shall be accomplished under the direction of a designated ASCC member and shall include placement of materials to maximize screening of sensitive views. The final construction schedule shall provide that this early planting be completed prior to any foundation inspections for the main house.
3. Stage 3 landscaping shall also be completed under the direction of a designated ASCC member and shall also include placement of materials, particularly olives and oaks, to maximize screening of sensitive views. In particular, front yard and east side plantings shall ensure screening of views to master bedroom window areas. If, after placement of materials, the designated ASCC member concludes that additional screen planting, e.g., olives or shrubs, is needed, such planting shall be installed to the satisfaction of the designated member.
4. The retaining wall below the pool shall be lowered to the maximum extent possible within technical limits imposed by geotechnical and civil engineering factors necessary to ensure protection of the pool installation. A report from the project technical consultants relative to necessary wall height shall be provided for peer review by the town geologist and public works director. Based on this report and the peer review, the plans for the retaining wall shall be modified to be as low as possible within technical limitations to the satisfaction of planning staff.
5. When all of the requirements of the sanitary district are formally identified, i.e., with the proposed building permit, they shall be presented to a designated member of the ASCC to determine if any landscape adjustments are needed to, as possible screen, views to the required sewer connection facilities.
6. The site development permit is approved subject to the above conditions and compliance with the requirements set forth in the following reports:

Public Works Director, memo report dated 12/3/09  
Trails Committee, memo report dated 12/1/09  
Town Geologist, memo report dated 12/14/09  
Fire Marshal, memo report dated 1/4/10

Compliance with the conditions in these reports shall be to the satisfaction of the specific reviewer.

The above action was taken with the understanding that other conditions of the 12/14/09 ASCC approval not covered by this follow-up submittal or the site development permit would still need to be addressed prior to actual issuance of permits.

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*Following consideration of the Young application, Warr returned to his ASCC position.*

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## **Architectural Review for site improvements, entry gate and fencing, sports court and other modifications, 4115 Alpine Road, Cianfichi**

Vlasic presented the January 8, 2010 staff report on the subject proposal for a number of site modifications, minor for the most part, that would continue the program for parcel improvement initiated with ASCC approvals in 2005 and 2006. He clarified that the subject 1.0-acre site is located immediately to the southeast of the Alpine Hills Tennis & Swim Club and gains access by a series of easements that extend from the site along the north side of the Tennis & Swim Club to Alpine Road.

ASCC members considered the staff report and the following proposed improvement plans prepared by Cianfichi Architecture • Planning and received November 30, 2009:

- Sheet A1, Site Plan
- Sheet A2, Deck
- Sheet A3, Trellis
- Sheet A4, Guest House
- Sheet A5, Guest House Deck and Trellis

Also considered were a revised entry gate plan, identified as **Gate 1R** and dated 12/21/09, prepared by the project architect and transmitted with a clarifying letter also dated 12/21/09. In addition, the following supporting materials received 11/30/09 were considered:

- Light fixture cut sheet from the Lighthouse for the planned entry gate light
- Photo detail for the proposed entry gate (from Creative Gateworks)
- Photo example of proposed Good Neighbor Fence with Lattice Top
- Specifications sheets for proposed StarPro Greens ProLawn Synthetic Fescue Grass Turf

Vlasic commented that the focus of ASCC review should be on the proposed entry gate and associated fencing and the sports court. He clarified that the main house and guest house deck and trellis additions, for the most part, would not require ASCC review, the decks, as designed, don't count as impervious surface area and that the guest house interior changes don't change the basic conditions associated with the structure and use and typically would not require ASCC consideration.

Project architect Paul Cianfichi, and his daughter-in-law, Lisa Cianfichi presented the proposal to the ASCC. Mr. Cianfichi noted the Lisa Cianfichi and his son were the residents of the property. He then offered the following project clarifications, mostly in response to comments in the staff report:

- The proposed east side deck design will be modified as determined necessary by the public works director to accommodate the town's creek setback and floodplain ordinance standards.
- The surface materials and construction for the proposed sports court were discussed and it was noted that the material was "pervious" based on project data. It is hoped that the town could conclude that the sports court surface was pervious and that it would not count against the impervious surface (IS) limits for the property, even though the current plans do not conflict with the calculated IS limits.



- The fence and gate have been designed to be consistent with existing fencing improvements. Further, a site survey has been completed and the final plans will ensure that all new improvements are fully within the site and work with the established access easement over the parcel immediately to the north.
- The proposed gate and fencing are in part intended to screen views to the existing garage and recycling containers on the site. It is believed that the waste disposal company can make use of a gate entry code to access the site and that there would be no need to place the waste containers outside of the gate. With a gate code, any waste management truck could travel and turnaround on the site within the existing asphalt area.
- The proposed light fixtures are only 13 watts and would help in safe way-finding as there are no other lights in the area to guide access to the site across the easement on the neighboring property.
- In response to a question, it was noted that the sports court would have a surface that only required a 6"-8" excavation and that this would avoid any conflict with the adjacent 40-inch oak.
- Also in response to a question, it was noted that there would be no permanent lighting in the planned deck and trellis areas; but, on occasion, there would likely be temporary lights for evening gatherings.

Public comments were requested, but none were offered.

ASCC members discussed the proposal and concurred that the requested exceptions to the fence height and opacity standards could be granted as evaluated in the staff report due to the unusual conditions associated with site access and the relationship to the swim & tennis club. It was also noted, however, that the gate width might need to be increased from 14 feet to 16 feet to accommodate garbage and fire truck access and that the gate and access plans should be referred to the fire marshal and waste collection company for review and comment. Members also concurred that an arborist should review the sports court plans to ensure that proper measures are employed to protect the adjacent 40-inch oak.

The above ASCC positions were outlined based on the understanding that the board of adjustment granted the front yard exception as discussed and evaluated in the staff report. Members concurred that they supported the needed exception in this case.

Following discussion, Warr moved, seconded by Hughes and passed 4-0 vote to grant exceptions to the fence/gate height and opacity restrictions due to the unique conditions of existing fencing and relationships to the Club use, as well as parcel access. ASCC members also noted that because of the unique conditions, the fencing would provide some benefit relative to separation and privacy between the yards on the subject parcel and the parcel immediately to the northeast that must be crossed for access to the Cianfichi property. In addition to these factors, it was noted that the scope of the fence ordinance exceptions would be relatively minor with approval of the front yard exception.

On the same 4-0 vote, ASCC members approved the other proposed site improvements subject to the following conditions to be addressed prior to issuance of a building permit, unless otherwise noted, to the satisfaction of planning staff.

1. The final design of the fence and gate system shall address the concerns in the staff report relative to ensuring that all improvements are confined to the site and consistent with the limits of the access easement.
2. The matter of access and fence and gate design shall be referred to both the fire district and the waste management service to ensure the new gate system is acceptable relative to waste collection and emergency response. Any necessary design adjustments shall be completed to the satisfaction of planning staff.
3. An arborist, retained by the applicant, shall evaluate the proposed sports court design and, particularly, proposed excavation and shall provide any directions that may be needed to ensure protection of the health of the 40-inch oak. The recommendations of the arborist shall be complied with to the satisfaction of planning staff.
4. The proposed deck improvements on the Los Trancos Creek side of the property shall be adjusted as determined necessary by the public works director for conformance with the town's creek setback and flood plain ordinances.

In completing the actions, again ASCC members supported the fencing and gate designs subject to the board of adjustment granting the front yard exception request.

**Architectural Review for residential additions and remodeling, and replacement of detached accessory structure with new guest unit, 150 Shawnee Pass, Bellomo**

Vlasic presented the January 8, 2010 staff report on this proposal for approval of plans for residential additions and significant house remodeling on the subject 1.1-acre Arrowhead Meadows parcel. He clarified that the project includes replacement of an existing detached accessory structure with a new second unit and that the existing house and proposed improvements are all single story. He also noted that while the project would expand site floor area by approximately 1,100 sf, the proposal conforms to both the total and 85% floor area limits and, therefore, no special ASCC floor area findings are required.

ASCC members considered the staff report and the following project plans prepared by Chapman Design Associates and received December 16, 2009:

- Sheet A-1, Site Plan (and Project Data)
- Sheet A-2, Demolition Plan
- Sheet A-3, Basement Plan (Main House)
- Sheet A-4, Main Floor Plan
- Sheet A-7, Front and Rear Elevations
- Sheet A-8, Right and Left Elevations
- Sheet A-9, Guest House Main, and Basement Floor Plans and Exterior Elevations
- Sheet A-10, Roof Plan
- Sheet A-11, Main House Cross Sections
- Sheet A-12, Main House Cross Sections

Also considered were the Site Grading, Drainage and Utility Plan, Berry and Associates, received 12/21/09, cut sheet for the proposed wall mounted light fixtures, the colors and materials board, both received with the December 16<sup>th</sup> plan submittal. In addition, the ASCC reviewed the Build It Green (BIG) checklist prepared for the project showing that 102 BIG points are targeted.

Mr. Bellomo and project architect Walter Chapman presented the plans to the ASCC and offered the following comments and clarifications, mostly in response to comments in the staff report and/or questions from ASCC members:

- The house was included in the impervious surface (IS) calculations and, therefore, the plans are well below the IS limits for the property.
- The flood plain levels will be addressed to the satisfaction of the public works director as discussed in the staff report.
- The proposed garage and main entry doors will be finished in the dark wood sample presented on the materials board. The basement area is intended for storage.
- A deed restriction relative to the guest house with basement is acceptable to the applicant as discussed in the staff report.
- The front yard hedge will be removed and a front yard landscape plan prepared that includes low growing native materials. The septic system will be in the front yard area and the design for the system has already been discussed with the health department and concepts for the system agreed to. The proposed plans are consistent with the concepts.
- While it is understood that the ASCC typically discourages two light fixtures on the front of a garage, the two are desired, with the northerly fixture to be for access to the rear guest house. Each fixture would be separately switched.

Public comments were requested, but none were offered. Thereafter, ASCC members briefly discussed the project and found it generally acceptable. Warr commented that his main concern was the adequacy of the septic system and he hoped that the applicant had reached a clear understanding with the health department. He cautioned that this is something they should formalize with the health department as soon as possible.

Following discussion, Breen moved, seconded by Hughes and passed 4-0 to make the required second unit findings as evaluated in the staff report and to approved of the project plans as presented and clarified, including the completed BIG checklist, subject to the following conditions to be addressed, unless otherwise noted, to the satisfaction of planning staff prior to issuance of a building permit:

1. An alternative light fixture shall be specified that is Title 24 compliant.
2. A deed restriction shall be recorded against the property to the satisfaction of the town attorney, to ensure current and future owners are aware that the structure could not be converted to connect the upper and lower areas or otherwise modified to a second unit larger than allowed by the zoning ordinance.
3. The plans shall be demonstrated to conform to the flood plain provisions of the zoning ordinance to the satisfaction of the public works director.
4. The two lights on the front of the garage shall be separately switched.
5. A front yard landscape plan shall be prepared to the satisfaction of a designated ASCC member that provides for replacement of the existing front yard hedge that extends into

the public road right of way. The plan shall conform to town landscape policies and guidelines.

6. Final, correct IS figures shall be provided.

### **Annual Election of ASCC Chair and Vice Chair**

Breen moved, seconded by Hughes and passed 4-0, as follows:

Election of Warr as ASCC Chair for 2010  
Election of Aalfs as Vice Chair for 2010

### **Approval of Minutes**

Hughes advised that at the request of Virginia Bacon, 205 Golden Oak Drive, the December 14, 2009 meeting minutes should be modified to include her comments made at the 12/14 meeting relative to the light reflection from the master bedroom window in the Young project, 210 Golden Oak Drive. He noted that her comments regarding the change to the minutes were contained in her January 11, 2010 memo to the ASCC. Thereafter, Hughes moved, seconded by Breen and passed 4-0, approval of the December 14, 2009 minutes with the correction requested by Ms. Bacon. Warr noted that he abstained from action on the minutes relative to the Young project.

**Note:** based on the January 11, 2010 memo from Ms. Bacon, her comments on page 5 of the 12/14 minutes were corrected with the addition of the following paragraph:

“In addition to the above, during discussion of her comments, **Ms. Bacon** referenced the proposed corner window of the master bedroom area in the “front yard setback” area. She stated that in her opinion the window was a “safety and public nuisance factor” and should be eliminated from the design. She provided a photograph taken earlier in the day showing light reflection off of the back of the metal traffic sign at the southwest side of the intersection of Golden Oak Drive and Holden Court, i.e., across Golden Oak Drive from the subject site. She noted that the glare from the sign suggested that the master bedroom window might also reflect light so as to distract drivers on Golden Oak Drive.”

### **Adjournment**

There being no further business, the meeting was adjourned at 10:23 p.m.

T. Vlastic