

TOWN OF PORTOLA VALLEY, REGULAR PLANNING COMMISSION MEETING, MARCH 20, 2013, COUNCIL CHAMBERS (HISTORIC SCHOOLHOUSE), 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chair Von Feldt called the Planning Commission regular meeting to order at 7:33 p.m. and asked Mr. Padovan to call the roll:

Present: Commissioners Arthur McIntosh, Nate McKitterick; Nicholas Targ, Vice Chair Denise Gilbert; Chair Alexandra Von Feldt

Absent: None

Staff Present: Nick Pegueros, Town Manager
Tom Vlastic, Town Planner
Karen Kristiansson, Principal Planner
Leigh Prince, Town Attorney Representative
Steve Padovan, Interim Planning Manager
Ted Driscoll, Town Council Liaison

ORAL COMMUNICATIONS

None

REGULAR AGENDA

- (1) Continued Public Hearing: Application for Amendment to Conditional Use Permit (CUP) X7D-30 for parcel merger and expansion of athletic fields with new track and artificial turf infill at 302 Portola Road, Woodside Priory School, Initial Study/Mitigated Negative Declaration

Ms. Kristiansson explained this meeting was continued from March 6, 2013, to provide time for the Commissioners to see the proposed artificial turf at various nearby installations. They received memos listing those locations and dates the artificial turf was installed. That information also was posted on the Town website. FieldTurf's Revolution fiber went on the market in 2010, so the installations were all from 2011 or 2012. None of the listed fields had thermoplastic elastomer (TPE) such as that proposed for the Priory, but recycled tire crumb pellets. However, Ms. Kristiansson pointed out it was still possible to assess the aesthetics because from a distance it is the fiber that is mostly visible and not the infill.

At the March 6th meeting, several questions were raised with regard to the CEQA documents. She said that relevant portions of subsequent revisions were included with the staff report dated March 15, 2013. In addition, several conditions of approval and edits to the environmental documents suggested by Commissioners have been incorporated. The potential conditions of approval (listed on pages 6 and 7 of the staff report) are also included in the attached Recommended Conditions and Approval. She said that additional comments on the project received in the past week had been sent to Commissioners. Some raised new factual questions such as:

- Concern that the Priory would be able to hold full-scale track meets with the new track. The track would be a regulation-length 400-meter track, but because it would have six lanes instead of eight, it would not be able to hold a regulation track meet. In addition, the Priory does not have the other facilities needed for full scale meets (jumping and throwing events, for example). Thus, it was pointed out that the track would basically allow Priory students to practice on a regulation track, but would not allow for more events to be hosted there. Ms. Kristiansson advised that Tim Molak may be able to answer more questions on this topic.
- Concern that the special-status species were not adequately addressed. Ms. Kristiansson pointed out a document prepared in 2008 by TRA Environmental Sciences called the Portola Valley Sensitive Biological Resources Assessment. The purpose of that document was to help the Town ensure potential impacts on special-status species were addressed as projects came up. The assessment classifies the Priory campus as urban forest garden and states that a biological assessment would need to be carried out for the red-legged frog, the San Francisco garter snake and the western pond turtle only if a project would

affect a creek, a pond or a wetland. In this case, there are no creeks, ponds or wetlands on or adjacent to the site. In addition to the information in the TRA document, she said Tad Stearn of PMC assured her that the Mitigated Negative Declaration (MND) analysis is adequate and appropriate under CEQA standards.

- Vice Chair Gilbert had asked whether mitigation measures could be incorporated into the conditions of the CUP amendment, to be doubly sure that they were followed and enforced. Ms. Kristiansson stated that this could be done if the Commission so desires.

Ms. Kristiansson said there are two actions before the Planning Commission: approval of the Initial Study/Mitigated Negative Declaration (IS/MND) and the CUP amendments (with or without the artificial turf). She stressed that these are two separate actions, so it would be possible to approve one but not the other.

The Commission should approve the MND, she continued, if there's no substantial evidence that the project would have a significant effect on the environment, which she believed to be the case. She said that Assistant Town Attorney Prince could provide more information as to what constitutes substantial evidence. She said that Ms. Prince has also researched what constitutes a significant impact on the environment in terms of aesthetics and how that differs from assessing how a project complies with the aesthetic components of the General Plan.

Ms. Kristiansson said the Commission could approve the CUP amendment if it could make the seven findings listed on page 7 of the March 16, 2013 staff report. Those findings were discussed in this staff report and previous staff reports to the Commission.

She said Vice Chair Gilbert requested additional information regarding Finding #7, "The proposed use shall serve primarily the Town and its spheres of influence." She said a similar finding was last made in 2005 with the adoption of the Priory's Master Plan. At that time, the finding stated, "The action on the original Town General Plan and 1969 Use Permit recognized the Priory would likely draw students from a larger area than the Town and its sphere of influence. At the same time, as the school enrollment has increased, the percentage of local students has increased. The original 1969 Use Permit authorization provided that service to the community would be achieved by the school making its athletic facilities available to the community when not needed by the school. The Priory has made its athletic facilities available to the community and will continue to do so under the provisions of the amended CUP conditions. Therefore, and subject to the limitations and conditions set forth, the Commission finds the use does properly serve the community." The proposed project would not change that situation, Ms. Kristiansson said, so it would be appropriate for the Commission to make that finding.

She said the main finding of discussion tonight is Finding #6, which requires the project to be, "In harmony with the general purpose and intent of the Zoning Ordinance and General Plan." In particular, the Commissioners have been discussing whether the findings can be made related to the artificial turf component of the project. She added that the focus should be on information received since the March 6th meeting, particularly the results of the visits to the sample turf sites. In considering those sites, she said it was important to remember that some of the most intrusive visual aspects of the sample sites are not proposed for the Priory project. For example, there would be no permanent painting on the Priory field, either with stripes or a school logo, no fencing is proposed and the recommended conditions would prohibit fencing, and the Priory would use the small portable bleachers currently on the field rather than the permanent, larger bleachers that were on some of the sample fields.

In response to Commissioner Targ, Ms. Prince explained that the standard is a fair argument based on substantial evidence which includes facts, reasonable assumptions predicated on facts, and expert opinions supported by facts.

Tim Molak, Head of the Priory, thanked the staff for all the work done on the "long and winding road" – a total of 13 meetings so far. He said the Priory hoped to have answered all the questions from the last meeting and would continue to do so, but they wanted to come to a final conclusion one way or the other. He said completing the track and field facilities were important as next year's athletic competitions are coming up this fall and winter.

Chair Von Feldt thanked those who had submitted letters and input and opened the meeting for public comment. She asked speakers to focus comments on the new information that's been provided.

Bev Lipman, Favonio Road, indicated that Danna Breen sent her an email, and said she strongly supported Ms. Breen's comments about the artificial turf: "If you can get your arms around three acres of plastic, the cow will be

out of the barn.” She said the email referenced other decisions the Town would have to make on the basis of this precedent. Ms. Lipman also said one of the Commissioners at the last meeting said, “The right thing to do is what’s right for the school.” Ms. Lipman believes that as a Planning Commission, the responsibility is to the Town, and the right thing to do is what’s right for the Town.

Virginia Bacon, Golden Oak Drive, said that as long as we’re going to talk about material, we ought to talk about the real thing, too. She brought a sample of real turf from her yard and pointed out it was nice, soft, fresh green grass that hadn’t been fertilized or anything else. She said it was part of the natural green grass we see growing in our hills right now – “gorgeous, beautiful, magic.” She said it was like the kids playing in the creek, part of our environment. She asked everyone to look at the color, touch it, smell it, put their fingers in the soil. She said they would find a root system spreading out and aerating the ground below, where all the micro biotic activity was occurring. She said that it was part of this living system and although she hadn’t seen any worms emerge, she’d bet that a bird flying over a natural grass athletic field might see a worm and drop down and grab it.

Ms. Bacon said when the sun beats down on the blades of grass, they absorb the light, and the natural processes replenish oxygen, counterbalancing the impacts of traffic, as children pass by enroute to school and people travel throughout Town on Portola Road. She said the question tonight was not about what’s native and what’s not, but about Town values. She said Portola Valley was not meant to be a concrete or plastic-covered jungle. She said we value nature and that living material such as the grass she brought is what life in Portola Valley is all about. Watch it grow and nourish all.

Sally Harris, Corte Madera Road, said living across the entrance to the Priory, she can both see and hear the fields. She said she fully supports this proposal, and that from her point of view this is a decision on the renovation of an existing athletic field not a decision on how to develop currently rural land. It is the current standard, not state-of-the-art, for high schools to have artificial turf fields for their sports. She said it’s the norm in the 21st century and the best choice for the athletic field – which is not natural, even if natural grass. Dr. Harris, who said she’d attended nearly all the meetings addressing this topic, stated that she heard many inaccuracies regarding safety of turf fields. She said she has been a practicing pediatrician at the Palo Alto Medical Clinic for more than 20 years, specializing in pediatric and adolescent sports medicine. She has also chaired numerous national committees for American Academy of Pediatrics about the safety of sports. She stated that medical literature supports that artificial turf fields as safer for the children involved, from an injury standpoint. Although occasional studies show increased risk of injuries on artificial turf fields in certain circumstances, the vast majority of broad and well-done studies show that injury rates decrease by 50% on artificial turf, she said, including the most common and serious knee injuries requiring surgery in adolescents. She said there was not a single report in medical literature regarding adverse affects of the heat generated from the fields. She said this issue seemed very manageable by appropriate cooling of the fields. She said years ago there was concern about increased risk of staph infections, but this hasn’t been the case with current materials.

According to Dr. Harris, much of the information cited about the adverse effects on health is based on anecdotal reports in the media, often related to artificial turf materials used in the past that are very different from the materials used currently, and side issues that have not been proven by medical literature. She said medical experts would agree that natural grass is one of the main causes of asthma and allergy in children, not artificial turf. Recognizing that there are many factors relevant to the decision on whether to approve this proposal, she said she hoped that the health and safety of the children involved would be strongly considered and would outweigh the other issues. In addition to the convenience issues, environmental issues, and all the other considerations, she concluded, from the standpoint of the children’s health and safety and injury prevention, artificial turf fields are superior.

Eric Harrison, Priory parent, echoed what Dr. Harris said and added that he’s been a sports person all of his life, teaching soccer for five years and playing for 16 years, and has a ninth-grader at the Priory. He said there’s no question that artificial turf is significantly better with respect to injuries. If other factors enter the equation, he said the Planning Commission should consider safety first. He said leaching is a very significant issue, but safety should be the primary consideration.

Kim Bentley, Burlingame, said she has a freshman and senior at the Priory. If we reject artificial turf because it’s not natural, she said, then we could also apply that to cars. Maybe we should all be riding around on horses and get rid of the technology advancements that really do benefit us. Instead, we should bring it all in balance. We

live in a technologically advanced area and I think many of us appreciate that technology advancements are good in moderation.

Tom Kelley, Franciscan Ridge, said the atmosphere in the previous Planning Commission meeting was somewhat intimidating, with Priory advocates out in full force and wearing badges. We had to listen to 30 minutes of PowerPoint presentation, lawyers, and so forth, but this is about values. The technical issues and nuances about safety or toxic fumes are distractions. The real issue is do we want this in Portola Valley? The Priory is a good citizen, he said, and it's also a business whose recruiting efforts would benefit from having plastic grass on the field – but that's not the issue.

He said he also finds it hard to believe that Town staff, who should be preserving the General Plan, the rural and natural nature of Portola Valley, is an advocate for artificial turf. He said you can't read the General Plan without understanding that it's all about rural, natural, etc. As human beings, he said we get distracted. He is unaware of the words plastic grass or artificial grass in the General Plan. One side develops technical arguments that say artificial grass is unsafe and gives off fumes. The other side says it is right for athletes to be able to practice when they want to practice. That's not the issue here. The issue here is who are we, what are we all about, what are our values? Why does the Planning Commission exist? It exists to preserve and protect the General Plan.

Linda Elkind, Hawkview Street, said we must make the finding that a proposed use will be in harmony with Portola Valley's General Plan. In weighing a short-term interest of a property owner and school athletes against the long-term values, intent and vision for Portola Valley as expressed in our General Plan, she said the Planning Commission must serve as guardians of the Town's values, and champion the natural environment, land forms, vegetation, wildlife, views, water and air quality. Our General Plan supports energy conservation and our Town has strategies and programs to reduce carbon emissions.

Ms. Elkind said that the Priory fields with artificial plastic could never be compatible with the General Plan. She asked the Commission that when they consider what is natural and the environment, they should think beyond just how it will look from 50 feet away. Be the steward of the complex ecology of grass turf, and even the manipulated monoculture of a playing field has a system that allows water to percolate, microbes, invertebrates, gas exchanges, and water quality that are much more natural and in keeping with Portola Valley's goals than a smothering layer of plastic grass. Review this application not only in terms of how it will appear but also in terms of its ecological function.

She also asked that the carbon balance in Town be considered and stated that grass is vital to carbon sequestration. She cited a UC Berkeley report saying artificial turf releases more greenhouse gasses in its production, transportation and processing than the maintenance of natural turf ever would. She said that over 10 years, an artificial field emits 55.6 tons of CO₂, while grass absorbs 16.9 tons. She added that those numbers do not reflect emissions resulting from manufacturing and transportation. In conclusion, she supports the replacement of the athletic fields but only with natural turf.

Annaloy Nickum, Grove Court, said if the Planning Commission finds no overriding environmental or aesthetic concerns or no conflicts with the General Plan in preserving the rural environment – conclusions with which she does not agree – a door will have been opened very wide. When it comes time to redo other playing fields in Town, the issue of artificial turf would surely come up again. She said it came up before in 2007 and 2008, when there was a proposal for an Initial Study to use artificial turf on some of the Town playing fields. But if the Commission makes the findings that there are no overriding concerns on those three issues, then when the issue comes up again, where will the line be drawn? Will 2.5 acres of artificial turf at the Priory become 5 acres, 10 acres, 12 acres? She said she didn't know the acreage involved, but supposed it to be in the range of 10 to 12 acres. This is a bad precedent. She urged the Planning Commission to draw the line here, or at least come up with a policy statement specifying that artificial turf stops at the Priory and there will be no other artificial turf fields in the Town of Portola Valley.

Mr. Kelley said that the aesthetics issue is a phony issue that makes no sense to him. Oak trees are ugly, he said, and you could build one that would look better, but it's not a matter of what it looks like but whether it's natural and rural. He said the Alpine/West Menlo Little League has indicated that the minute artificial turf for the Priory is approved, then they will want it at Ford Field.

Steve Krausz, Shawnee Pass, a 20-year resident, said he wanted to react to some of the remarks regarding natural, rural and what Portola Valley is all about. He has two children and in addition the natural environment, flora, and fauna, he said this community is about families and children, and part of families and children are schools. He said he'd been on the board at the Priory and one of his two children is a student there. The Priory has been a wonderful citizen in this community, he said, as is Corte Madera, his daughter's school. He stated that when you take away a community's ability to give children the experiences they need, both academically and athletically, and provide the best and safest environment, you take away from this community what is truly important. It's not only the animals and the wildlife and this wonderful rural environment, but also the legacy that would come from the kids who grow up and the experiences in the schools and on the fields here – that which makes a community vibrant and living. Mr. Krausz asked that we not forget that and that the Planning Commission recognizes in its consideration that parents and children are also important community members.

Dale Pfau, Alpine Road, agreed that the Planning Commission is the keeper of the General Plan, but the General Plan must be a living document that must adjust as society and technology evolve. He compared it to the U.S. Constitution in the sense that without changing interpretations, this country would still have slavery and women wouldn't be allowed to vote. He said the love of nature is why people choose to live and raise their families in Portola Valley, but there are other considerations. As technology improves, he said we have to adjust to it. Building materials and landscaping technologies are constantly improving – something the Planning Commission wrestles with all the time, he said. One of the things to adjust to is artificial turf. It's coming, and we're going to see it other places in this Town.

According to Mr. Pfau, who stressed the importance of Dr. Harris's remarks, safety trumps almost everything else, which the Planning Commission also should consider when the question of turf comes up for other playing fields in Town. In terms of what's natural and what isn't, he said a playing field is not a natural environment, but "a specific type of grass that has been almost engineered and designed for rough playing. He said it's irrigated, uses pesticides, is fertilized, and in some cases, has soil amendments added. He said he doesn't think the Priory uses pesticides, but many other schools do. He said this field is in no way even close to a natural environment, and the fact that it's designed as a playing field must be taken into account. If you want a natural field, he said, go to the one by the Windy Hill parking lot; that field is mowed, but it's a natural field. The one at the Priory hasn't been a natural field since before the Town's incorporation.

Jon Silver, Portola Road, asked if the Commission had read the letter that he had e-mailed that afternoon and Commissioners McKitterick, McIntosh and Chair Von Feldt stated they had. He then pointed out a possible typographical error in Condition 5 (where it indicated "priory" rather than "prior"). He also questioned the condition related to water quality monitoring and artificial turf. If the artificial field were to fail the water quality tests, he wanted to know what the substantial fines would be. As he understands it, he said failure to meet Clean Water Act requirements or guidelines results in something like \$37,500 per day per constituent of pollution in the runoff. He said he loves the Priory, is wearing a Priory sticker and has had family members that work there, and doesn't want to see a friend and great institution in this community make the mistake of installing artificial turf. He said most people generally support the Priory's accomplishing its educational mission, but if that can be done with natural grass, it should be.

Mr. Silver turned in a letter from Martin Litton, an environmental legend and the Town's open space honoree last fall, who said that if he had to choose he'd far rather have the Town do the right thing in sticking by its guns on its founding principles than give him awards. He read Mr. Litton's letter into the record:

"Most certainly in keeping with our Town's endeavor to stay as close to nature as possible, there could be no defensible reason for the introduction of artificial turf or any other unnatural product in the landscape".

Mr. Silver said it was in a different meeting about the Meadow Preserve that he pointed out the twilight concept problem: When does daytime end and it becomes night? We can argue about exactly when that transition happens, he said, and the same is true about what's natural and unnatural. He said a field of grass never touched by man would be natural, or because people are part of nature, it could be tended and still be natural – both arguments are intellectually valid. But alluding to a William Buckley quote, Mr. Silver said it takes a very intelligent person to be able to argue that at midnight it's still daylight. He said a field of natural grass is more natural than a field of artificial turf, no question about it.

Mr. Silver said that in recent years, he's conducted a lot of his community organizing on the internet, but last night he went "old school," knocking on doors the way he did it 30-some years ago when he was elected to the Town Council. With a light rain falling, he said he didn't get to many houses, but after a dozen houses he found one strong supporter of artificial turf, one slightly in favor, and most who either didn't know this was happening or expected artificial turf to be turned down because they count on our officials to protect the Town.

Disagreeing with Mr. Kelley's remarks about being able to make a more beautiful oak tree than those that grow in nature, Mr. Silver said imperfections are part of the reason things and people are noble and beautiful. In fact, he said that with the artificial turf, not only is the green a little bit off in an artificial field, but the perfection is unnerving. He recalled one of his sisters reminding him that what made even Jesus lovable were some of his faults, when he said, "Oh Father, please let this bitter cup pass my lips" in the Garden of Gethsemane.

Although a bit off topic, Mr. Silver pointed out that the U.S. Constitution, which was amended to abolish slavery and give voting rights to women, cannot be amended by simple majority, which is neither here nor there in terms of the Portola Valley General Plan, which in fact can be amended by simple majority. Mr. Silver said that he, like Mr. Pfau, respected Dr. Harris and her opinion. However, today he visited the Environment and Human Health (EHH) website, noting that EHH is an organization founded by some of the top people in the Yale Medical School, experts in medicine, public health and science. He said EHH strongly warns that artificial turf is a health hazard. Although acknowledging that medical professionals have differing opinions, he'd put his money and his community's safety with the experts from Yale Medical School.

He viewed a soil dynamics website on which he saw natural turf that had been nurtured, watered deeply and dug up. The roots of the grass extended from the waist to the feet of the person holding it. He said that deep watering takes less water and produces a field as tough as artificial turf. After hearing about the San Francisco garter snake and the California red-legged frog not being issues because they don't have habitats at the Priory, he looked that up also. He said their habitats seem to exist in the drainage course and the wetland area bordering two sides of the existing field. Given that obvious fact, he said he doesn't understand why real investigation wasn't done to see what frogs are croaking in that watercourse, and what needs to be done to protect that area, especially from the unknown leachings that will come out of the TPE. He noted that despite being told that there's no phthalates in the TPE infill planned for the Priory installation, some type of additive would be needed to make it flexible, and if the manufacturer won't tell us what it is, we shouldn't want any of it here.

Judith Murphy, Portola Green Circle, said she is in general support of the Priory's plan and considers it well thought-out. As she sees it, anything that improves its options to serve its students also will benefit the whole community. She expects the facility to be very appealing to lots of people. Further, she said the Priory has a wonderful history of being a good leader and they're not just legally obligated to make their facilities available to the community, but they do so graciously and frequently.

Still, noting that even though the Priory will not have the ability to hold full-scale track meets, she sees an element of "if you build it they will come" in this project. Ms. Murphy said there's been a lot of talk recently about parking problems on Portola Road near Windy Hill, and with the larger track and more residents and out-of-towners drawn to the Priory, she can imagine worse traffic and parking problems at that end of Portola Road and the surrounding streets too. She urged the Commission to proactively limit activity in advance, because later on, with this wonderful, underutilized facility, it would be very difficult to say no when a lot of people want to use it. Amplification is another issue that she would like to see addressed and she doesn't think it would be difficult to add to the conditions of approval to state that there would be no more amplification and that any amplification would be directed downward and not out into the road.

Mr. Kelley stated that if the General Plan is a living document then it must be amended to change the document.

Cindie White, Portola Road, said her family moved here in 1972, when she was a sixth-grader at Portola Valley School. Her parents still live in Town, and she and her husband farm and own Jelich Ranch, which is the Orchard Preserve on the Portola Road Scenic Corridor. On December 12, 2012, she said, she committed to attend all Planning Commission and Town Council meetings on Wednesdays, and hasn't missed one since. She said she came to the March 6, 2013 Planning Commission meeting – her first one with the Priory on the agenda – with an open mind. She said she did speak, but took a neutral approach. She said she's instinctively pro-environment and uncomfortable with artificial turf, but at the same time, opposing "big government" and advocating personal property rights, she asked herself, "Who am I to tell the Priory what to do?"

After absorbing and thinking about what she heard, Ms. White said she's had an upsetting visceral reaction. She said she's very connected to the Town in her own way, loves the natural environment, appreciates the founding principles, and wants to stay the rest of her life. She said those blessed enough to live on the Portola Road Scenic Corridor have a big responsibility to do the right thing, and she feels that plastic grass does not belong in the Town's crown jewel, the heart of Portola Valley.

She said both Jelich Ranch and the Priory pre-date the Town's incorporation in 1964, but the timing is irrelevant because our founding fathers declared what the essence of Portola Valley was about. We all have to change and go with the times, she agreed, and observed that even nature changes constantly. However, she emphasized, you can't change the essence of something. Each of us has an essence, a unique authentic self, and it cannot be changed amidst all the other change. The Town's essence is its foundation and shouldn't change or cave to technology. She said people come to Portola Valley to be closer to nature, to experience the Portola Road Scenic Corridor, and to get away from crowds and cars. She then read the founding principles of the Town:

By the early 1960s, many residents had become alarmed by increasing pressures for housing and business expansion. Therefore, in 1964, they voted to incorporate in order to have local control over development. The goals were to preserve the beauty of the land, to foster low-density housing, to keep government costs low by having a cadre of volunteers, and to limit services to those necessary for local residents . . . Bill Lane and his colleagues envisioned a community grounded in three values: frugality, volunteerism and respect for the land.

She's noticed that there are two constituents involved in this project. She said there is a large group of parents who are very emotional and passionate about the artificial turf field. They love their school, believe in it, and have a lot of pride, and rightly so, but their passion may not be so important when their kids are gone or when they outgrow sports. About 22% of Priory students are Portola Valley residents. Ms. White said her own children were heavily involved in sports, but they're in college now. She fears once children grow up and leave Town, they will leave those who still live here with the long-term consequences of plastic grass.

The other is the business aspect and the Priory's desire to be more competitive, Ms. White said Jelich Ranch is a business and it's very hard to be a small farmer. She said she and her husband have turned down attractive financial offers there specifically because it wasn't the right thing to do in the orchard or on the scenic corridor.

She said she feels she understands the situation firsthand from all sides, as a parent of an athlete, as a person who grew up in Portola Valley, as a business person, and as a homeowner with personal property rights on the scenic corridor.

She said the "eagle perspective" is the essence of Portola Valley, and that the scenic corridor should remain natural, alive and vibrant. Portola Valley is unique and different and we need to keep it that way. She said she also believes that a problem in society in general is young people don't listen to the elders anymore and she loves the elders in this community. She said the elders have spoken. "I heard you," she said, "and we need to listen. You are the wise ones."

Ms. Elkind, thanking Ms. White for her last comment about values in Town, said she had something about safety to add to her prior remarks. She said our society is haunted by the surprises brought by new chemistry and progress, because it takes years to discover the ill effects. She said we're told that this artificial turf and the chemicals in it are safe as it drains into our creeks, but we won't know for a long time how much damage will be done.

Chair Von Feldt closed the public hearing and brought the matter back to the Planning Commissioners for comment. Now that they have reviewed some new information and had an opportunity to visit surrounding artificial turf sites, she asked whether there had been any changed opinions since the last meeting.

Commissioner McKitterick stated that he went to Burlingame High School, and that his observations were that it didn't look like real grass, but that was not surprising based on other turf fields he's seen and he didn't find it offensive. He said it was more reflective than natural grass and at certain angles under certain lighting conditions, it appeared to have striation, but not to the extent that he saw at Woodside School. He said the fill was different, it was not the light green that is proposed, but it does get out and spread to the nearby portion of the campus.

Vice Chair Gilbert said she went to the three Cupertino high schools -- Cupertino High School, Homestead High School and Monta Vista High School – between 5:00 p.m. and 6:00 p.m., when the sun was beginning to set. She could not see striations but there was definitely a glare going across the field. She was most struck by the fact that the schools were urban campuses and except for a couple of baseball fields of natural grass, there wasn't a blade of grass in sight. It was all asphalt and concrete and completely fenced with a 6 to 8 foot high fence. Nothing got onto the fields but the students.

Chair Gilbert considered Cupertino High School's installation the worst in terms of the permanent lane markings and the logo, and she couldn't tell at first whether it was artificial turf or painted concrete. She said it was like night and day compared to Woodside, which she knew had certain maintenance issues but that raised concerns that the only reason the Cupertino's field looked so fresh was because it was so well protected.

With the Priory, we're doing the right thing in terms of trying to keep it open and unfenced, she said, but how are we going to stop the weekend dog or deer running across it or birds flying above? The Priory would have to clean it, she said, yet we're putting conditions of no pesticides and no chemicals.

With these questions, she said she was starting to get into the same conflicts as at the last meeting, of wanting to do what's right by the project, but in doing that creates some conflicts with the General Plan. Reiterating that she was clearly looking at urban campuses, she said artificial turf may be fine for them but not sure if it is right for Portola Valley.

Commissioner Targ went to Burlingame High School, where he said he didn't notice striations in the grass, but there was glare. From a distance it wasn't clear that the soccer field wasn't natural grass, he said, but upon closer inspection, it was uniform in both color and consistency and had no distinguishing marks that you'd normally associate with natural grass.

He said he also noticed how well paint takes to artificial grass. He said the football field was "really tarted up" and didn't look like anything he'd seen before – the primary colors that were used and the big logo in the middle of the field. He said it's important to note that the Priory does not intend to do this. He said he'd like to explore the issue of the nature of the paint that would be applied at the Priory, or whether chalk markings are planned. He said he also noticed a drainage area with standing water between the field and the track, and wondered whether that had any implications for mosquito larvae, for example. His conclusion was that from a "stones throw away" the artificial turf field could pass for real grass.

Commissioner McIntosh said he went to the turf field at De Anza College, where young people were playing soccer right next to a natural grass baseball field. The artificial turf was clearly uniform, and he said he was surprised at how good it looked. It's not stressed like natural grass turf. Initially he said he thought the slope going down toward the field was natural grass, but on closer inspection it wasn't. He said it was hard to distinguish between the two except for the flaws in the natural grass surface. He said his position hasn't changed since the prior meeting.

Chair Von Feldt said she went to Homestead High School in Cupertino, and her impressions were similar to Vice Chair Gilbert's. The campus backs up to I-280 near the Highway 85 interchange. Everything was artificial turf, bright green fields, completely fenced – so much fencing and so many signs about what you can and can't do and what's strictly prohibited. She said no dogs are allowed and no animals were around except for a chained dog yipping because he couldn't play ball with his owners. She said sickly trees were popped into plastic-lined planting beds with wood chips, which may make sense with the freeways nearby, she said, but it's the last thing she wants to see in Portola Valley.

Chair Von Feldt said she's struggled over having conditions to prohibit the Priory from using pesticides or chemicals, with animal waste to consider that could actually make it less safe for the children and cause staph infections, for instance, which other fields don't have to contend with because they're fenced. She asked how we can we tell the Priory they can't fence and they can't use antibacterials to clean. She said we're setting ourselves up for a tough situation.

She said the General Plan and our Sustainability Element talk about natural environment. Artificial turf isn't natural. She said several prominent members of the Conservation Committee don't support it, along with a majority of the ASCC and the Sierra Club. So many people don't support it on environmental grounds that you

can't make the environmental argument that artificial turf is better for the environment, despite the fact that it might conserve water, she said. She said she also has kids who play on artificial turf fields and they don't like it. She said she's seen heatstroke when it's only 80 degrees out because the artificial turf fields get so hot.

Chair Von Feldt said visiting Homestead High School reinforced her previous thoughts, but it's more than a matter of aesthetics. Do we really want plastic grass in our Town?

In response to Commissioner McKitterick, Ms. Kristiansson said the lifespan of the FieldTurf installation would be 8 to 10 years. Commissioner McKitterick asked what happens at the end of this lifespan....does the Commission review the issue again? Ms. Kristiansson stated that under the proposed conditions of approval, they can replace the artificial turf but that if the Commission wants to review it at that time, then a condition could be added to allow that to happen.

Vice Chair Gilbert said from what she understood, recycling would be required, and the only way to recycle would be through FieldTurf. Although some dumps might accept the material now, that may not be the case in 8 to 10 years. By requiring recycling, she said, in a sense the Commission would be requiring the Priory to perpetuate the FieldTurf deal because they need to go to FieldTurf to recycle it. This limits the option to say no in ten years.

Commissioner McKitterick asked if the Town had the legal ability in 10 years under the CUP to say that this was a great experiment but it was a complete failure. Ms. Prince said the condition doesn't specify where they have to recycle, only that they have to recycle the turf. Vice Chair Gilbert said that as a practical matter, that's what would happen. Ms. Prince said she couldn't speak to the practicality of it, but the Commission can add a condition to review the field after a set time period.

Commissioner McKitterick asked if the Town approves this project as is, would we be granting an in-perpetuity right to have an artificial turf field there or could future ordinances or actions on this CUP occur after the field has had its useful lifespan, could we change course after the field has reached its useful lifespan?

Ms. Prince said the Conditional Use Permit runs with the land, so if you approve it without a condition requiring the artificial turf to come back to the Commission for consideration when it is ready for replacement or recycling, then it could continue to be artificial turf, and the same would apply to a successor in interest.

In response to a further question from Commissioner McKitterick about whether there's periodic review of the CUP, Mr. Vlasic said the current provisions for annual review of the Priory wouldn't change with the conditions that are recommended. He added that we don't need a "forever" on the artificial turf because as he understands it, preparation of the subsurface, the drainage, etc., is not hugely different from the preparation for a fully-functioning grass turf field. He said a condition could be written mandating that this would be for the life of the first installation only, and that the Priory would have to come back and demonstrate within 10 years that the problems that people worried about did not occur.

Mr. Vlasic said the Commission could also request an agreement with FieldTurf whether or not the Priory perpetuates the artificial turf field, and that FieldTurf would recycle the material as a condition of approval. This would be an up-front agreement with FieldTurf that, assuming they're still in business, would require them to recycle the artificial turf.

Commissioner McKitterick asked Mr. Molak whether he was confident about people not looking at artificial turf as an abomination in 2024. Mr. Molak said he didn't know how to answer, but maintenance and upkeep would keep the field playable as long as possible. He said considering how much has changed in terms of artificial turf in just the past three to five years, he can't say how much better materials may be in 10 years, and whether all of today's concerns have been addressed. He said they've heard a figure of \$150,000 to \$200,000 if they were to go from artificial turf to natural grass.

Vice Chair Gilbert referred to previous comments about the red-legged frog, the western pond turtle and the San Francisco garter snake being relevant only if the project affected the creek and drainages and according to the study, it didn't. In her opinion, the project does affect the creek as water runoff from the artificial turf field eventually drains into the creek. She said if the creek is a habitat for those critters we may have an issue.

Ms. Kristiansson deferred to Mr. Stearn, who said the downstream effects analyzed in the biological section of Initial Study (page 88) talked about the constituents in the water, the water quality analysis and the effects downstream. He explained that the biologist predicted that the water quality would be better by the time it reached the creek than it is now because it would contain no pesticides, for example. He said it was a downstream issue.

Vice Chair Gilbert said her issue was more the unknown effects of things leaching from the TPE, for example, or the pellets or particles themselves getting into the water and how that affects the trout and other things. Mr. Stearn said some of that was addressed in the Responses to Comments document related to the design of the subsurface drainage system and the drainage rock. Mr. Stearn said regarding the pellets themselves, there will be a track around the field, which is a rubberized surface. He said the drainage system backing that holds the pellets is designed to hold the pellets, and as for the loose pellets that get around, the system also has a lot of drain rock underneath to contain water with several checks and balances along the way. Those pellets won't go anywhere once they get into that subsurface drainage system and they won't be falling out into the creek. As far as the leaching goes, he pointed out a whole section in the environmental documents on water quality that covers test and laboratory results and includes references to extensive literature research of other studies about water quality running off these fields. He said they based their conclusions on a review of that body of knowledge.

Vice Chair Gilbert said she remembered that the only actual in-the-field studies were with rubber pellets, which doesn't apply here, and the TPE analysis being done only in the lab. She acknowledged that he (Stearn) is doing the best he can, but it's hard to know whether acid leaching in the lab applies to what happens in the field. She pointed out that the same thing was done with rubber pellets, but since they've been installed, we've learned that things are leaching from rubber into the water. If we're dealing with sensitive species, she asked whether there's a burden beyond what we've done, or is Mr. Stearn satisfied that we've done the best we can?

Mr. Stearn said he is satisfied. He said he thinks quite a bit has been done for a project like this one, because the Town has absorbed this information and put in an additional condition for water quality testing to provide additional assurance on that issue specifically. Vice Chair Gilbert said that at the time she proposed that condition, she wasn't thinking of the red-legged frog, the garter snake, etc., but now that she's aware of them, she asked whether other things should be tested in the water that are specific to those particular species. In response, Mr. Stearn said conclusions in the study also incorporated standards from the San Francisco Basin Plan, which looks at water quality in the local tributaries and creeks. They based their conclusions on those standards and found no constituents of concern.

Vice Chair Gilbert asked again if there was anything else they should look for? He said he'd have to go back to the studies as there was a list of things that they were looking for. He said the heavy metals were tied to the old crumb rubber, and part of the evolution of the material was to get the metals out and have more virgin material. Based on the information available to work with, from the manufacture, the lab results, understanding what was important in the Basin Plan, the combination of all those things was the basis for their conclusion.

Vice Chair Gilbert addressed the issue of usage. When there is community usage, she asked who is responsible for enforcing the terms, such as the temperature issues and the issues of keeping the players off on the field, no food, etc. Ms. Kristiansson said the community groups would be responsible when using the facilities, which is one of the reasons for the change to the heat mitigation measure, making it simpler to do what is required. She said that instead of having people go out with thermometers and measure the field, they would simply check the thermometer on the shed, see the sign telling them there's no playing on the field if it's over 90 degrees, and if the temperature exceeds 90 degrees, then there is no playing on the field. Vice Chair Gilbert asked if the community groups have kids eating food on the field and mess it up, then is it the Priory's responsibility. Ms. Kristiansson said yes, it is the Priory's responsibility. Mr. Molak said community groups use these fields from 9:00 a.m. until 2:00 on Saturdays and there's never been a problem with that.

Vice Chair Gilbert added that it's her understanding that there are no restrictions on the number of Priory games, but there are restrictions on community events to ensure they don't conflict with Priory events. She said that by controlling parking spaces and students, the expectation is that it automatically restricts games. She said she didn't anticipate a problem with two Priory events at the same time, but if the Priory schedules games on two days a week now, she asked whether it could go up to five days a week and still be within the CUP. In other words, could there be a significant increase in usage in terms of number of days that would still be allowed under the current CUP?

Mr. Vlasic said a document in the 2005 approval included baseline activities at the school – not every sports event was articulated, but the scale of use was determined. He said monitoring specific field use and every other element of use on campus, and any changes in use, gets to a level of control that hasn't been exercised to this point. He said a balance is driven by what the site can accommodate. Thus, if the Priory went from events on two days to a third day a week, controlled the parking and field use and didn't change the overall intensity of the day-to-day operation of the school from what was anticipated, there could be some fluctuation. But, he added, with a school population of 350 and with the sports and other programs they have on campus, that hasn't been an issue.

Vice Chair Gilbert said that with a really nice track and field, it would be possible to see usage on more days a week. She said her question was whether anything in the CUP would stop that. Mr. Vlasic said that same question was raised in 2005 – whether the Town should regulate every particular event at the Performing Arts Center. The concern was that the PAC would serve not only the Priory and Portola Valley, but a far broader base, and that hasn't been the case. The Town's annual monitoring along with the Priory being a good neighbor have prevented any problems. The history of the interaction with the Priory and the monitoring program have addressed matters consistent with CUP provisions. He said if a dramatic change in intensity were to become apparent, the Town has the authority via the CUP to bring it back to the overall intensity of when the permit was approved.

Commissioner Targ followed up on the same point. He referred to Mr. Molak's comment that it was important to get this project approved one way or the other to be able to plan for the next year's events. He asked how next year's events would change as a result of the Planning Commission's decision. Mr. Molak said they would have football and soccer seasons, and instead of playing on the grass turf would play on the new fields. Cross-country and track teams currently run on the track around the natural field and they would run on the new track. He said rather than an increase in activity, they're trying to provide better venues. Only a certain number of games are scheduled in each league. When he said he wanted to get ready, Mr. Molak explained, he meant the Priory would love to have the new artificial turf field ready – if it's for football and soccer, that would be great. He said it's still the same number of games, but instead of a grass field it would be on the artificial turf.

Commissioner Targ asked if it wasn't anticipating a change in number of games and teams. Mr. Molak said they would simply move from one field to the next. In response to a question on tournaments, Mr. Molak added that there are also limits on outside group events, and for instance, they can't do invitationals or even dual meets. He said the Priory sees it as a practice facility.

Commissioner Targ referred to Conditional #14 of the Priory's existing Use Permit that discussed a requirement for the Priory to apply to the Planning Commission specifically for certain types of activities, and a February 2005 amendment indicating that such requests could be delegated to staff for review and approval. He asked how something like a tournament, dual meet, Special Olympics event or other quasi-school related activity would be treated in that context. Mr. Vlasic cited one instance of a summer conference that included some temporary residences on campus. He said the Priory put together a program and brought it to the Town, sharing it also with the Woodside Fire Protection District, to make sure everyone understood the circumstances, and it was approved.

He said the Priory submits two reports annually. The one in the fall outlines what the school plans for the coming year – including normal school activities such as scheduled games, graduation and open houses – and any unusual activities, such as a regional sporting tournament, for example. If anything seems out of sync, we identify it and come to grips with it. The Priory submits another report at the end of the year that explains how the year went and any factors that influenced or changed the pattern. Coincidentally, he said, the Priory contacted the Town recently about a student project, a car show including about 25 custom cars from the local community to raise funds for the Boys and Girls Club. That will soon come to the Planning Commission for approval.

Commissioner Targ said it sounded as if the Priory has been a really good neighbor, and that a tournament would come under Condition #14 as an occasional event connected to the school. Mr. Vlasic said if an event was really out of the ordinary it would be articulated at the beginning of the year, and he confirmed that communication between the Priory and the Town has been seamless. Whenever anything comes up, he said, the Priory makes an immediate effort to reach out to the Town.

Sensitive to concerns that Ms. Murphy raised about amplified music and so forth, Commissioner Targ asked whether it would be appropriate to modify the CUP to address athletic tournaments. Mr. Vlasic said that if it's something like a tournament of multiple schools, that would be reasonable, but it hasn't been an issue in terms of

the annual review. Commissioner McKitterick said that if something comes up that seems to exceed the appropriate list of uses, we can adjust the CUP in our annual review to address it. What Ms. Murphy described hasn't happened in a number of years. When there are issues, neighbors would complain.

Ms. Prince said a condition could be added regarding amplified sound and volume, but the Priory would also have to comply with the Noise Ordinance.

Commissioner McKitterick said this would be a problem with either an artificial turf or grass field, so it's not really related. Commissioner Targ disagreed. He said that one could imagine amplification with a tournament-type event, and although he doesn't know that the Priory would suddenly start sponsoring "day-on-the-green" events, he said he can imagine a rock concert on a grass field, but doubts anyone would want to be on artificial turf field in the summer listening to rock music. Mr. Vlasic said that a concert on the lawn would not be within the context of the use permit,

Commissioner McKitterick said he agreed but that a condition regarding noise would be more appropriate to take up with the CUP annual review, when we could adjust the types of events, frequency and attendance and wouldn't hesitate to do so if there's a problem. He said it is hard to make a judgment on that tonight, but it's a separate issue and not necessarily tied with this application.

Chair Von Feldt encouraged questions and discussion around the topic of artificial versus natural turf.

Commissioner Targ, referring to Mr. Silver's email raising questions about critters of various kinds, asked if the Town has a biological resources expert who could help with answers. Mr. Stearn said he's not an expert, but he employed several experts, and he offered to be the responsible party. He said given the late submittal before the meeting, he's only had a chance to skim Mr. Silver's letter so far, but wanted to point out that the biologist observed the area in question – a concrete drainage ditch at the perimeter of the field. The channel was observed, categorized, and determined that it wasn't a jurisdictional wetland in the definition of the U.S. Army Corps of Engineers. The area in question does not have sufficient hydrology and flora to support the species that are being discussed. A complex system is needed to support the snake and the frog. He said they are very sensitive and require certain hydrologic characteristics that are not present at the site, certain combinations of plants, different stories and heights of plants, and plant types that are not present at the site. Mr. Stearn said that was the basis of the conclusion in the Initial Study that this area wouldn't support those species. Both species are extremely sensitive to human activity, too, he said, so fields and people playing at the edge of the fields are not conducive to the habitat where they would thrive.

He also said that in an abundance of caution, the Initial Study went through State Clearinghouse review, including the Department of Fish and Game, whereas a project such as this typically would be limited to local agency review. DFG did not comment, he said, and when DFG has an issue, it generally writes a letter. Mr. Stearn credited the community as being extremely observant, very well-educated and wanting to get to the heart of the issue, but he said he trusts the expert field biologist on his team, who has more than 20 years experience and is a permitting expert who evaluates wetland impacts for state and federal endangered species permits on development projects and drafts habitat conservation plans. Her field observations and opinions are the basis of the report, he said, adding that she returned to reevaluate the site and conduct a supplemental field survey when there were changes in the project.

Commissioner McKitterick said he recognized the support the Priory has for their project, but he does what he believes is the right thing regardless of the consequences. He noted that someone raised the issue that the Commission's approval of an artificial turf field is somehow "letting the cow out of the barn". He said that's not true for a number of reasons, including the fact that a number of aspects of this project are particular to this project and the fact that neither approval nor denial of the request for artificial turf would be either a green light or preclusive action in terms of any future requests for artificial turf. He said he continued to support the Priory's application, including the artificial turf.

Commissioner McIntosh responded to a comment from the public that he believed was directed at him regarding his statement that the Commission should do the right thing. He wanted to clarify that he didn't say the Commission should do the right thing for the Priory; he believes the Commission should do the right thing for the community and in this case it's also the right thing for the Priory. Therefore, he continued to support the application. Commissioner McKitterick concurred.

Vice Chair Gilbert said that her opinion has not changed from the last Planning Commission meeting, which is that she is not in support of the artificial turf portion of the project. She said it's a tough decision because she clearly understands both sides and both sides have a lot of passion. However, she can't get around the community goals in the General Plan, aspects of the Land Use Element, the Sustainability Element and the Scenic Roads and Highways Element. She said when she looks at the project, she comes up with conflicts, because she wants it screened if it's artificial turf but at the same time she wants the Portola Road Scenic Corridor to be opened up more. She said she doesn't want fences, but is concerned that without fences, the artificial turf would deteriorate faster than everyone expects and the visual effects would become more dramatic.

Vice Chair Gilbert said that although Commissioner McKitterick suggested every project in the future would be considered on its own merits, tonight's vote would make a statement about certain aesthetic standards that fit in with the General Plan, and those same issues, with different aspects, may come up in other projects too. She said she wants to be consistent in terms of her view, whether it's the Priory's field or another field on the scenic corridor. If it were in a different place, it would be a different situation, she said, but right on the scenic corridor she cannot support artificial turf.

Commissioner Targ said he initially had issues with respect to the CEQA document and those concerns have been addressed. As for the project itself, he said there's been a lot of talk about values, which for him are not abstract but based upon the way in which people prioritize things that are observable. He bases his values and priorities on those things that are observable and measurable. Saying that science has no role in values as was suggested would misstate the issue, particularly in Silicon Valley. Other values include private property rights which would play a role in decision making to a greater or lesser extent. He said Ford Field might be very different than the fields at the Priory. Based on having gone out to look at a field, and with the conditions placed on the project, he said he'd support the Priory's request for artificial turf.

Chair Von Feldt said she feels that artificial turf does not conform to the General Plan, the Land Use Element or the Sustainability Element. As for the arguments about private property, she said that private property also is subject to provisions of the General Plan and other Town regulations – regarding floor area ratios, landscaping requirements, etc. If the Priory's proposal conforms to the General Plan, she asked why that would not also apply to Ford Field?

Commissioner Targ said floor area ratio and landscaping requirements relate to specific ordinances with established standards that are measurable and definable, and it is irrelevant whether public or private property is involved. Similarly, he said, a General Plan has application to all entities within the Town. He said there are many elements within the General Plan and not all of them are environmentally or sustainably oriented. In fact, he said, the General Plan talks about achieving an optimal balance, which incorporates many different factors, including the educational institutional values and recreational values that are enunciated in the General Plan. Commissioner Targ said that when one reads the General Plan, one needs to read all the elements in a harmonious manner, in a way that reaches consistency rather than a loggerhead. In this case, he stated, Portola Valley's General Plan calls for an optimal balance.

That reaches into all the other bases within the General Plan and is informed by our values and also by the statement that Ms. White read so eloquently, he said. It addresses the issue of small government, a government that doesn't intrude. He said all the values we hold require balancing in order to resolve an issue that has a lot of tension. He said that's how he sees the issue of private property, as another element.

Commissioner McKitterick said that to put it simply, if it's public property or school property, "it's my property and right or wrong I can say I'm not fond of turf. Reasonable minds differ and my mind is against it." He said it's his property because he's part of the School District, he's part of the Town, and therefore it's his. In contrast, he said, where reasonable minds differ when it comes to private property, it's a different situation. He said he would treat this differently if we were talking about Town property or school property.

Commissioner Targ said that he appreciated staff's and the Priory's responsiveness to their questions. He said that these are value issues and he cares about them. To the extent that the Priory reaches out across its boundaries and touches the Town, it is those kinds of issues that he is particularly interested in and whether those result in significant impacts rather than on the basis of a directly emotional response to wrapping two and a half acres of ground in plastic. Similarly, as Commissioner McKitterick noted, Commissioner Targ said that if public property were involved, that might play into it as well.

Commissioner McKitterick asked if the Town, in five years, were to approve an ordinance that forbid installation of additional turf fields and the removal after the end of the useful life of any other artificial turf field located in the Town, would that be enforceable? Could the Town take legislative action in the future to reverse course?

Ms. Prince said that the Town can legislate based on health and safety issues but it may be simpler to add a condition to the CUP to review the choice of artificial or natural turf when the useful life does expire. That would allow each application to come before the Commission on an individual basis.

Commissioner McKitterick said his personal preference would be legislative action. If this Town feels that the installation of the artificial turf field was contrary to the values of Portola Valley, whether they're environmental, aesthetic, or any of the other things that have been expressed, that should be done legislatively.

Commissioner Targ said that from a legal defensibility standpoint, having it written into the CUP would be more protective of the Town, because otherwise you'd need an affirmative reason rather than a legislative reason to require the artificial turf to be removed. Commissioner Targ also said that a CUP provision specifying a review after a certain number of years would be reasonable, and also restoration if removal is required – just so that expectations are clearly established.

Vice Chair Gilbert asked Ms. Prince to comment on remarks her colleagues made about applying the General Plan differently to private versus public property. Ms. Prince said the General Plan is designed as the Town's roadmap to how it wants development to proceed in Town, which applies equally to public or private property. She said when considering an application, the Planning Commission evaluates whether it complies with the goals and policies of the General Plan, whether that's private property or public property such as the Town Center. She said the school districts are completely different because the Town has no jurisdiction over them.

She reminded the Commissioners that there are two separate actions to take tonight – one is to adopt the MND. She read from Section 15074 of the CEQA guidelines:

The decision-making body shall adopt the proposed MND only if it finds on basis of the whole record before it [the Initial Study and the MND comments], that there is no substantial evidence that the project will have a significant effect on the environment.

Ms. Prince repeated what she said previously that substantial evidence includes facts, reasonable assumptions predicated upon facts and expert opinions supported by facts.

She said approval would mean approving the informational sufficiency of the environmental document. It's not just because a different conclusion could have been reached, but is there substantial evidence to support the sufficiency of the environmental document. She said she looked at two cases that discussed aesthetics as being subjective. She said the CEQA issue of aesthetics is not judging the individual beauty of a project, but the physical elements of the environment. The CEQA checklist identifies what the environmental document should evaluate.

She added, in contrast to the MND action, the other issue is more a matter of subjective interpretation. The Planning Commission is being asked whether it can make the finding that the aesthetics of the proposed project is consistent with the General Plan in its entirety, not just in terms of particular sections.

In response to Chair Von Feldt's request for clarification, Ms. Prince confirmed that the General Plan applies to both private and public property.

Mr. Vlasic said he wanted to clarify some points as well, noting that Commissioners should be aware of existing field-use agreement provisions as they craft any further conditions. For instance, he said that Provision 7.2.5 says that the person responsible for any outside group (non-Priory) must go through an approval process to be added to the field-use agreement, and that person is responsible for ensuring that the facility and the surrounding areas have been cleaned up, including but not limited to trash removal after each use, returning any Priory athletic equipment to its original location in good condition, and immediately notifying the Priory of any problems that they had during the process. He said the provision also requires a written acknowledgement from the representative of each community athletic group that none of its members will use alcohol, tobacco products or illegal drugs on the Priory campus.

Addressing the issue of fencing at the installation sites the Commissioners visited, Mr. Vlasic said he talked with the Monta Vista High School Vice Principal and with a FieldTurf representative. He said he was told that the fencing isn't there because the artificial turf is different from a grass field. The biggest issue was vehicles going onto the fields. The grass fields get damaged as much as artificial turf and animals on the grass fields cause problems in terms of the texture of the surface and the safety of play. He said Monta Vista hasn't had the fields in place very long, and the biggest problem with the community was vandalism and vehicles going onto the fields. Mr. Vlasic said that's a different environment; it's not Portola Valley. The Priory and other schools here haven't needed to fence their facilities to protect them. The biggest field-protection problem we've had in Town is the boars at Rossotti's.

Mr. Vlasic also addressed a comment made about the staff's relationship with the Priory. He said staff has been consistent in its communications with the Priory and with the Planning Commission that the issue of turf was a big one. The decision wouldn't be easy and making findings relative to the General Plan would be difficult. He said staff has taken no position supporting artificial turf over natural grass. He said that staff helped to craft the project and the improvements in a way that the ASCC was satisfied, aside from the turf issue. In terms of landscaping, berm removal, and underground utilities, all of that was done to further visual relationship of what is specifically shown in the General Plan as a playfield.

Mr. Vlasic also said the General Plan identifies the Priory and the playfields in the front, with a strip that is the scenic corridor. It doesn't mean that the views from that strip aren't important, he said, but technically, under the Plan diagram, these fields appear as playfields and are not identified as being within the scenic corridor.

Vice Chair Gilbert asked Mr. Vlasic whether all the properties and buildings along the entire Portola Road Corridor are not in the scenic corridor and that it is just a strip of land along the road, and that what would apply to the Priory would apply to any property along Portola Road. He concurred, adding that the purpose of the current effort underway with respect to the Portola Road Corridor Plan is to recognize the views from that corridor. The Alpine Road Scenic Corridor already has boundaries set forth and is designated in the General Plan. He said he just wanted to clarify that the Priory fields are not technically mapped within the Portola Road Scenic Corridor at this time; not to say that the visual presence isn't important, because it is.

Vice Chair Gilbert said she didn't disagree with Mr. Vlasic. She said she was reading from the Scenic Roads and Highways Element, which talks about an intent to "regulate density and land use, as provided in the General Plan and Zoning Ordinances, with special attention given to the view from the road." She said that was the idea of the Scenic Corridor, what we see from the corridor.

Mr. Vlasic said it's important to know that the General Plan specifically recognizes this Priory project area as playfields. Vice Chair Gilbert said a playfield could be natural grass or artificial turf. Mr. Vlasic agreed and said he was not taking a position on that, but he wanted to be clear about what the General Plan shows.

Chair Von Feldt said that if the majority of the Commission wants to approve the artificial turf, she would support much more planting along Portola Road so we can screen it from all sides.

Vice Chair Gilbert said even the MND has a question about whether the project would "substantially degrade the existing visual character or quality of the site and its surroundings" Noting that the MND now says "less than significant impact" for that question, she would rate it "less than significant with mitigation" and would ask for more screening. She said she knew there were different standards, but it was hard to tell what the different standards are with respect to aesthetics.

Commissioner McIntosh said it was important to go up and down the road and see what people see right now, because screening is already substantial. Vice Chair Gilbert said if it's going to be synthetic turf, she would keep the current screening and extend it to the Fromhertz House because once the berm is gone, the view of the field would be far more open. She would actually put in more plantings so the screening along the whole length would be similar – despite that being contrary to what the Portola Road Corridor Plan Task Force recommends.

Commissioner McKitterick asked Vice Chair Gilbert what she'd think about screening at the discretion of the ASCC once the field goes in. Vice Chair Gilbert said normally she would say yes, but given the issue with the fence in the Meadow Preserve, she feels strongly that the CUP must be very specific.

Commissioner McIntosh said he agrees with Commissioner McKitterick that it is something you have to look it after it's in before you jump in and put in a whole bunch of plants. Vice Chair Gilbert said in terms of what's already there, keep it. Don't thin it. She said she thinks number one in the CUP conditions is to thin it. She said she wouldn't.

Commissioner McKitterick said he'd have to go back and look at it to see what's there.

Mr. Vlasic said probably the biggest issue with the current plantings is the Priory's sculpted hedges on the frontage. If the direction is for more screen planting, he said that's pretty clear and it could essentially make the artificial turf as invisible as possible from the road. But he expects pressure to remove the sculpted hedges, particularly to open up the trail experience. Vice Chair Gilbert said it is an opportunity to take care of that, but she was just concerned about suggesting a direction opposite from what she's trying to accomplish. She said if we care about something, we need to be specific in the CUP.

Commissioner Targ agreed that it would be appropriate to make that determination in the Initial Study. He said Ms. Prince probably was referring to the Eureka case, in which the issue was the appearance of a play structure whereas here we're talking about the visual or aesthetic experience of the area and the way it would change based, in this case, upon thinning shrubs and plants in the area.

In response to Commissioner McKitterick, Vice Chair Gilbert said her recommendation is to change from "less than significant" to "less than significant with mitigation" – with screening as the mitigation. She said the MND need not be as specific on the screening as the CUP.

Commissioner McKitterick asked Mr. Vlasic if that part of the MND could be changed.

Ms. Prince said that since this is an aesthetic issue, where you're looking at it from a more subjective perspective, it would be possible to conclude that the analysis in the MND is adequate and adopt it as is, but the Commission could then determine that it couldn't meet that General Plan finding without additional screening. Vice Chair Gilbert said she has an issue with that. Because the criteria that differentiate the MND decision from the CUP decision in terms of aesthetics are imprecise, she wants to be consistent. She's concerned that if she says yes to the MND and somehow this gets challenged later, someone can point to it as a contradiction.

Ms. Prince said her concern would be the need to recirculate the MND if there's a new, avoidable significant effect that the mitigation measure is supposed to be added to reduce to insignificant. Commissioner Targ asked for clarification that a new mitigation measure would require recirculation. Ms. Prince said that identifying a new, avoidable significant effect and developing mitigation measures or project revisions to reduce that effect to insignificance, would be a substantial revision of the MND, requiring recirculation.

Commissioner McKitterick said we were talking about the same thing whether we do it under the MND or the CUP. Vice Chair Gilbert asked if the MND was recirculated after the changes from last time, because these are no more significant than the changes that we did last time.

Commissioner Targ asked whether similar changes weren't made to the Initial Study previously. Ms. Kristiansson said there were changes made to the significance conclusions, but only to change "no impact" conclusions to "less than significant impact" conclusions. No new mitigation measures were added because nothing was changed to "less than significant impact with mitigation."

Vice Chair Gilbert said if she votes against the MND, the vote would still be 3-2, so she will do that.

Commissioner McKitterick moved to approve the Resolution of the Planning Commission of the Town of Portola Valley adopting a Mitigated Negative Declaration for the Field Replacement Project at the Woodside Priory School as contained in the packet tonight. Seconded by Commissioner McIntosh, the motion carried 3-2 (Commissioners Gilbert and Von Feldt opposed).

Recommended Conditions of Approval for the Conditional Use Permit

Vice Chair Gilbert said she'd strike the vegetative thinning language in Condition #1 and reword it.

Ms. Kristiansson said that Condition #1 says, “a detailed plan for vegetation thinning . . . should be submitted to the Town, should be consistent with the landscape concept plan and subject to review and approval of the ASCC.”

Vice Chair Gilbert said it should be more specific because she doesn't want the end result to be thinning. She asked whether Chair Von Feldt had any wording suggestions. Chair Von Feldt said she wanted to get rid of invasives and sculpted vegetation, so they could require the Priory to remove that vegetation, require a detailed plan for vegetation and additional screening along Portola Road, and have that submitted to the Town.

Vice Chair Gilbert said the wording should be precise enough so the ASCC won't just say, “get rid of the non-natives and the hedges and we'll be fine.” She said the intent is to replant so it has at least the amount of screening now present and the screening would extend to border the Fromhertz property. Chair Von Feldt suggested “planting with appropriate native species along the corridor to ensure screening from the road.”

Mr. Vlastic said Condition 7 is based on implementing the landscaping plan, a conceptual plan that is part of the CUP documents. It includes plantings on the Fromhertz property, trees in that area and improvements on the landscaping consistent with what the ASCC looked at. As he understands it, the Commission wants to remove the sculpted shrubs and non-native materials, and to backfill with screening to the Fromhertz property and fundamentally screen the facilities to the extent reasonably possible from views from Portola Road.

Vice Chair Gilbert said it doesn't have to be solid, just like it's not solid now.

Commissioner McKitterick suggested “removal of non-native species and natural selective screening,” but he doesn't want a hedge there. He said he is happy with that being reviewed by the ASCC, but there's only so much we can do tonight in the CUP. He asked if the ASCC review was good enough, or does it have to come to the Planning Commission?

Vice Chair Gilbert said the wording would at least have to be sufficient enough so that it's clear that we'd want more screening. If left as currently written, then the Town may only get three oaks over the next 5 or 6 years.

Commissioner McKitterick said that they could require a detailed plan for removal of non-native species and natural screening of the field along Portola Road to be submitted to the Town. Vice Chair Gilbert asked if it was clear that it includes the Fromhertz property, too. Ms. Kristiansson said it's intended for the entire project.

After some discussion, the statement was clarified to read: “A detailed plan for removal of non-native plantings and species and natural screening of the field along the Portola Road View Corridor shall be submitted to the Town.” Commissioner Targ said it needed a timeframe, to be consistent within approximately 18 to 24 months, or prior to any activity associated with the removal of the existing field – something needs to take place.

Ms. Kristiansson said there are three conditions with different times relate to vegetation. She said Condition 1 is prior to the removal of any vegetation. Condition 6 requires a final landscaping plan submitted to the ASCC for review and approval is prior to issuance of the site development permit. Condition 7 specifies a follow-up meeting to review the landscaping with the ASCC approximately 18 to 24 months after the new landscaping is complete. In other words, there would be basically the initial plan, another review before the big stuff happens with the site development permit, and then a revisiting after it's all been in for a year and a half to two years.

Vice Chair Gilbert asked whether the word “screening” should be included in all of those conditions. She doesn't want anyone to say, “Oh, we like it open, so we're not going to screen it because the wording wasn't specific.”

Mr. Vlastic recommended considering eliminating Condition 1 as it is worded and putting Commissioner McKitterick's wording into Condition 6. He said it's important to indicate the final landscaping plan and give the direction with that condition where it goes for review and approval – the ASCC or the Planning Commission, not just “the Town.” He also said the timing should be associated with the site development permit. Ms. Kristiansson said that Condition 6 would then say, “Prior to the issuance of the site development permit for the project, a final landscaping plan for removal of non-native plantings and species and selected natural screening of the field shall be submitted to the ASCC for review and approval.” Mr. McKitterick said to say “addition of selected natural screening for the field from the Portola Road View Corridor.” Mr. Vlastic said he thinks this should be in addition to the landscaping that's already shown so it's clear, in addition to that concept plan.

Vice Chair Gilbert brought up Condition 10, which prohibits the use of chemicals and pesticides. She said FieldTurf offers three presumably biodegradable products for cleaning the turf. She said she's concerned they're making it difficult for the Priory by saying absolutely nothing, because over a 10-year period, they'll have to clean the field. She said the question is whether they can use the FieldTurf products if they so choose.

Commissioner Targ said we might modify the condition to say no chemicals other than biodegradable chemicals. Vice Chair Gilbert suggested adding "approved by the manufacturer."

Commissioner McKitterick agreed with that second change and proposed a third change in the conditions: "Eight years following installation or at the end of its useful life, whichever comes first or in any case prior to replacement of the turf field, the Planning Commission will decide whether to require 1) removal of the artificial field and return to grass; 2) a change of material, and/or 3) a change of site conditions associated with the field, which shall happen only on a majority vote of the Planning Commission."

Commissioner McIntosh commented that they might find that it's in good shape in eight years. In response to Commissioner McKitterick, Mr. Molak said with a moderate amount of play on the field, it could last quite some time. He would be more comfortable with 10 years rather than 8 years. The Commissioners agreed on the added condition and the time frame of 10 years or the end of its useful life.

In response to Commissioner Gilbert, Ms. Prince stated that for consistency, all mitigation measures listed in the MND could be added to the conditions in the CUP.

Commissioner Targ and others discussed how to handle the issue of greenhouse gas (GHG) emissions associated with the loss of carbon sequestration from the removal of the natural grass field, and suggested adding another condition to the CUP to require the Priory to purchase carbon offsets of 130 tons to cover the carbon sequestration lost over the lifespan of the artificial turf. Tim Molak from the Priory agreed to such a condition but asked that a limit be included as to the maximum amount the Priory would need to pay. After some discussion, the commission agreed on a \$5,000 maximum for this condition.

Commissioner McKitterick summarized the five changes in CUP conditions to which the Commission agreed:

1. Add language about screening/landscaping, changing Condition 6 to read: "Prior to the issuance of the site development permit for the project, a final landscaping plan for removal of non-native plantings and species and the addition of selected natural screening for the field from the Portola Road View Corridor shall be submitted to the ASCC for review and approval. The final landscaping plan shall show all existing and proposed vegetation along the Portola Road frontage and in the berm area, as well as all proposed fencing in those areas."
2. Specify that the field may be cleaned, but only biodegradable products be used for cleaning the field.
3. Add a sunset condition: "At 10 years following installation or at the end of its useful life, whichever comes first or in any case prior to replacement of the turf field, the Planning Commission will decide whether to require 1) removal of the artificial field and return to grass; 2) a change of material, and/or 3) a change of site conditions associated with the field, which shall only happen on a majority vote of the Planning Commission."
4. Adding the MND mitigation measures to the CUP.
5. Adding a condition that, "the Priory shall offset the GHG emissions associated with the loss of carbon sequestration from the removal of the natural grass field, which was estimated to be 130 metric tons over 10 years, provided such offset may be achieved at a cost of \$5,000 or less. This shall be concluded prior to the issuance of the site development permit and a report back to the Planning Commission."

In addition, Commissioners agreed to eliminate Condition 1: "Prior to removal of any vegetation, a detailed plan for vegetation thinning along Portola Road shall be submitted to the Town. The plan should be consistent with landscape concept plan and will be subject to the review and approval of the ASCC."

Commissioner McKitterick moved to approve the Resolution of the Planning Commission of the Town of Portola Valley Approving an Amendment to Conditional Use Permit X7D-30 for the Field Replacement Project at the Woodside Priory School, subject to the amended conditions as discussed. Seconded by Commissioner McIntosh, the motion carried 3-2 (Commissioners Gilbert and Von Feldt opposed).

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

Mr. Vlastic said that on the matter of the unauthorized tree removal at Blue Oaks, the habitat restoration plan for the property will go to the ASCC for review and approval, including a site meeting on March 25, 2013. Chair Von Feldt asked what happens if they sell the property. Mr. Vlastic said it would depend on actions the Council might take, but the intention now is to burden the property with the restoration once the plan is approved by the ASCC. Chair Von Feldt asked if there was a way to communicate that to people to avoid such situations in the future. Mr. Vlastic said the Council would continue its review, and may take other actions, which probably would generate publicity. Chair Von Feldt said it should be widely communicated town-wide so that people understand it's a big deal. Mr. Vlastic said the next budget cycle probably will include a work program to address the issue of stronger penalties for Site Development Ordinance violations. He said the leverage in this case is the fact that most of the unauthorized work was done in an open-space easement with civil provisions.

Town Manager Pegueros reported that the Planning Director recruitment process is moving forward. Six candidates qualified and were interviewed. The two finalists will be interviewed over the next two weeks, with a decision shortly thereafter.

APPROVAL OF MINUTES

Vice Chair Gilbert moved to approve the minutes of the March 20, 2013 Planning Commission meeting, as amended. Seconded by Commissioner McKitterick, the motion carried 4-0-1 (Commissioner Targ abstained).

ADJOURNMENT [10:30 p.m.]

Alexandra Von Feldt, Chair

Tom Vlastic, Town Planner