

(1) CALL TO ORDER

Chair Ross called the regular meeting to order at 7:00 p.m. in the Town Center Historic School House Meeting Room, 765 Portola Road.

(2) ROLL CALL

Present: ASCC: Commissioners Breen, Clark, Sill, Koch, and Chair Ross  
Planning Commission Liaison: Judith Hasko  
Town Council Liaison: Anne Wengert  
Town Staff: Interim Town Manager Debbie Pedro, Assistant Planner Carol Borck,  
Consultant Planner Cynthia Richardson

(3) ORAL COMMUNICATIONS: None.

(4) NEW BUSINESS

(a) Architectural Review for Fencing, File #: 25-2015, 4 Oak Forest Court, Quinn Residence.

Assistant Planner Borck presented the staff report regarding the proposed installation of a 5-foot wood and wire fence in the northwest quadrant of the 1.3 acre lot. She advised that in 2004 the ASCC conditionally approved fencing on the property that was similar to the current request but the fence was never installed. She said the proposed fencing will connect at the north and south ends of the home with pedestrian gates on either side and will enclose much of the northwestern portion of the rear yard. The applicant's desire is to provide security from people, off-leash dogs, and predatory animals, as well as provide privacy from trail users. She said that staff recommends approval of the proposed fencing with a condition that the 50-foot section of fencing in the northwest corner be moved away from the property line to the furthest extent possible and that the adjusted fencing plan would be reviewed by a designated ASCC member.

Chair Ross invited comments from the applicant. Mr. Quinn, the applicant, expressed support of the staff report and willingness to comply with recommended conditions.

Chair Ross called for questions from the Commissioners.

Commissioner Sill was not supportive of the dense planting of Myrica. Mr. Quinn said the landscape architect was trying to be compliant with Town requirements while providing some privacy. He advised that there are significant privacy issues due to the proximity of the trail to his property. He said he was willing to make the plantings less dense. Commissioner Breen said the myrica will perform better when planted farther apart.

In response to Commissioner Clark's question, Mr. Quinn said a property line survey had been done.

With no other questions, Chair Ross called for questions from the public. Hearing none, he brought the item back to the Commission for comments.

Commissioner Breen was in support of the project with a reduction in the number of proposed Myricas. She suggested moving the fence along the 50-foot run in as much as possible.

Commissioner Clark supported the project. He recommended that when they pull in the fencing along the 50-foot run, it meanders in a fashion similar to the other portions of the fence.

Commissioner Sill was supportive of the project and concurs with the comments from Commissioners Breen and Clark.

Commissioner Koch was supportive of the project. She expressed appreciation for the applicant's respect for the Town guidelines. She agreed with the other Commissioners regarding less planting and a meandering fence.

Chair Ross supported the project. He agreed with planting fewer Myricas and suggested staggering it for a more natural appearance.

Commissioner Koch moved to approve the project with the conditions as stated in the staff report with the addition of the following conditions:

1. The planting plan shall be modified to reduce the number of Myrica californica and to stagger the plantings so that they are non-linear.
2. The 50 foot section of fencing proposed in the northwest corner of the property shall be adjusted away from the property line to the maximum extent possible and meandered such that it is less linear. The final fencing site plan shall be submitted to the satisfaction of a designated ASCC member prior to fence construction.

The motion was seconded by Commissioner Sill; the motion carried 5-0.

**(b) Architectural Review for Addition and Remodeling of Swimming Pool, File #: 18-2014, 180 Golden Oak Drive, Kunkel Residence**

*This item is being continued to a date uncertain, and will be re-noticed at that time.*

**(c) Architectural Review for Replacement Landscaping, Exterior Lighting, Koi Pond, Decking, Stone Paths, File #: 21-2015, 30 Zapata Way, Baskett Residence**

Chair Ross noted that there was a field meeting this afternoon hosted by the Basketts. Consultant Planner Cynthia Richardson presented the staff report regarding the proposed project. She explained that 46 trees were removed from the site without Town review and approval, 15 of which were considered to be significant according to Town Code. She said the applicant hired Zeterre Landscape Architects, who were present, to prepare a replacement planting plan. She said the project was reviewed by the Westridge Architectural Supervising Committee (WASC), who requested that larger size (60", 48", and 36") boxed trees be planted and encouraged a variety of oaks instead of exclusively Coast Live Oaks. The Mayne Tree Expert Company, also hired by the applicant, recommended planting smaller sized trees, no larger than 36" boxed specimens. Ms. Richardson said the Conservation Committee reviewed the project and requested the replacements be 24" or 36" boxed trees. She said the tree removal, the window enlargement, and new interior lighting has caused the property to be highly visible with nighttime light spillage and staff received a

letter today from Scott Davidson, who lives at 260 Mapache Drive, expressing objection to the newly open views of the home from his property.

Chair Ross invited comments from the applicant. The applicant Jarrod Baumann, Zeterre Landscape Architects said in response to comments at the field meeting, they sent an email to staff this evening agreeing to add more shrubs to the upper level, but that it may be difficult to find any larger than 15-gallons.

Chair Ross invited questions from the Commissioners.

Commissioner Koch asked if the applicant considered placing planters on the rim of the driveway. Mr. Baumann said it had been considered, but was found to not be feasible due to the driveway clearance required for the fire truck. Commissioner Koch said she was not suggesting this solution as long-term, but as an interim solution while the trees mature in size to provide the screening to the neighbors. The applicant was agreeable to the suggestion.

Commissioner Koch said there appeared to be several significant oaks closer to the lip of the upper driveway that were removed and asked that would be a good spot to plant. Mr. Baumann said that erosion control is an issue on that sloped area because of the roots of the removed trees. He said that shrubs would also struggle in that area.

Commissioner Koch asked about the purpose of the new light proposed on the corner of the house, noting there were already two wall sconces on the garage. The applicant said it was to illuminate the dark corner since the garage lights do not illuminate that area. Commissioner Koch said there appeared to be lot of existing lighting in the atrium, some non-conforming, and asked why they proposed an additional light. Mr. Baumann said the owner wanted to add the light for safety.

Commissioner Clark requested clarification on the impervious surface calculation, which shows totals of both 10,849 and 10,484 on the plans. Mr. Baumann said he would double check those figures and make that correction.

Commissioner Sill asked why the applicant did not plan for more of a variety of oaks. The applicant said that in consideration of the neighbor's concerns, the Coast Live Oak was selected because it is evergreen and better for screening.

Commissioner Breen asked if there was an accounting for the other trees that were taken out and if any were Blue Oaks. She pointed out that the protected Blue Oaks have a different diameter measurement to be designated as a significant tree. Mr. Baumann said he didn't see the original planting plan but they could switch out some of the Live Oaks with either Blue Oak or Buckeye, but it would result in less effective screening for the neighbors. Commissioner Breen suggested that down lower on the property would be a good place to introduce Blue Oak or Buckeye.

Chair Ross inquired if the applicant has considered protecting the fish in the Koi pond from raccoons. The applicant said a portion of the deck would hang over the pond and would provide protection for the fish.

With no further questions, Chair Ross invited comments from members of the public.

Judith Murphy, of the Conservation Committee, said while she is hesitant to ask for an exception to the Town's tree-for-tree replacement policy, the newly planted trees would do better if there were less planted than were removed. She suggested that focusing on the number of trees planted may not be the best decision in this case, and suggested putting more focus on maximizing the privacy and screening issues. She said that rather than planting a row of trees along the rim of the driveway, in the long term a row of 6- or 7-foot shrubs would provide adequate screening. She is supportive of adding Blue Oaks in the lower area. She said there is a beautiful Madrone on the property that should be protected and the small oak trees now growing near it should be removed. She said the Committee is also concerned about the erosion of the slope in heavy rains.

Tom Patterson, 15 Zapata Way, expressed appreciation for the Town's attention to this matter. He said it has been almost a year since they recognized the change in the site and the resulting impacts. He said their goal is not retribution but to look toward a satisfactory outcome. He said that since the larger trees are proposed on the lower part of the slope, and not near the rim at the driveway, they will not provide adequate screening for quite some time. He said they would like to see a 3-D rendering of the proposed plan.

Marge DeStaebler, member of the Conservation Committee, supported the planting of smaller oaks. She said planting the larger boxed oaks would cause excessive soil disturbance on the steep hillside. She said planting appropriate shrubs on the upper part of the slope would provide adequate screening for the neighbor.

Kristi Patterson, 15 Zapata Way, said they defer to the experts on the appropriate size of the trees to be planted on the slope. She said their concern was screening and would like the goals of the project better articulated from a screening perspective.

With no further public comment, Chair Ross brought the item back to the Commissioners for discussion.

Commissioner Sill said that a restoration goal of five years was a long time for the two impacted neighbors and the proposed plans do not adequately address those impacts.

Commissioner Clark suggested a good starting point would be planting a mix of trees and shrubs that will provide the quickest screening in the area just below the driveway. He suggested the applicant discuss with the neighbors, as part of this restoration plan, a longer term strategy for removing the redwoods. He recommended reducing the number of fruit trees. He agreed with planting a variety of oak trees rather than exclusively Coast Live Oaks. He said an erosion control plan should be part of the planting plan to address the disturbance from the trees planted on the street side of the project.

Commissioner Koch said the removal of the trees was disrespectful to the neighbors, the land, and to the Town's guidelines. She said the applicant needs to be very thoughtful about how to screen the neighbors from the light spill and the structure itself. She was supportive of mixing in smaller sized trees. She said the neighbors have clearly expressed the desire to see some kind of modeling of the proposed plan. She is not supportive of additional lighting and said the nonconforming lights need to be removed. She said the proposed plan was not acceptable.

Commissioner Breen said the neighbors need to be made whole from the impact from the tree removal. She said if the applicants cannot put in planters with arbutus at the top on the driveway, which would help to immediately mitigate screening for the neighbors, then they

should start working their way down the slope. She said she understands that advantages of smaller plantings, but since the neighbors have had their screening removed, she would not be opposed to planting a couple of 60-inch boxes. She said the nonconforming lighting would need to be removed. She said they need to look at staging of plantings that go in and plantings that are removed five or six years from now as other plantings mature. She suggested there might need to be a performance bond to ensure that the screen trees survive. She said the proposed plan was not acceptable and she requested the applicants come back with a more holistic proposal.

Chair Ross said he understands how the applicant may feel frustrated between the requests of the ASCC and the WASC. He said while it appeared the WASC wanted larger trees planted, the ASCC was interested in a more sophisticated planting plan that was less reliant on bulk. He suggested the applicant prepare an exhibit showing sections through the canyon that locate the houses at the proper elevation and distance. He said they would then be able to assess the effect of shifting a tree up or down the hill in terms of sightlines. He said there was an opportunity to create a sparser forest in the front with less but very strategically spaced trees. He said there would likely be a condition that the final placement of the specimen trees will be determined during a site visit with a member of the ASCC and perhaps inviting the neighbors, so that there is a comfort level in their involvement with the solution. He suggested that two 24- to 36-inch boxed trees placed further up the hill will do more in conjunction with some shrubbery than the grove of trees on the slope by the driveway. He agreed with the selection of Coast Live Oak for screening because they are dense and evergreen. He said there is an opportunity to plant some beautiful trees lower down on the property that aren't so critical for screening. He said the proposed location for the 60-inch boxed tree is too far down the hill to be effective for screening, but may be a great location for one or more Blue Oaks for some variety. He said the only real benefit of a large box tree is the immediate screening. He said generally the larger tree plantings don't do as well as the smaller ones and a 24-inch boxed tree will reach the size of the 60-inch boxed tree within five years.

Mr. Baumann said he and his team is struggling to understand exactly what is required to make right what has been done with the trees.

Chair Ross said the ASCC is trying to balance the applicant's interests with the neighbors' interests. He said he personally leans more toward getting it right for the neighbors than toward a strict tree-for-tree replacement, which in this case would put the applicant back in the same situation that compelled them to remove the trees in the first place. He said that while it was apparently a very dense forest that probably needed thinning, a different approach would have been preferable.

Mr. Baumann said he supported the Commissioners' suggestions, but expressed concern about the homeowners going through the expense of redesign and renderings to satisfy the ASCC, only to be told by the WASC that it wasn't sufficient and they wanted larger trees and another redesign. He said his concern was going in circles trying to meet the requirements of both approval bodies.

Chair Ross said both the ASCC and Westridge are responding to the neighbor's concerns regarding light spill and loss of screening. He said that if the applicant can put together graphical material to show how carefully they're taking care of those concerns, they won't be pulled so much in different directions.

Mr. Baumann said he could create an accurate rendering if he had photos from the neighbor's houses that showed their specific view concerns and that his rendering would be more accurately representative than a line of sight diagram. Chair Ross suggested that reaching out to the neighbors with a plan to restore what they lost and converging that with a very thoughtful and well-executed plan will produce a result that's better than what was there before and better than the application presented tonight.

Ms. Pedro clarified that the code requires any damaged or destroyed trees be replaced with new native trees of at least 15 gallon size root ball and that good forestry practices shall be observed, so that provides some flexibility on the number and size of replacement trees. Chair Ross said it appeared the previous forest was too dense and he had no objection to reducing the number of replacement trees slightly in order to have a better outcome. He added that there was opportunity for smaller trees and more variety lower on the slope. The applicant pointed out that they initially thought the requirement was 15-gallon trees, but then went larger at the direction of the HOA, and now they're being told they can go smaller and have more shrubs, which is what they'd prefer for erosion control.

Chair Ross advised the applicant to return with changes to the plan that are a result of a more careful survey from neighbor locations, with a lesser number of significant trees, and perhaps some shrubbery planted up high enough that would provide adequate screening and yet stay out of the sight line to the distant views of the applicant. He said the fruit trees, the Koi pond, and the decks are minor concerns. He said there is no prohibition against putting in fruit or ornamental trees in the private areas of the property. He said getting the restoration plan at the front of the house correct is imperative.

(5) COMMISSION AND STAFF REPORTS:

Ms. Pedro said she received an email from Simone LaValle from the Parks and Recreation Committee indicating the ASCC would like an acoustic survey done regarding the skate ramp half-pipe project at Town Center and asked if this had been previously discussed by the Commission. Councilmember Wengert clarified that a proposal for a half-pipe came before the Commission several months ago. She said they were still in the conceptual stage and the Council advised them that once they got to the design stage, they would need ASCC input. Chair Ross said that when the Commission looked at the quarter-pipe proposal, they were concerned about the overall noise it might generate and the orientation of that noise. He said an acoustic report would be important and it should be in their budget for the project.

Commissioner Koch inquired about the project at 157 Westridge that appeared to be a white house with a stainless steel roof. Commissioner Breen advised that the home's roofing is zinc and that an adhesive cover had been in place to protect the zinc during construction. She said the adhesive cover has been removed, and that the material will need time to weather.

(6) APPROVAL OF MINUTES: October 12, 2015. Commissioner Breen moved to approve the October 12, 2015, minutes as submitted. Seconded by Commissioner Clark, the motion passed 4-0-1. (Commissioner Koch abstained.)

(8) ADJOURNMENT [8:22 p.m.]