

**PLANNING COMMISSION
APPROVED MINUTES**

**TOWN OF ATHERTON
September 23, 2020
6:00pm**

This meeting was held virtually.

1. ROLL CALL

**PRESENT: Eric Lane
Nancy Lerner
Randy Lamb
Perry Narancic
Paul Tonelli**

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

2. PUBLIC COMMENTS

No public comment made.

3. APPROVAL OF MINUTES

MOTION to approve the minutes of the August 26, 2020 Planning Commission Meeting with amendments.

M/S Lane/ Narancic Ayes: 4 Noes: 0 Abstain: 1

4. PUBLIC HEARING

a. Special Structures Permit (SSP) - 86 Tallwood Court (APN 074-130-300) - Request for a Special Structures Permit (SSP) to allow the location of a detached accessory building (indoor sports court) to have the same front yard setback as the main dwelling. Atherton Municipal Code Chapters 17.15, 17.32, and 17.40.

Principal Planner Stephanie Bertollo-Davis presented the staff report to the Planning Commission.

Open public hearing.

Project Landscape Architect Steven Kikuchi introduced himself and expressed that the homeowner proposed a design to minimize the impacts to neighbors.

Close Public Hearing.

Vice Chair Lamb and Commissioner Tonelli conveyed support for the project and thanked the applicant for considering the neighbors.

Commissioner Lerner indicated she had no comments.

Chair Lane conveyed support for the project.

Motion to approve the Special Structures Permit (SSP) at 86 Tallwood Court based on the findings and subject to the conditions listed in the draft Special Structures Permit to allow the location of a detached accessory building (an indoor sports court) to have the same front yard setback as the main dwelling.

M/S Tonelli/ Lamb Ayes: 5 Noes: 0 Absent: 0

b. Heritage Tree Removal (HTR) Permit – 135 Selby Linda Vista Avenue (APN 070-142-100) – Request for a Heritage Tree Removal (HTR) permit to allow for the removal of one (1) heritage Canary Pine tree. Atherton Municipal Code Chapter 8.10.

Principal Planner Stephanie Bertollo-Davis presented the staff report to the Planning Commission.

Due to technical difficulties, Stephanie Bertollo-Davis presented the staff report to the Planning Commission once more.

Open Public Hearing.

Homeowner and project applicant Edwin Ullman introduced himself and explained reasoning for the proposed tree removal and further explained reasoning for requesting an exemption from the replanting plan citing the already dense on-site vegetation, fire risk, aesthetics and property maintenance.

Closed Public Hearing

Chair Lane walked through photos taken on site demonstrating the existing conditions.

Chair Lane further expressed that he believes the property is adequately planted and that replanting does not seem necessary, he asked Town staff what options there were for determining an exception to the replanting requirement.

Town Arborist Sally Bentz Dalton and Principal Planner Stephanie B. Davis highlighted the Heritage Tree Ordinance and indicated that the Planning Commission has the discretion to require replanting requirements.

Principal Planner Stephanie B. Davis further explained criteria for making a determination on the tree removal and an exception to the replanting plan.

Commissioner Tonelli emphasized that good forestry practices criterion is applicable for consideration of allowing an exception for the replanting requirements.

All Commissioner's agreed.

Commissioner Tonelli further indicated that this is a unique site which replanting would not be a benefit and therefore would not be creating a precedent for sites which do not have the same or similar circumstances that may request an exception to the replanting requirements.

Motion to approve the Heritage Tree Removal (HTR) Permit to allow for the removal of one heritage Canary Pine tree and subject to the amended draft conditions listed in the Heritage Removal Permit (HTR) Certificate which strike conditions #2 and #3.

M/S Lerner/ Tonelli Ayes: 5 Noes: 0 Absent: 0

5. STAFF REPORTS

a. Tree Protection Zone (TPZ) exceptions -Summary of process and guidelines.

Principal Planner Stephanie B. Davis presented the memo.

Chair Lane emphasized that the Commission desired specific criteria to consider for the Tree Protection Zone (TPZ) Exception.

Commissioner Narancic thanked staff for the report and highlighted that there is a lack of fair criteria for considering the TPZ exception. He expressed that an amendment to the TPZ exception should be drafted so that expected criteria is more clearly identified.

Commissioner Narancic was appointed to work with Staff to draft an amendment to the Tree Protection Zone Exception to include specific criteria.

b. Staff provided an update on the City Council consideration to the ADU Ordinance amendments from the September 16, 2020 City Council Meeting.

c. The next regularly scheduled meeting is set for October 28, 2020.

6. COMMISSIONERS REPORTS

Vice Chair Lamb had brought up the concerns raised by residences regarding noise complaints from neighbors.

Town Staff responded by informing the Commission that Town Code Enforcement is entirely complaint based and therefore will follow up on complaints reported to them.

7. ADJOURN

The meeting was adjourned 7:29 PM

Respectfully Submitted:

/s/Stephanie B.-Davis

Stephanie B. Davis, Principal Planner