



## ENVIRONMENTAL QUALITY COMMISSION MINUTES

**May 7, 2003**

Administration Building, First Floor  
701 Laurel Street, Menlo Park

**CALL TO ORDER:** The meeting was called to order by Chairman Theo Keet at 7:30 p.m.

**Commissioners Present:** Theo Keet, Frank Carney, Deirdre Digrande, Mary Kenney,  
Mark McBirney, Kevin McCarthy, Laura Teksler

**Commissioners Absent:** none

**Staff present:** Dianne Dryer, Environmental Programs Coordinator  
Walt Fujii, Contract Arborist  
Juan Alvarez, Acting City Arborist  
Silvia Ponte, City Clerk

**Public present:** Marjorie Johnk, Harry Harrison

### **A. PUBLIC COMMENTS** None.

### **B. REPORTS AND ANNOUNCEMENTS**

Dianne Dryer announced that the proposed City budget will be discussed at the City Council meeting on May 13. The budget report may be viewed on the City website or a copy may be obtained from the City Clerk.

Dianne Dryer announced that the twelve month review of the new Heritage Tree Ordinance would be reported at the June 4 Environmental Commission meeting. Commissioners will be asked to make recommendations for any changes to the ordinance to the City Council, which will discuss the matter at a meeting soon thereafter (tentatively June 17).

Dianne Dryer reported that the Commission will be asked to review a proposal to remove approximately ten heritage trees as part of the Burgess Park renovation project at their meeting on July 2.

Dianne Dryer announced that volunteers are needed at the Belle Haven Cleanup Day on June 7. Anyone interested may call or email her.

Laura Teksler reported on the Arbor Day ceremony at Kelly Park. Due to rain, the children from Belle Haven School couldn't attend, but the Mayor, two police officers, two Commissioners and the tree crew were present for the tree planting.

### **C. BUSINESS ITEMS**

**1. Approval of Minutes of April 2, 2003:** M/S: Kenney/McBirney. Approved.

**2. Heritage Tree Removal Permit Appeal:** 654 Hermosa Way (#03-006)

Dianne Dryer reported that neither of the two adjacent neighbors were interested in having the tree re-located to their property. Both had written in their responses to her inquiry that they preferred that the tree not be cut down. One of the neighbors is co-owner of the tree, which is on the property line.

The applicant, Marjorie Johnk, restated her reasons for wanting to remove the tree, primarily the problem of leaves and acorns dropping on the pool cover and in the pool when she uses it during the summer.

The Commission discussed pruning and maintenance of the tree at length. The applicant stated that she had never pruned the tree, but that she thought that the co-owner next door had done so in the past. It was suggested that the co-owner could be asked to share in the cost of pruning the tree. Another suggestion was to remove a large limb on her side of the tree, which would reduce the amount of dropping leaves and acorns and allow more sun onto the pool.

It was suggested that another feasible alternative would be to get help with the maintenance of the pool. The applicant had stated that she does all the work related to the pool maintenance herself and it is becoming more difficult as she gets older. The applicant stated that she didn't think that her gardening service would be willing to remove leaves from the pool cover during the leaf drop season. It was suggested that she discuss the task with them or get a handyman or pool cleaning service to come and help when necessary. Another suggestion to reduce the amount of leaves was to install a net over the tree branches above the pool to catch dropping leaves. Staff had initially also suggested a covered trellis under the tree branches which would keep the leaves off the pool cover.

Some Commissioners expressed concern that allowing the removal of this heritage tree due to relatively minor maintenance tasks would set a precedent. Some Commissioners indicated that the tree is a healthy, large coast live oak, a species native to the area with ecological value, which could live another 200 years. The primary intention of the Heritage Tree Ordinance is to preserve trees like this one for the benefit of the community for generations to come. Commissioners noted that both the co-owner adjacent neighbor and the rear adjacent neighbor had written about their preference that the tree not be removed.

A motion (M/S Carney/Kenney) to deny the appeal of the permit applicant was approved unanimously by the Commission. The applicant was urged to explore alternatives such as maintenance assistance and pruning.

### **3. Heritage Tree Awards Program:**

Due to the Commission and Council review of and possible changes to the Heritage Tree Ordinance, the Commission decided to postpone the Heritage Tree Awards Program until the fall. The Environmental Quality Awards Program will be started in May, rather than in the fall this year. Dianne Dryer will prepare and distribute nomination forms. Mary Kenney and Kevin McCarthy will co-chair the program.

## **D. ADJOURNMENT**

The meeting was adjourned at 9 p.m.