



# ENVIRONMENTAL QUALITY COMMISSION

## MINUTES

**May 5, 2004**

Burgess Recreation Center  
700 Alma Street, Menlo Park

**CALL TO ORDER:** The meeting was called to order by Chairperson Mary Kenney at 7:18 p.m.

**Commissioners Present:** Mary Kenney, Dan Kocher, Bob Swezey, Kevin McCarthy

**Commissioners Absent:** Rick Stevens, Laura Teksler, Frank Carney

**Staff present:** Dianne Dryer, Environmental Programs Coordinator  
Ruben Nino, Director of Engineering

**Public present:** Lou Deziel

### A. PUBLIC COMMENTS

Lou Deziel commented that many heritage trees are not being properly cared for, suggesting specific actions aimed at "preservation maintenance." He would like to see more education of property owners and better maintenance by City tree crews and contract tree crews.

### B. REPORTS AND ANNOUNCEMENTS

The Mayor has called another meeting of representatives from each Commission to continue work on the Mission Statement on May 13. Kevin McCarthy cannot attend, so Mary Kenney will represent the Commission.

Mary Kenney announced the Tour de Menlo bike ride to benefit Trees for Menlo on May 22<sup>nd</sup>.

Dianne Dryer passed out copies of the newly amended Heritage Tree Ordinance and discussed publicity plans.

Bob Swezey reported that the Arbor Day tree planting went well. He addressed a large group of children and a few adults.

### C. BUSINESS ITEMS

**1. Approval of Minutes of April 7, 2004:** Add to item #5: "Kevin McCarthy agreed to present comments to Council in Mary Kenney's absence." Amended minutes approved unanimously.

**2. Heritage Tree Appeal Hearing on 648 Menlo Avenue (04-030):**

This appeal hearing was continued from the last Commission meeting. Dianne Dryer reviewed the background on the City's reasons for wanting to remove two heritage carob trees leaning into the street and the alternatives to removal that the staff

considered. Two claims for damage to vehicles have been filed against the City in the last year. One claim resulted in a payment of \$500. There are other expenses related to claims incurred by the City, whether or not payments are made. Staff considered removing one or two parking spaces and surveyed nearby businesses (three of whom objected to the removal of parking, two office tenants preferred keeping the trees). The owner of the building wants the trees removed. Staff also investigated the possibility of re-aligning and re-painting of parking spaces and buffer zones, moving the buffer zones in front of the trees to reduce the incidence of vehicles parking in front of the trees. Other measures considered included posting signs next to the parking spaces that restricted the height of vehicles parking there, bulb-out structures, and reflectors placed on the trunks of the trees. The City Attorney and Director of Engineering did not think any of these measures would reduce the liability to an acceptable level. Lou Deziel spoke in favor of keeping the trees. Mary Kenney noted the significant number of letters from residents opposing the removals. She suggested removing the largest tree, which is leaning more into the street and putting a buffer zone and sign next to the other tree to reduce the liability. The other three members of the Commission present spoke about the risks of liability and potential costs to the City. They also thought that the streetscape could be improved by the planting of new trees, possibly three to four on that side of the block. A motion (Kocher/Swezey) to deny the appeal, with a condition that staff determine the appropriate number and species of replacement trees to achieve maximum canopy along the block, was approved (3 in favor; 1 opposed). Staff will post a notice on the trees for 15 days stating the reasons for removal.

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

Dianne Dryer passed out nomination forms, asking that Commissioners distribute them in the community. She will also email the forms to them. The deadline for submission is June 1, 2004. She has issued a news release announcing the program.