



## ENVIRONMENTAL QUALITY COMMISSION

### Meeting Minutes

**February 2, 2005**

Burgess Recreation Center  
700 Alma Street, Menlo Park

**CALL TO ORDER:** The meeting was called to order by Chairperson Dan Kocher at 6:35 p.m.

**Commissioners Present:** Mary Kenney, Frank Carney, Dan Kocher, Bob Swezey

**Commissioners Absent:** Doug Scott, Rick Stevens, Kevin McCarthy

**Staff present:** Dianne Dryer, Environmental Programs Coordinator  
Juan Alvarez, City Arborist  
Ruben Nino, Director of Engineering

**Public present:** Liesel Altman, Maya Altman, Brian Rulifson, Alison Roxby, Bee King, Robert Wetherill, and 4 others (unidentified)

**A. PUBLIC COMMENTS:** none

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

Dianne Dryer announced that the City Council will conduct a Priority Setting Workshop on March 5<sup>th</sup> starting at 8:30 a.m. at the Recreation Center. Frank Carney stated that one of the activities under the Environmental Quality Commission is to keep the City Council aware of any issues related to historic preservation. He recently met with Frank Hilfridge of the Menlo Park Historical Association, who told him that there are three buildings of value that currently have no protection: the old firehouse behind the current Fire Station on Middlefield Road, Dibble Hospital Building 100 on the SRI complex, and the British Bankers Club building.

### **C. BUSINESS ITEMS**

1. **Approval of Minutes of January 5, 2005:** Amended to show correct spelling of name Swezey. Motioned for approval (BS/MK); approved unanimously.

2. **Reconsideration of Denial of Heritage Tree Removal Permit at 1143 Pine Street**

Dianne Dryer introduced the item stating that the owner of the property, Liesel Altman, had requested Commission reconsideration of their denial of a removal permit for a Canary Island palm tree. On December 1, 2004, the Commission had recommended pruning of the aerial rootball to avoid damage to the garage and to

preserve the tree. Dryer reported that at the December meeting Mrs. Altman had agreed to try that approach. She also stated that she and the City Arborist Juan Alvarez, had both spoken with arborists who specialize in palm tree maintenance and they said that the roots are too weak to damage a building or uplift a foundation and that the aerial roots could be shaved off without harming the tree. This root pruning would prevent any damage to the garage. Mrs. Altman stated that she believes that pruning is only a temporary solution and that she may later have to pay more to have the tree removed. She said her arborist told her that it would be very difficult to prune the roots. Her arborist, Robert Wetherill, stated that the palm needs a lot more space than this location provides and the tree should be removed. Bee King, adjacent property owner, said that the tree is in a bad location and is probably inhibiting the growth of surrounding trees, so it should be removed. Allison Roxby, one of the appellants, stated that the owner of the tree has not maintained it for many years and that a good compromise was reached at the December meeting. Brian Rulifson, the other appellant, stated that the research both he and the staff had conducted shows that the roots will not be damaging the garage. He said that the structural engineer hired by Mrs. Altman does not have the qualifications of an arborist to judge whether or when the tree will cause damage. Sascha Retailleau commented that the palm tree is a beautiful feature of the neighborhood. Juan Alvarez, City Arborist, stated that since he first evaluated this tree he has learned more about the structure and growth habits of palm trees. He has spoken with two experts on palms in the last few weeks who both said that the aerial roots won't grow back to any significant degree and the diameter of the trunk will not increase any more. The tree could live another 25 years or more. Bob Swezey commented that the tree is in an undesirable location and that the property owner gets no benefit from having it there. Frank Carney pointed out that the cost to do this pruning is less than half of the cost to remove the tree. He also stated that the Commission represents the whole community, not only the property owner, and it is charged with preserving a healthy urban forest as regulated by the Heritage Tree Ordinance. Mary Kenney stated that the Commission must find a balance between individual property owners' rights and community rights. Rulifson responded that the owner doesn't live on the property, but her tenants and many neighbors and visitors to the neighborhood enjoy seeing it, especially from second story locations. City Director of Engineering, Ruben Nino, stated that he had inspected the garage and found no damage from the tree and no cracking. Dan Kocher summarized that there is no current damage to the building, no chance of future damage, and no need for ongoing pruning of the tree (except for aesthetic and safety purposes). Also it is possible to prune the roots without endangering the health of the tree in order to prevent damage to the structure. Motioned (MK/FC) to uphold the Commission's decision on December 1, 2004 to try pruning the aerial roots and permission to re-apply for a permit (without fee) if there are signs of immanent damage to the garage. Motion approved 3 to 1 (Swezey opposed).

### **3. Recommendations on Proposed Heritage Tree Removals Related to Reconstruction of Parking Plaza 5**

Ruben Nino introduced the Parking Lot Reconstruction Plan, which is intended

to beautify and upgrade the parking plaza and increase the number of parking spaces and handicap stalls. The design includes the removal of four heritage trees. Staff evaluated several alternative designs, but there was no way to save the trees without significantly reducing the number of parking spaces. Staff also considered moving one or two of the heritage oak trees, but the cost was too high. Mary Kenney observed that the piecemeal reconstruction of parking lots and other areas downtown is resulting the removal of significant trees, without a comprehensive plan that would protect the character of downtown. She suggested that a survey of all heritage trees downtown should be conducted. Then a plan could be developed to ensure that significant trees are preserved wherever possible. A motion was made (BS/FC) to recommend the proposed design including the removal of four heritage trees. Approved 3 to 1 (Kenney opposed).

#### **4. Program and Project Coordinators for 2005**

Mary Kenney and Bob Swezey will co-chair the Environmental Quality Awards Program. Rick Stevens will be asked to chair the Arbor Day Ceremony.