



# ENVIRONMENTAL QUALITY COMMISSION

## Meeting Minutes

**October 7, 2009**

Burgess Recreation Center  
700 Alma Street, Menlo Park

**CALL TO ORDER:** The meeting was called to order at 6:30 p.m.

**Commissioners Present:** Mitch Slomiak (Chairperson), Lawrence Byers, Kristin Kuntz-Duriseti, Megan Gutelius, and Daniel Kocher.

**Commissioners Absent:** Jeanne Durnford, Douglas Scott

**Staff Present:** Regina Wheeler, Environmental Specialist

**Public Present:** John Martin and Steve Peckler

### **A. PUBLIC COMMENTS:**

- Steve Peckler's father lives at 1371 Delfino Way. This property has two Liquid Amber street trees, which the Fire Department and PG&E were called out to address multiple times. The trees were taken out, but replacement trees were not planted, and roots were left in the ground. The roots have done damage to the property. They have cracked the sidewalk and damaged the gutters. Mr. Peckler would like the City to replace these trees with Japanese Maple trees. Mr. Peckler stated that the replacement trees should not be planted in the same location, and species with invasive roots should not be planted. Mr. Peckler would like the EQC to help him with this issue.
- John Martin stated that his application for Heritage tree removal took a year to get through the application process. He originally applied for removal in September 2008 and the tree went to City Council in September 2009 (EQC in July 2009). He believes that staff sat on his application because of the 2002 heritage tree application, and he was aggravated that the application went between the Building and Engineering Departments.

### **B. BUSINESS ITEMS**

**B1.** The September 2, 2009 minutes were approved with no changes. Commissioner Kocher motioned to approve the minutes. Motion seconded by Commissioner Gutelius. Motion approved by all commissioners.

**B2. Environmental Quality Awards:** The Environmental Quality Commission awarded seven awards to community organizations after a presentation with documentation submitted by each applicant. The Commissioners selected the following seven awards:

#### *Resource Conservation*

- The Runner's High Shoe Store for conserving resources during store renovations

- Menlo Park Green Ribbon Citizens' Committee (GRCC) for organizing the 2009 Drive Less Challenge
- Menlo Park Senior Center for adopting a "Going Green Policy"

#### *Architectural/Commercial*

- Tyco Thermal Controls for an extensive building renovation project that reduced energy use by 1,843 kilowatt-hours a year
- Foundation Capital for renovating their office to LEED gold certification

#### *Architectural/Residential*

- Bruce Schena and Cathy Ricke for home renovations that achieved a Build It Green Point rating of 130 points

#### *Landscape/Native Habitat*

- VanHoff family for water efficient landscaping renovations

Commissioner Byers motioned to approve seven winners as voted by the Commissioners. Motion seconded by Commissioner Kuntz-Duriseti. Motion approved by five commissioners.

### **B3. Outcome of the Appeal of the EQ Decision on the Heritage Tree to City**

**Council 9/22:** Each Commissioner provided input on the City Council decision to remove the Heritage tree at 1155 Santa Cruz Ave. The Commissioners expressed the following concerns over the process:

- The EQC has not been given clear direction about what kind of conditions they can recommend.
- If City Council had been provided additional information about Merit® they might have made a different decision.
- There appears to be a difference of opinion on how to handle the Heritage Tree Ordinance.
- There appears to be a disconnect on policy where Staff seems inclined to approve nearly every application to remove a Heritage tree, which differs from the EQC's orientation. The EQC is inclined to resist the removal of Heritage trees whenever practical.
- The staff report had a defensive tone and did not adequately explain the rationale for the EQC's decision. The EQC's decision was not respected.
- The paper trail didn't match what was said.
- Too many people were involved.
- Lack of clarity—when are landscape plans required?
- The Commission was aggravated by the overall process.

In light of this decision and other observations, the Commission will review the Heritage Tree Ordinance and related policies during the November meeting and determine whether to propose any changes to Staff or City Council.

**B4. Climate Action Plan:** The City has hired CSG Consulting to assist with the CAP revision, and CSG will create a suggested list of tasks for this project. The task list will note which items are for volunteers and which are for staff. The subcommittee would like to start working on the CAP within the coming weeks. These tasks include

greenhouse gas targets and what other cities are doing. There is frustration that City projects are being approved without regard to climate change. Commissioner Byers reported that he met Virginia Parks of the City of Menlo Park at Bedwell Bayfront Park to speak about Carbon Dioxide equivalents. The commission plans to speak to Ms. Ekers about the amount of staff time needed to address the Climate Action Plan. Commissioner Gutelius resigned immediately from the Climate Action Plan subcommittee due to time constraints.

**B5. El Camino/Downtown Project:** The meeting on this project had approximately 100 people. It incorporates pedestrian and bicycle friendly development. Transit oriented development was also accounted for. Commissioners are interested in learning about the likely greenhouse gas emission impacts of the proposed plans.

**B6. Menlo Gateway Project:** There was a lot of public comment to do all sustainable measures that are possible. Greenhouse gas emissions are not adequately accounted for in the CEQA process.

**B7. EQ Report to Council:** A brief report on the Climate Action Plan will be made about staff, the EQC, and CSG Consultants and how they intend to move forward. The EQC wants climate considered in future development. Climate impacts were not considered in the last four substantial projects including downtown, Menlo Gateway and 1300 El Camino Real. Not having greenhouse gas emission reduction goals and consistent guidelines for developers is a problem.

## **C. REPORTS AND ANNOUNCEMENTS**

**C1. SBWMA/Shoreway Projects:** Approved by Council

**C2. Green @ Home:** No Update

**C3. Water Projects:** The City's Water Efficient Landscape Ordinance is being updated. It will be brought to the November EQC meeting for Committee input.

**C4. Street Tree Management:** No Update

**C5. Other Announcements:** The City applied for a climate grant that it did not receive. It will look for other grant opportunities. Trashcans at the Alma Street over crossing are consistently overflowing.