



ENVIRONMENTAL QUALITY COMMISSION MINUTES

Regular Meeting
Wednesday, December 7, 2011 at 6:30 p.m.

701 Laurel Street, Menlo Park, CA 94025
Arrillaga Family Recreation Center
Cypress Room

The meeting was called to order by Chair Kuntz-Duriseti at 6:40 p.m.

ROLL CALL:

Present: Daniel Kocher, Kristin Kuntz-Duriseti (Chair), Adina Levin, Douglas Scott,
Mitchel Slomiak, Christina Smolke

Absent: None

Staff present: Rebecca Fotu, Brian Henry

A. PUBLIC COMMENT: None

B. BUSINESS ITEMS

B1. Approval of the November 2, 2011 minutes

Commissioner Slomiak advised that he would like additional details regarding the Heritage Tree Appeal (Item B2) for 1205 Bay Laurel Drive. Commissioner Scott noted that the final vote on the Heritage Tree Appeal (Item B2) for 1205 Bay Laurel Drive was 5-1 with Commissioner Scott dissenting.

ACTION: By consensus, the Commission deferred the minutes to the January 2012 meeting in order to make the additional information and changes suggested.

B2. Election of Chair and Vice Chair for January 2012 through December 2012

ACTION: Motion and second (Kocher/Slomiak) to defer the election to January 2012, passed unanimously.

B3. Issue a determination on Heritage Tree Appeal for 1141 Cotton Street

Staff presentation by Brian Henry, City Arborist

- Mature Southern Magnolia with decent structure, recommended for removal
- No dominant leader; 3-4 limbs with heavy end weight; health is overall good
- Damage to driveway with cracks radiating from center of tree
- Crack in the floor of garage
- Damage to the gate and fence
- Driveway resurfacing maintenance has been required periodically
- Gas line runs underneath the tree with risk of damage

- General Southern Magnolia's characteristics:
 - Benefits are leafy all year round to provide screening/shade
 - Not drought-tolerant and can become weakened and susceptible to disease/pests
 - No longer planted by cities because shallow/invasive roots damage sidewalks/curbs
- Tree may not survive plans to remove and replace driveway

Public Comments

Jim Schott provided the following comments.

- The tree has been on the property as long as the home and the Hillview Manor Neighborhood (estimated at 60 years).
- The tree has provided his home with lots of shade.
- His first concern is "can we save the tree?" The consulting arborist did not address this.
- Are there design alternatives? He feels it is reasonable for the neighbor to put in a new driveway.
- There is no certainty that severing the roots will kill the tree.
- Why not take 1-2 years to see if the tree is in good shape or needs removal?
- He requested that tree be replaced with a new tree if removed.

Mr. Glen Rossman (applicant) provided the following comments:

- Based on talks with arborists, excavating the driveway will require at least 18" of digging that can "easily result in the tree dying."
- Due to the unevenness of the driveway it causes a problem for the pavers in terms of walking and moving around.
- Replacing the driveway costs \$10,000 and would need to be done every four plus (4+) years if the tree is not removed.
- If the driveway is not removed, it will keep buckling; it can no longer be filled and water backs up into garage.
- There are cracks intruding into the garage floor which may be related to tree and radiates from outside cracks.
- He has planted 20+ trees on the property; he love trees.
- Southern magnolia should never have been planted in the 1950s, but no one knew a tree would conflict with underground natural gas lines.
- There had been a gasoline leak, but probably not due to tree.

D. Scott stated he wants the owners to be able to deal with intrusion into foundation; magnolias are an undesirable species.

M. Slomiak stated that the garage is a deteriorating hazard with no way to mitigate without removing tree and he appreciates that the owners have planted 26 trees

A. Levin stated that the gasoline proximity is of great concern.

K. Kuntz-Duriseti stated that she does not see a practical alternative since there is no way to protect the tree and replace the driveway.

D. Kocher stated that this is a significant tree in the neighborhood due to the beauty. The tree provides Mr. Schott with a lot of shade and screening. He wonders about location of the property line and whether there is space to put in screening trees.

Mr. Rossman stated the property line is within four (4) feet of the tree and cannot come up with a realistic way to plant screening/shading/canopy with a replacement tree.

ACTION: Motion and second (Slomiak/Scott) to deny the appeal and uphold the permit allowing removal of the heritage tree, passes unanimously.

B4. Recommend community greenhouse gas reduction target for City Council

ACTION: Motion and second (Scott/Kocher) to approve, in principal, the draft report presented by the Climate Action Plan subcommittee with recommended changes to be brought back in January 2012, passes unanimously.

B5. Create committee or appoint a commissioner for resource reduction activities

ACTION: Chair Kuntz-Duriseti continued the item.

C. REPORTS AND ANNOUNCEMENTS

No staff presentations and the following updates were received by commission:

C1. Outcome of Chair's presentation to the City Council

C2. Environmental Quality Awards

C3. Report on polystyrene education and outreach

C4. Environmental Quality Commission seats

D. ADJOURNMENT – 8:00 p.m.

Prepared by: Rebecca Fotu, Environmental Programs Manager

Minutes accepted at the meeting of January 4, 2012