



ENVIRONMENTAL QUALITY COMMISSION MEETING MINUTES

Wednesday, December 18, 2013 at 6:30 p.m.
City Administration Building
701 Laurel Street, Menlo Park

The meeting was called to order by Chair Chris DeCardy at 6:35 p.m.

ROLL CALL:

Present: Allen Bedwell, Chris DeCardy (Chair), Kristin Kuntz-Duriseti, Scott Marshall, Mitchel Slomiak (Vice Chair), Christina Smolke

Absent: Deborah Martin

A. PUBLIC COMMENT: None

B. REGULAR BUSINESS

B1. Approve November 20, 2013 Minutes ([Attachment](#))

ACTION: Motion and Second (Slomiak/Kuntz-Duriseti) to approve the November 23, 2013 minutes passes (4-0-3), (Absent: Martin, Abstain: Bedwell/Decardy)

B2. Consider a Recommendation on a Request to Remove 42 Heritage Trees Associated With the Construction of a New Recreation Center Building, New Leasing Office, and Comprehensive Landscaping and Site Improvements Located at 350 Sharon Park Drive ([Attachment](#))

There was a consensus among the Commission that it greatly appreciates the move by the City to include the Commission in this type of review and believes this is good progress to a better process. Looking at the eight heritage tree ordinance criteria, the EQC believes that one or more trees can be preserved with primary reasons based on criteria number six while being sensitive to criteria number two. Given the timing of the proposed project, it was difficult to give the same diligence as when the EQC reviews usual heritage tree appeals that include one or a few trees (given that this project includes 42 for potential removal plus broader issues).

While having this type of review is an improvement in the current heritage tree review process, the full process of reviewing projects that impact heritage trees must be streamlined to ensure the interactions and timing between the City's Planning department, Planning Commission, EQC, and City Council works most efficiently and effectively so that both opponents and proponents of a given project are not unnecessarily burdened by the process or believe that their points of view have not been adequately reviewed.

Public Comment

- Dennis Hanley, former resident of Sharon Green Apartments, stated that he does not support the proposed project and stated that there are alternatives to placing the fire line.
- Uzi Bar-Gadda, resident of Sharon Green Apartments, stated that he does not support the proposed project because the development plan needs to be reviewed thoroughly, improvements need to be made to the design of the project, development will lead to increased traffic on Sand Hill Road, and that there needs to be a proper maintenance plan for the trees on site.
- Tara Fogel, resident at Sharon Green Apartments, stated that she does not support the proposed project because the health and safety of the residents is not being taken into consideration. Steps need to be taken in order to minimize the impacts that the development will have on the tenants and trees.
- Alexander Fogel, resident at Sharon Green Apartments, stated that he does not support the proposed project because construction over a three-year period will pose significant health risks to tenants. There are prop 65 warnings throughout the apartment complex and tenants will be exposed to toxins such as asbestos which can cause lung disease and cancer. Windows alone are not a barrier to these risks and residents need to be provided with better protection.
- Amy Poon, former resident at Sharon Green Apartments, stated that she does not support the project because there are multiple maintenance issues that need to be addressed prior to the proposed project, which include making the property wheelchair accessible, installing new windows for each apartment, and ensuring that safeguards are put in place to protect tenants. Too many trees are being removed and each tree needs to be examined thoroughly prior to moving forward.
- Walt Fujii, of Fujiitrees Consulting, commented that among the trees proposed for removal, some are in healthy condition and do not need to be removed.

ACTION: Motion and Second (Slomiak/Bedwell) that the following recommendations be considered prior to the approval of the project, passes (6-0-1), (Absent: Deborah Martin).

1. The applicant reconsider trees that will be removed for building construction by submitting structure designs that preserve trees; and
2. As a condition of the development permit, the project and existing/future property owners must ensure that there are "N" number of heritage trees on the whole property at all times going forward. The number "N" should be determined to be no less than the current total of heritage trees on the entire site, but also could be set at a higher level or set to increase in future years. A certified arborist must confirm and document the total number and locations of heritage trees on the property and then annually certify that the number of healthy and well maintained heritage trees is equal to or greater than "N." Any new trees planted on the site must be from city approved list going forward. Particular magnificent specimens should be identified and singled out for special protection. In addition, the development permit should include the following:

- a. Property owner should pay for its own oversight and city oversight of this permit requirement; and
- b. Ensure this permit standard holds when the property is sold; and
- c. Failure to maintain the required number of trees or proper maintenance to keep trees healthy shall result in a 4-to-1 tree replacement in addition to a significant financial penalty (which EQC recommends be used to further the city's heritage tree protection and maintenance program).

B3. Consider a Recommendation to the City Council Regarding the Draft 2014-2019 Capital Improvement Plan ([Memo from City Manager](#)) ([Draft 2014-2019 Capital Improvement Plan](#))

ACTION: No Action. Staff presented the commission with an overview of the Capital Improvement Plan process and updated the commission on environmentally related projects.

B4. Receive Update on Environmental Quality Awards

ACTION: No Action. The Commission tabled this item for a future commission meeting.

B5. Discuss Environmental Quality Commission Two Year Work Plan Update and Subcommittee Changes ([Work Plan and Subcommittee Attachment](#))

ACTION: No Action. The Commission tabled this item for a future commission meeting.

C. REPORTS AND ANNOUNCEMENTS

The following updates were received by commission:

C1. Staff Update on Environmental Policies to be Considered by City Council

C2. Commission Subcommittee Reports and Announcements

C3. Discuss Future Agenda Items

The meeting was adjourned at 9:44 p.m.

Meeting minutes prepared by Vanessa Marcadejas, Environmental Programs Specialist.