



ENVIRONMENTAL QUALITY COMMISSION MEETING MINUTES

Wednesday, February 26, 2014 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, Deborah Martin, Mitchel Slomiak

Absent: Scott Marshall (Vice Chair), Christina Smolke

A. PUBLIC COMMENT: None

B. REGULAR BUSINESS

B1. Approve January 22, 2014 Minutes (Attachment)

ACTION: Motion and Second (Bedwell/Martin) to approve the January 22, 2014 minutes passes (4-0-3), (Absent: Marshall, Smolke, Abstain: Kuntz-Duriseti,)

B2. Review Staff Report to the Planning Commission and Discuss Environmental Quality Commission's Previous Recommendation Regarding 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)

Staff reported that the item is tentatively scheduled to be brought before City Council on March 4th. The Environmental Quality Commission (EQC) discussed that the intent for the property was to eventually have no fewer heritage trees than currently exist on the property, and that the trees be maintained well and in perpetuity. The planning staff report stated that the EQC's recommendation would not allow any trees to be removed. The commission commented that their recommendation was either misinterpreted or clearly ignored by the applicant and planning staff, which was unfortunate because the EQC believes there was consensus among the applicant, planning staff, the commission, and the public that the intent was to maintain the same number of heritage trees over the long term, allowing existing younger trees that are near heritage tree size to grow to heritage tree size in a number of years.

Public Comment

- Aruni Nanayakkara stated that the EQC's recommendation in regards to the baseline was misinterpreted by the applicant, planning staff, and Planning Commission.

- Uzi Bar-Gadda stated that the baseline should be the existing number of trees with the intention that the site will always have no less than the baseline number of trees going forward.
- Amy Poon also stated that she feels that the applicant misinterpreted the EQC's recommendation in regards to the baseline number of trees.

ACTION: Motion and Second (Slomiak/Bedwell) for the EQC to reaffirm its December 18th recommendation as stated below and to designate Commissioner Bedwell, with Commissioner Kuntz-Duriseti as his alternate, to speak on behalf of the EQC regarding this recommendation and its context when the item is brought before City Council passes (5-0-2), (Absent: Marshall, Smolke).

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 the City approved List of Tree Replacements moving 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)

Out of respect to owners' concerns of high cost of planting heritage trees, the EQC further clarifies the recommendation as follows:

1. The long-term minimum number of heritage trees on the property is to have no fewer than 228 heritage trees, which is the current number on the property, five years from now (maximum) or sooner (not 186 trees after the applicant removes 42 heritage trees); and
2. Within 30 days or sooner of project approval by the City Council, an arborist selected by the city and paid for by the applicant, submit a report to the planning department, city arborist, and environmental program manager to confirm the number of existing trees that are nearly heritage tree size, and estimating how long it will likely take for them to become heritage trees in order to get to the 228 tree minimum as quickly as possible. This information will be added to the development permit to be enforced and monitored; and

3. The EQC supports the Planning Commission's recommendation that ongoing city inspections to confirm the quantity and maintenance standard of trees be at the expense of applicant; and
 4. The EQC further clarifies that support of the total number of tree replacements currently planned as a minimum number of replacements.
- B3.** Consider a Recommendation to the Planning Commission and City Council on a Request to Remove 22 Heritage Trees and Retain one Heritage Tree on property located at 151 Commonwealth Drive and 164 Jefferson Drive (Attachment)

David Hogan, a consultant from the City's Planning Department, gave a presentation to the Commission, and the project's applicant and architects were present to answer the Commission's questions. There was a consensus among the commission that the project will pose a significant improvement to the existing landscape and urban forest.

ACTION: Motion and Second (Slomiak/Bedwell) to support the applicant's request to remove the twenty two heritage trees and retain the coast live Oak on the basis that the proposed ratio of trees planned for installation be maintained, passes (5-0-2), (Absent: Marshall, Smolke).

- B4.** Discuss and Consider a Recommendation to City Council to Implement a Property Assessed Clean Energy (PACE) Financing Program in Menlo Park. (Attachment)

Rebecca Fotu, Environmental Program Manager, gave a presentation to the Commission and John Law, Director for Municipal Development for HERO (at Renovate America), was present to answer the commission's questions.

ACTION: Motion and Second (DeCardy/Slomiak) to recommend that staff proceed with exploring the JPA option on the basis that the program be supported with realistic expectations, that it have an effective marketing and implementation plan in place, and that its performance be evaluated over a three year period. The Commission also acknowledges that by implementing the PACE program, current Climate Action Plan initiatives will be delayed. In addition, the Commission designates Commissioner Kuntz-Duriseti, with Commissioner Bedwell as her alternate, to speak on behalf of the EQC when the item is brought before the City Council passes (5-0-2), (Absent: Marshall, Smolke).

- B5.** Discuss March Meeting Schedule

There was consensus among the commission to proceed with the March meeting as scheduled.

- B6.** Receive Update on Arbor Day Event

Commissioner Bedwell updated the commission on the status of the Arbor Day tree planting event and stated that it will take place on Thursday, April 3rd at the Bell Haven Community Center.

- B7.** Receive Update on Environmental Quality Awards

Commissioner Martin updated the commission on the applications received and discussed potential areas of improvement with the awards planning and application submittal process.

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 9:28 p.m.

Meeting minutes prepared by Vanessa Marcadejas, Environmental Programs Specialist.

Minutes accepted at the meeting of March 26, 2014.