



ENVIRONMENTAL QUALITY COMMISSION

MINUTES

December 1, 2004

Burgess Recreation Center
700 Alma Street, Menlo Park

CALL TO ORDER: The meeting was called to order by Chairperson Mary Kenney at 5:50 p.m.

Commissioners Present: Mary Kenney, Frank Carney, Dan Kocher, Doug Scott, Rick Stevens, Bob Sweezey

Commissioners Absent: Kevin McCarthy

Staff present: Dianne Dryer, Environmental Programs Coordinator
Juan Alvarez, City Arborist

Public present: Liesal Altman, Maya Altman, Brian Rulifson, Alison Roxby, Ian Halpern, Deirdre Amero, Amy Adams, Dalbir Negi, and three others who did not give their names.

A. PUBLIC COMMENTS: none

B. SPECIAL SESSION: Commission Priority Setting for 2005

The Commission began discussion of priority activities for 2005, brainstorming a list of interests and ideas for efficient use of time and resources. The list will be refined and finalized at the January 5, 2005 meeting.

C. BUSINESS ITEMS

1. Approval of Minutes of November 3, 2004: Motion for approval (DS/DK).
Approved unanimously.

2. Appeal of Approval of Heritage Tree removal permit at 1143 Pine Street:

Dianne Dryer summarized the reasons for the City's approval of a permit to remove a heritage palm tree at back of the property. The base of the tree is against the garage and beginning to push on a fence on the other side. The permit was appealed by neighbors living behind the property who want the tree to be saved. The owner and her daughter, Liesal and Maya Altman, stated that the tree is very large for the location and they want to avoid damage to the structures. Their arborist's report indicated that the large rootball is outgrowing the space. They also spoke about difficulties in maintaining the tree. The appellants, Alison Roxby and Brian Rulifson, stated that they enjoy the beauty of the tree from their residence. They noted that the tree has not been properly maintained and that a lot of debris had accumulated at the base of the tree, including trash and palm fronds. Mr. Rulifson summarized his research on Canary Island Date Palms and stated that

he doesn't think any damage to the structures will occur if the tree is properly maintained. Three members of the public spoke in favor of saving the tree (Ian Halpern, Dierdre Amero, and Amy Adams). The City Arborist stated that the large rootball has resulted from years of debris buildup at the base of the tree, causing the roots to grow above ground. The Commission discussed the problem of poor maintenance and the possibility of trimming the roots conservatively (especially on the garage side) to prolong the life of the tree and prevent damage to the structures. The City Arborist said that trimming too much of the above-ground roots might endanger the life of the tree, but modest root trimming would make it possible to avoid damage to the garage for the foreseeable future. The Altmans said they would agree to try trimming the roots and clearing the debris around the base of the tree. A motion was made (MK/FC) to overturn the approval of the permit at this time and allow the owner to return within two years to apply for another permit for removal without a fee if the tree shows signs of potentially damaging the garage or if the tree's health suffers from the rootball trimming. Motion approved (Scott and Swezey dissenting). The Commission asked the Altmans to keep debris from accumulating around the base of the tree.

3. Change Commission Meeting Time

Some Commissioners stated that they would prefer an earlier start time for meetings so that there would be time for other business than heritage tree appeals. There was concern that members of the public attending an appeal hearing might be inconvenienced by a start time at 6 p.m. or before. It was suggested that the Commission start early with other business and begin appeal hearings at 7:30 p.m. It was decided that the January meeting will start at 5:45 p.m. with a special session to finalize Commission Priorities for 2005, and if an appeal hearing is necessary, that it be scheduled at 7:15 p.m. Final decision about a new permanent meeting start time was postponed until the January meeting.

D. REPORTS AND ANNOUNCEMENTS

Dianne Dryer announced a training workshop for public officials to learn about the Brown Act, conflicts of interest and officials immunities and liabilities, on Oct. 27 in Oakland. Any Commissioner wanting to attend should contact Dianne.