

MINUTES OF THE REGULAR MEETING
LARKSPUR PARKS AND RECREATION COMMISSION
APRIL 20, 2006

COMMISSION: PRESENT: Chairperson Wall, Blauvelt, Matteo,
McNally

COMMISSION: ABSENT: Hauser

STAFF: PRESENT: Recreation Director Wilkinson
Recreation Supervisor Whitley

Chairperson Wall called the meeting to order at 7:31 p.m.

APPROVAL OF CONSENT CALENDAR

Approval of Minutes of March 16, 2006

M/s Blauvelt/McNally, to approve the minutes of March 16, 2006
Ayes: All Absent: Hauser

OPEN TIME

There were no comments.

BUSINESS ITEMS

1. Request to Remove One (1) Heritage Tree at 8 Heather Way

Recreation Director Wilkinson presented the staff report. He stated staff received two letters of protest, and two letters of support. He cited the findings that the Commission must make according to the Heritage Tree Ordinance.

Chairperson Wall opened the Public Hearing.

Mr. Frank Piscitelli, 122 Granada Drive, Corte Madera, referred to the staff report and cited finding 2 (b): "Removal of the tree is necessary to promote and preserve reasonable economic enjoyment of the property". He stated the tree is planted in the middle of the back yard thus dividing the area into quadrants. It diminishes their enjoyment of the yard and some types of activities, such as a volleyball game, are problematic. The amount of sunlight is also diminished and the area underneath the tree is dirt and weeds. There are roots that are above the soil and they are concerned that this poses a hazard to the tenants, especially their 15-month old son. A former tenant had complained about the sap falling of her children as they played in the yard. He was concerned that he could be liable for

damage to the tenant's property (patio furniture, etc.) due to the sap. He stated he plans to expand and remodel the house and possibly move into it in the future. Any expansion would have to be in the rear of the property and the tree would be very close to the new construction. This is a huge tree on a 5,500 square foot lot.

Commissioner McNally asked about the height of the tree. Mr. Piscitelli stated it was about 65 to 70 feet high.

Commissioner Matteo asked Mr. Piscitelli if he had asked the arborist if the roots could be trimmed down without affecting the health of the tree. Mr. Piscitelli stated "no".

Mr. Richard Mallot, Heather Way, stated he lives next door to the property. The tree was originally planted as a "Christmas tree" that has grossly overgrown the yard. That corner of the property received a lot of wind and he is concerned that the tree could fall down on his fence and bedroom. He has complained to the property owner about the debris, falling Pine cones, and lack of sunlight in his yard. He urged the Commission to allow them to remove the tree.

Mr. Bill Lang, Liberty Street, stated he is a neighbor. He distributed a photograph of the tree. He stated the tree has pushed over and suppressed a Magnolia tree. The tree is very messy and casts a shadow onto their property. Commissioner Blauvelt asked if the Magnolia tree was located on the subject property. Mr. Lang stated "yes".

Mr. James Holmes, Madrone Road, stated the arborist report is mistaken about the age of the tree and therefore the growth rate. A neighbor informed him that the tree was quite small in 1954 and possibly planted in the late 1940's. Therefore it has taken about 60 years, and not 30 years, to reach its current size. He stated the arborists' testimony should be taken "with a grain of salt". There is a historic connection to the tree and it could be considered a neighborhood sentinel. Removal would be inconsistent with the Commissions' past precedent and Finding 1 (b) could not be made. The concerns expressed about the tree (sap, roots) were typical inconveniences of living in an urban forest

Ms. Laura Hill, Monte Vista Avenue, stated the tree is beautiful and very cool looking. Trees can be an inconvenience but are also a part of what makes the neighborhood very special. Allowing this tree to be removed would set a dangerous precedence.

Chairperson Wall closed the Public Hearing.

Commissioner Blauvelt stated she was not sure why this application came to the Commission but she did respect the homeowners right to make his case. The tree is very healthy and there is clearly enough sunshine in the yard. The roots were minimal compared to others she has seen. Expansion of the home is not something the Parks and Recreation Commission deals with. An application to expand the home would be reviewed by the Planning Commission. She stated she could not make Findings 2 (a) or

(b) and would have a difficult time making Finding 1 (b). She agreed with Mr. Holmes' statement that this was a sentinel tree.

Commissioner McNally agreed with the comments made by Commissioner Blauvelt. He stated he did not want to remove the only beautiful tree in the area and added there were no other trees of that height. This community loves its trees and this tree was healthy and posed no hazards. The Planning Commission is the appropriate body to review applications to remodel homes. He could not approve removal of this tree.

Commissioner Matteo agreed with the comments made by the other Commissioners. He understood that the tree may be an inconvenience but the ordinance does not address this issue. This is a healthy tree and the roots are not impacting the patio slab. He did not see any potential economic impact.

Chair Wall agreed with the comments made by the other Commissioners. The ordinance does not deal with a "landscape mistake". The normal things that trees do, such as dropping leaves and sap, are not covered under the finding related to "economic enjoyment of the property".

M/s, Blauvelt/McNally, to deny the removal of the tree based on the inability to make the findings.

Ayes: All Absent: Hauser

Chair Wall stated there was a 10-day appeal period.

BUSINESS ITEMS

1. Joint Meeting with City Council on May 3, 2006- Discussion of Agenda

Recreation Director Wilkinson presented the staff report.

Commissioner McNally asked how often they meet with the Council. Recreation Director Wilkinson stated the Council tries to meet with all the Boards and Commissions once a year.

It was the consensus of the Commission to discuss the following three items with the Council: 1) Heritage Tree Ordinance, 2) Location of Public Works Office and Corporation Yard, 3) Proposed Lighting at the Hall Middle School Field.

RECREATION DIRECTOR'S ORAL REPORT

Chair Wall asked when the small flag in Piper Park would be replaced with a larger flag. Recreation Supervisor Whitley stated the small flag is a "foul weather flag" and it would be replaced in May. Recreation Director Wilkinson reported staff registered about 400 children for the Ross Valley Summer School Program. Enrollment for the Steve and

Kate Camp, also being held at Bacich School this year, was apparently going well. Staff attended the Dedication Ceremony for the new 5th Grade wing at Hall Middle School. Staff has been working with the Larkspur School District and the principal of Hall Middle School about offering expanded classes for the 5th graders. Ms. Erin Duggan, Ross Valley Summer School Director, will be meeting with the representatives of the PTA about possible classes. Commissioner Blauvelt asked about the location of the 5th grade wing. Recreation Director Wilkinson stated portables would be placed in the grass area by the circular driveway. The Easter Egg Hunt was held last Saturday in the Hall Middle School Gymnasium due to the rain. Volunteers helped stuff 4,000 plastic eggs with jellybeans. Children had their pictures taken with the Easter Bunny and a juggler provided entertainment. There were about 150 people in attendance. Recreation Director Wilkinson stated the fields would open up next week (weather permitting). The Dog Park Grand Opening Celebration was a huge success. He has received several e-mail's from Boardwalk One residents expressing their satisfaction. Commissioner Matteo asked about the use of the Hall Middle School synthetic field during the rains. Recreation Director Wilkinson stated the field has been completely booked the past couple of months and he has had to turn people away since other fields were not usable. Chair Wall asked about the maintenance of the field. Recreation Director Wilkinson stated the Public Works crew goes out about once a month with a Zamboni-type machine.

COMMISSIONERS' REPORTS

There were no reports.

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Toni DeFrancis, Recording Secretary