

## **TDRB Meeting Minutes**

Wednesday, May 18, 2022 (Zoom Meeting) Call to Order: 7:05 PM

Members present: Doug Wallace (DW) Andrea Montalbano (AM) Logan Link (LL) and Michael Wara (WM). Minutes prepared by Secretary AM (40 Brighton Blvd. Mill Valley)

Also present: Amy Kalish, Homestead Valley resident, applicant for open Board position

### **1) Approval of Meeting minutes April 20, 2022**

- AM Makes motion to approve, with note to County that the numbers included for Moeck Design Review were provided by applicant and differ from the numbers provided by the County. DW Seconds. 3 ayes, 1 abstain (MW) Motion carries.

### **2) Correspondence:**

- **A) Signage** (AM) The sign for Mountain Play and Mount Tam Astronomy at Four Corners does not have a permit (verified by Michelle Levenson). ML said that we need to file a complaint. Doug will file a complaint that it does not meet Tam Plan regulations.
- **B) Vacant Lots** (AM) has confirmed with ML that projects on vacant lots only need to come before the Board when they are built on "Paper Streets".
- **C) Steps, Lanes & Paths** - (AM) Hugh Kuhn of Mill Valley has contacted residents of Almonte to begin the expansion of the SLP's. The Tam Plan calls for the County to investigate the legality and accessibility and development of these pedestrian paths, to be developed as both evacuation and through-access routes. How can we ask for the County's help on this? TBD. MW has info on the legality of SLP's. AM and MW will consult together.
- **D) Tamalpais School** (DW) is asking for an informal review of making temporary classroom buildings permanent. DW will prepare an agenda if we want to see the project informally. June 1 or 15. AM will also take care of agenda while DW is away for the month of June.
- **E) No County-provided Zoom account for hosting public meetings** (AM) All former Board members have been using their personal accounts to host the TDRB meetings throughout the pandemic. AM is concerned that this is not legal, because it is a matter of public record held within a private individual's property. Doug will followup on this with the County but if it is not resolved before he leaves for vacation, he will lend AM his Zoom account to host meetings.

### **3) Public Comment on Items not on the Agenda: None**

**4) Barton Design Review (P3512), Vacant Lot, 56 Mountain Lane, Mill Valley,**  
Assessor's Parcel 045-111-10 Applicant: Adam Barton Project Planner: Erin Yattaw  
*The applicant requests Design Review approval to construct a new single-family dwelling on a vacant lot in Mill Valley. The proposed building would reach a maximum height of 25 feet, 2 inches above surrounding grade and the exterior walls would have the following setbacks: 8 inches from the northwestern front property line; 10 feet, 4 inches from the northeastern side property line; 9 feet from the southwestern side property line; 44 feet from the southeastern rear property line.*  
*Design Review approval is required pursuant to Marin County Code Section*

*22.42.020.D because the project entails constructing a single-family dwelling on a vacant lot that is at least 50 percent smaller in total area than required for new lots under the slope regulations in compliance with Section 22.82.050.*

**Adam Barton (Architect/Applicant) presents**

Notable items: Parking deck in lieu of garage to avoid bad sight lines. Met with fire chief on site - required 18' turnout for fire truck. Existing Septic (previously approved) will be tested and will be repaired if required. He also has a 3D model.

Materials noted: Corten steel siding (to be installed pre-patina), Board Formed Concrete retaining/foundation walls, painted steel balusters, Wood-clad aluminum bronze anodized windows w/ tempered glazing, built up roofing (Ballast with rocks/gravel) No retention basins planned Floor area total is 1400+/- sf Grade is 52% Landscaping: Drought tolerant native meadow.

**Board Questions:**

Why is it so tight to the property line? Response: It's mostly for the view. The fire truck turnout will be touching the entry, and 3' or 4' at the 8" PL location. Building can overhang the septic system, but the foundation must be kept away from the septic system by 5'.

**Public comment (w/ applicant responses):**

Daniel Erman: 40 Mountain Lane (next door neighbor to the south.) Dirk Van waart, Shirley & Steve Berman, Mike Brinkman 78 Mountain Lane, Jeffrey Meadows, Kerry Nagel 90 Mountain lane

Concern 1) Proximity to 10KW high voltage line.

Response: there is an easement on the property, for 10' clear centered on the poles to trim trees. PG&E will need to approve the design during the building permit phase.

Concern 2) Septic system failed in the past, cumulative impacts have not been reviewed, site has slides.

Response: If a new septic systems needs to be installed, it will be, designed to modern standards.

Concern 3) Neighbors were shown one story house in past iteration

Response: The visible portion of building did not change. The second story occurs below, which would otherwise have been crawl space.

Concern 4) Crowding houses at the bottom of Mountain Lane is a danger, The tightest part of the house is opposite the fire hydrant for the whole street.

Response: The building will improve fire truck and automobile access to lower Mountain Lane by expanding the road to fire department's requirements.

Concern 5) The roof of 40 Mountain Lane overhangs the property line.

Response: This is why the building is pulled away from the property line on that side.

Concern 6) Will the expanded road be strong enough to support the weight of a fire truck?

Response: Yes, the engineering has not been performed yet.

Concern 7) The swale along the road is inadequate.

Response: All drainage on the property will be collected in a dissipation pit at the bottom of the property. No new water will be brought to existing street swale.

Concern 8) Neighbors very concerned about construction causing traffic congestion.

Response: Building permit process requires construction management and staging plan.

## **Public Comments Closed:**

### **Board Discussion:**

DW: It's a very challenged site. There are several issues neighbors have concerns about that are outside of our purview (runoff, DPW, soils, septic, PG&E, Fire, etc.) If the neighbors feel that the project approval is incorrect on these issues, it must be appealed to Planning Commission.

AM: Proposed 8" setback is a fire safety burden on the neighbors.

LL: Exceptions, like the setback, makes it feel like it is pushing too far.

MW: Also concerned about such a small setback.

LL: Do we meet the FAR for a substandard lot? Yes (AM) checked it. Can we rule it incomplete? (Yattaw has ruled it complete.)

### **Board Motion:**

LL: Motion to deny project approval. Recommends any revised application should have a 5' min. setback. AM (seconds). 4 ayes, 0 nays. Motion carries.

### **5) Firesafe Landscaping: MW**

MW - studies fire safety and home hardening. Science suggests: landscaping in the 0 - 5' zone is the most crucial element in igniting houses. Embers hit the wall, drop, and ignite what is at the base. Wood fences attached to homes are very vulnerable. Mill Valley fire chief suggested a 48" noncombustible zone around homes but it was highly controversial. There was a bill adopted in 2019 that required CalFire to adopt recommendations for this Zone 0 around homes. Right now, buildings are regulated, landscape is not. Succulents and noncombustible landscaping is best in this region around homes.

AM: The TDRB requires a landscape plan for review, but most people don't provide or have one.

DW: It's hard to ask for something that requires maintenance and is not inspected.

LL: We should insist on landscape plans for our reviews, as Tam Plan requires.

AM: We have insisted on this before but we continue to get projects without landscape plans. We should insist that a plan is provided for at least this 0' - 5' region.

DW: Let's get back to this, and put it on the agenda for future discussions.

### **6) Recruitment of vacant board seat**

AK is still interested. She explains her background.

LL: recommends that we all review her application, then write to Doug with comments

AK: Will fill out application ASAP.

MEETING ADJOURNED 9:15 PM