

Tam Design Review Board

c/o April Post, Chair 314 Marin Drive, Mill Valley

May 7, 2014

Meeting called to order at 7:00 p.m.

Board members present: April Post, John McCormick, Jim Bramell, Patrick LePelch

Board members absent: Alan Jones

Also in attendance: Matt Shelton, Heidi Richardson, Ted Barone, Sven Hemmert, Bret Andrews

Minutes for April 16th were approved as submitted: McCormick/ Bramell Ayes 4-0

Items not on the agenda: No items offered.

Communications and correspondence:

-Post indicated that the Planning Commission's decision on the ATT tower application appeal was voted down 5-2. There was discussion about the neighborhood's plans to appeal to the Fire District, as this would be the most direct means of overturning approvals. The last resort would be to appeal to the Board of Supervisors.

-Post relayed that there were a series of workshops relating to Coastal Commission regulations and procedures for the various coastal regions. The pertinent workshop meeting for the Northbay would be in Inverness on the 15th of May.

-Bramell relayed to other board members and attendees that there were community concerns about the National Park Service's request to tap into local water well supplies. A task force of individuals from 5 various governing entities has been formed to facilitate this and other related issues.

1. Shelton Design Review
364 Ferndale Ave.

Architect Heidi Richardson and homeowner Matt Shelton were present to explain the project. Discussion centered around the parking area and the retaining walls. McCormick suggested that the upper portion of the driveway, at less than 8% grade be of a permeable material to allow percolation into the underlying soil rather than run off down the driveway, as well as the possible use of a channel drain to intercept water as it may flow down the driveway, and perk into a catch basin. Erosion control measures were discussed along with the plantings and the material and color of the concrete walls. It was recommended that a bio-swale be located along the length of the upper wall to catch surface water prior to reaching the upper edge of the wall. LePelch requested

information on the cut and fill and a rough calculation revealed that roughly 200 yards, or 20 truck loads of material would be off hauled. He also suggested that the driveway need not be as long as proposed, assuming 4 cars parked in tandem. Post inquired about the plantings and suggested that a variety of trailing plants be considered to provide interest and a better chance of survival in case of disease or frost sensitivity of one species. It was determined that the plantings planted at the top of the tallest walls would spill over the wall, providing a green feature and minimize the impact of the highest walls at 10.5'.

A motion finding the project as complete. McCormick/ Bramell 3 Ayes with 1 abstention from Bramell, over concerns about encroachment into the right of way.

A motion to approve the project was put forth by McCormick/ LePelch 4-0 in favor

Merit Comments:

- Landscaping is sensitive and appropriate for this application, commend the use of Marin natives
 - Provide a bio-swale at top of uppermost wall
 - Provide trench drain
 - Provide and investigate permeable parking surface
 - This driveway and off street parking will improve the neighborhood
 - Request that a bond be posted to address possible damage and needed repairs to the street as a result of the construction and heavy equipment
 - Reduce if possible the encroachment into the right of way
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2. Thompson Design Review 14-38 and Tree Removal Permit,
766 Bay Road, Mill Valley

Applicant was again not present to explain and present the project revisions and/ or changes.

A neighbor pointed out to the board that the notice of the meeting on arrived in the mail that afternoon and complained, stating that more concerned neighbors would have been in attendance, but they were not given adequate notice of the meeting. Three neighbors were in attendance to review the proposed plans.

The Board reviewed the plans against the previously reviewed plans and determined that many of the concerns and requests for additional information were not provided.

The previous comments were:

- No indication of how to deal with drainage problems at Bay Road.
- No new information/ design proposal
- A landscape plan was submitted but it was incomplete as it did not show the relationship of the planting to the structure nor did it show retaining walls or walk ways and what materials are to be used
- Construction management plan has insufficient detail.

- No new information or proposed site-specific information was submitted
- F.A.R calculations were submitted (29.7%) Questions were raised regarding hatched areas that appeared to be excluded from the calculation.
- Tree removal plan does not indicate how removal will be mitigated.
- No new information was presented as requested
- No explanation offered for encroachment on front setback. Is not a variance required for such an extreme encroachment? The setback was not reduced and it is the board's opinion that a variance application is required.
- Modifications to the lower level were made reducing the square footage and removing a wine cellar and some storage areas.

Post read previous minutes of this application point by point and indicated which items were addressed and which were not. The vast majority of the items were not and moreover the applicant was not present. The Board members expressed their frustration and anger regarding the applicant's disregard to the process and the request for a more appropriate design that is less impactful on the neighbors and the character of the immediate neighborhood.

Board comments:

Comments still applicable from previous reviews:

- Were we to have ruled the project complete we would have been inclined to reject it for the reasons outlined below:
- Project does not meet mandatory findings A, B, D, E, F, & G for design review.
- Proximity to the street presents a massive impact and is inconsistent with neighboring properties.
- Drainage plan inadequate on a steep lot with existing watercourse.
- Calculation of lot size is in question.
- Removal of native trees will exacerbate soil conditions which are already unstable as outlined in soils report. Existing trees and root systems serve to stabilize the soil and absorb much water before it can turn into run off.
- Extreme excavation and off-haul is inappropriate for this site.
- The lot currently serves as valuable habitat and wildlife corridor.

Neighbor Comments:

- The proposed project does not follow the Tam Plan
- It does not follow the neighborhood character
- Does the plan address water coming from above and from below?
- Neighbor across the street very concerned about water flow from the site to the street and what impact it will have on his property

- Neighbor asked whether the project can still be approved at the County Planning level, even though found incomplete at the DR level. Post indicated that it could theoretically still be approved despite the Tam Design Review Board's objections.
- The Board encouraged the neighbors to contact the county planner Lorene Jackson with current or new concerns regarding the application, in writing, so that their concerns would follow the project through all of its stages.

Completeness vote 4-0 against

Incomplete vote 4-0 in favor of finding incomplete