THE TOWN OF WOODSIDE
ARCHITECTURAL AND SITE REVIEW BOARD

Minutes
April 20, 2020

CALL TO ORDER
The meeting of the Woodside Architectural and Site Review Board was called to order on April 20, 2020, at 4:30 P.M. in Independence Hall.

ROLL CALL

Members Present: Chair Larson, Vice Chair Carvell, Members Green, McSherry, and Rosenblum

Members Absent: None

Staff Present: Jackie Young, Planning Director
Sage Schaan, Principal Planner
Joseph Balatbat, Assistant Planner
Sarah Filipe, Associate Planner
Sarah Harper, Planning Technician

Nomination of Chair

Member Green nominated Chair Larson to continue as Chair.

Member Rosenblum nominated Vice Chair Carvell as Chair. The motion failed.

Motion: Member Green /Second: Member McSherry
Yes: Vice Chair Carvell, Member Green, McSherry, and Rosenblum
No: None
Abstain: Chair Larson
Absent: None

Nomination of Vice Chair

Chair Larson nominated Vice Chair Carvell to continue as Vice Chair.
No alternative nominations

Motion: Chair Larson/ Second: Member Rosenblum
Yes: Chair Larson, Members Green, McSherry, and Rosenblum
No: None
Abstain: Vice Chair Carvell
Absent: None
CALL FOR CHANGES TO THE AGENDA

Director Young noted that there was a Desk Item for 20 Echo Lane. She stated that it was a letter from a neighbor.

PUBLIC COMMUNICATIONS

None.

CONSENT AGENDA ITEMS:

1. Minutes of February 24, 2020

2. Minutes of March 2, 2020

The ASRB approved the Minutes of February 24, 2020 and March 2, 2020.

Motion:     Member McSherry / Second: Vice Chair Carvell
Yes:           Chair Larson, Vice Chair Carvell, Members Green, McSherry, and Rosenblum
No:             None
Abstain:     None
Absent:      None

The motion moves.

20 Echo was pulled from the Consent Calendar.

Member Rosenblum was recused from the hearing.

3. Vladimir Alexanyan & Stephan Fitch ASRB2019-0024
   20 Echo Lane Planner: Sarah Filipe, Associate Planner

Continued presentation and consideration of a proposal, requiring Conceptual Design Review, to construct a new two-story single-family main residence with an attached garage, retaining walls, and other site improvements on a vacant lot

This item was continued from the December 2, 2019, ASRB meeting to allow the applicant the opportunity to erect story poles for the benefit of neighbors; to make project revisions to respond to ASRB’s recommendations; and be placed on a future ASRB Consent Agenda, with the intent of proceeding to staff for Formal Design Review.

DISCUSSION:

Associate Planner, Sarah Filipe, stated that there was a letter received from the residence of 10 Echo Lane. She stated that, before the story poles had gone up, the neighbors were fine with the building. Planner Filipe stated that after the story poles were erected, the neighbors had issues with the building as they see the proposed height of the structure. Planner Filipe stated that the neighbors have raised some concerns regarding the interference of their views from the height of the proposed project.
Director Young stated that the applicant has revised the building to reduce the height by 2 feet.

Planner Filipe stated that the applicants have been responsive to prior concerns from the ASRB from the December 2nd ASRB meeting. Planner Filipe stated that the applicants have been in communication with the neighbors in order to mitigate some of the impacts that are concerns for the neighbors.

Vice Chair Carvell asked that on the site there were stakes in the ground, but the story poles were not up. Vice Chair Carvell asked if that was intended or will story poles just be erected for the Planning Commission for Variances.

Planner Filipe stated that the project site had story poles erected previously, around the end of December. She stated that there were up for about 6 to eight weeks and then they had them taken down. She stated that staff did not require the applicants to erect the story pole in advance for this meeting because of the construction moratorium due to Covid 19. The story poles had gone up previously, and there are photos of the story poles included with the plans. She stated that the applicants have not erected story poles in advanced for this meeting.

Member McSherry stated that it appears that the applicant had lowered the height by 2 feet. Member McSherry asked if that was in response with the discussion from the neighbors.

Planner Filipe stated yes. She stated that the applicant is present and may be able to speak on those changes.

Stephan Fitch, the project applicant, stated that he had met with the neighbors. Mr. Fitch stated that the neighbors were initially supportive of the project. He stated that the neighboring home is single-story and sits on the hill above. He stated that the neighbors do not have the benefit of a two-level home, where their view would not be obstructed. A portion of the neighbor’s patio is what would be impacted by the applicant’s roof. He stated that the majority of the neighbor’s property would not have the view obscured, such as the middle of the living room leading all the way to their garage. The view is, overall, not clear as there are many trees surrounding the area; but there is a sliver of a view that was initially obstructed by the proposed roof. They have lowered the roof of the house. Mr. Fitch stated that he has not had any further comments regarding accommodations.

Catherine McAuliffe, 10 Echo Lane, stated that she had submitted the letter regarding the project. Ms. McAuliffe stated that she appreciated meeting with the applicant to discuss ways of mitigating the issues. She stated that the 2-foot reductions do not make a substantial difference as referenced in the two photos submitted along with her letter shows. Ms. McAuliffe stated that it is visible that the view is blocked by the roofline and is very obtrusive from her deck. She stated that the view is blocked even in her dining room. Ms. McAuliffe stated that she appreciates what both the architect and the developer have done so far. She noted that some of the discussion included: an adjustment of the peak of the roof, bringing down the ridgeline, and adjusting the roof so that the corner that is off to the right-hand side could come down a little bit more.

Planner Filipe presented the photos submitted by Ms. McAuliffe in respect to the changes in the view.

Director Young stated that, with the restrictions to construction due to Covid 19, the applicant was not able to erect new story poles showing the reduction of two feet with the roofline.

Eric Staten, project architect, stated that he would like to present the revisions that were made to the project. Mr. Staten stated that they have pushed the house as far back north as possible and they are asking for a Variance to push the house even further north so that they can leave the view unobstructed from the neighbors’ living room window. Mr. Staten presented the plans. They would be blocking certain views of the bay from the neighbors’ deck. Mr. Staten presented his photograph showing the vantage point of standing in front of the neighbors’
living room window showing where the proposed roofline would be visible. He stated that the gable end of the master bedroom is just clipping off a little bit of the view below the neighbors’ deck. He stated that further down by the edge of the property is a substantial amount of landscaping that will grow out. He stated that there are willing to work with the neighbor in addressing the concern of blocking the view.

Director Young asked Mr. Staten to show the location of the newly planted landscaping. Director Young asked if the new landscaping is planted at 10 Echo or 20 Echo Lane.

Mr. Staten stated that he is not really sure, but perhaps the neighbor can speak to that issue. He stated that it is possible that it is located at the edge of the slope. He stated that it could be planted at the applicant’s property but is not sure. He noted that he nor Mr. Fitch planted that landscape.

Ms. McAuliffe stated that the vegetation is a laurel hedge. She stated that the idea is that it would block the applicant’s house and provide more coverage for them.

Mr. Staten presented the location of the laurel hedge in photographs. He stated that the trees would grow and block the view that is being discussed.

Ms. McAuliffe stated that the laurel hedges have already been removed.

Mr. Staten presented a representation of the view with the laurel hedges removed from the different vantage points from the neighbors’ home. He stated that they are trying to keep the view in the center of the neighbor’s home clear. In term of addressing the other issues, such as lowering the gable and lowering the floor, they have an additional geotechnical investigation pending. He stated that they are in the process of updating those reports. Mr. Staten stated that they are assuming that the site is covered with a layer of organic decaying matter that has been falling from the trees which will need to be removed. In addition, there is going to have to be compaction and recompacting of the soil for the footings. Mr. Staten stated that, according to the current soils report, it is estimated that the duff is 6 inches deep. He stated that that should lower the grade by at least 18 inches. He stated that he sliced another 6 inches from the first floor because when they originally discussed the changes with the neighbors there were discussions on possibly lowering the spring point eave of the second floor down so that there would be a sort of dormer situation at the end of the room. Mr. Staten stated that part of the problem with that is making the floor plan work. That does not work. He stated that he did not lower the roof height. Mr. Staten stated that is the reason for keeping the eave and the pitch of the roof as it is. Keeping the interior wall volume is highly important for them. Mr. Staten stated that those are his responses regarding the current project.

Vice Chair Carvell asked if there was any consideration in pivoting the house. Vice Chair Carvell stated that there was one point where a property was pivoting the other way because of the easement.

Mr. Staten stated that the original question was: could they move the house further south. Mr. Staten presented the plans as a visual. Mr. Staten stated that they could do that by pivoting or rotating the house. He stated that they did do that for the project and what happened was the house got too close to the trees. He stated that if he was to pivot the house the other way while pivoting the wing of the building down, it would actually rotate the taller part of the structure down, further impacting the neighbors’ view. He stated that the only way that he could address their concerns about the house being visible to the neighbor is to either remove a story of the home or change to a flat roof.

Vice Chair Carvell asked Director Young if there was any feedback from Planning as far as the Variance is concerned. Vice Chair Carvell asked if there was also any feedback from the Planning Commission as far as a
Variance that they were asking for as some of the building would be in the setback towards the Echo Lane.

Director Young stated that, before a project goes to a higher body for consideration, it goes before the ASRB. Director Young stated that the design issues need to be worked out before the project can go before the Planning Commission.

Member Green stated that he had a question regarding the slope of the roof. Member Green stated that it seems from the photographs that the neighbor submitted and the photographs that Mr. Staten displayed that if the top level had a flat roof this would all be solved. Member Green stated that he realizes that the slope of the roof is part of the concept of the house because it is supposed to be the same on the lower part as well as the upper part and the fact that the lower part meets the spring point of the upper part is one of the ideas. He asked if changing the slope of the upper level’s roof been considered. Member Green stated that Mr. Staten had addressed the issue quickly in his comments. Member Green stated that he would like to dig into that topic more.

Mr. Staten stated that they did not consider a flat roof for the home because the design of the house was based on the idea of the pitch. Mr. Staten stated that the reason why there is a pitch is that it is in a heavily forested environment and flat roofs tend to collect a lot of debris. He stated that it would give the home a completely different design if there were to change to a flat roof. He stated that he would do both wings of the structures as flat roofs and turn them into decks and green roofs. He stated that he would not be sure of the outcome of the building as it would create a completely different design. He stated that was never the concept. Mr. Staten stated that the pitch informs the interior volume’s shape and integrity.

Mr. Fitch stated that, the issue that they have had in the past is that in building in that area, there are many trees. Mr. Fitch stated that, with those trees there, a flat roof would get pummeled with debris from the trees. He stated that they would have to constantly be on the roof. Mr. Fitch stated that he is discouraged to go on the top of the roof. He noted that there are other residents who have flat roofs around the area where they live. He stated that it was suggested by other residents not to have a flat roof. He stated that having a flat roof was not agreeable to many residents in the area due to issues with maintenance and cleaning. Mr. Fitch stated that they made a decision based on neighbor suggestions to avoid a flat roof. He stated that the neighbor, Ms. McAuliffe, had indicated to him previously that they have the intention of selling their home within the year. Mr. Fitch stated that he does not know if that is something that has changed now. Mr. Fitch stated that, as a developer, he knows that if someone were to buy the neighbors’ home the new owner would most likely want to build a two-story home. Mr. Fitch stated that the fact that the current house does not have the benefit of a second story really doesn’t impact anybody, whether it is him or anybody else. He needs to be able to build beneath them because that is the only view and it is really hard to build anything on this one-acre lot with the redwoods and the swale. Mr. Fitch stated that there are not a lot of options. He stated that Mr. Staten has done a great job in trying to figure out how to stay within the guidelines, come up with something that is original, and also maximize the use of the space which is why the house is built in that way: to accommodate the gate and the parking on the lot, while having some sort of a front yard and staying clear of the redwoods. He stated that the more they could shift the house to the north the more that would certainly help.

Mr. Staten stated that, in order to stay clear of the neighbors’ view completely, he would have to completely redesign the house. He would have to probably make the roof flat on the second floor. He noted that would not look agreeable on the proposed home. To have a flat roof on the second floor and have the other intersecting volume would look horrible.

Mr. Fitch stated that it would be a different house.

Mr. Staten stated that would be a different house.
Mr. Fitch stated that the design cannot be modified as it is. He stated that they would have to start over with something else. Mr. Fitch stated that if he was to place the house following the setback on the front property line and made a bar for the house and if it was anything more than two stories in that location then it would block the view of the deck. He stated that if he was to put a block in the middle of the side and two stories and put a roof on it, it would still block their view. Mr. Staten stated that he thought that given everything they did, they tried to have the least impact. He stated that he understands the neighbors’ concerns. Mr. Fitch stated that they did get the height down by 2 feet.

Mr. Staten stated that is his response.

Vice Chair Carvell stated that the story pole pictures taken by both Mr. Staten and the neighbors are from three different locations. Vice Chair Carvell asked if the photos were in the plans that were projected.

Mr. Staten stated yes.

Vice Chair Carvell asked: which of the three photos represent the story poles?

Mr. Staten stated that on his plans, the photos are numbered. He stated that the photo numbered 1.

Vice Chair Carvell stated that there were a couple that were closer to the street.

Mr. Staten stated that is correct. He presented photos to the Board showing the patio and a photo numbered as 4 showing the middle of the property. Photo number 5 shows the area further down the applicant’s property.

Vice Chair Carvell asked if the siting of the building have a couple of alternatives.

Mr. Staten asked if Vice Chair Carvell is referencing the presented plan.

Vice Chair Carvell stated yes. Vice Chair Carvell stated that it is in reference to the picture shown earlier with the story poles.

Mr. Staten stated that the story poles are for the site and the building as they had sited it. He stated that the photo does not reflect the new height reduction. He stated that there is about a reduction of two feet.

Vice Chair Carvell asked if that reflects the one that is closest to the street instead of the two green versions.

Mr. Staten stated yes. He pointed out on the plan that the grey areas are where they are proposing it. The blue is where one of the Board members had asked them to split the difference between conforming setbacks and what the applicant is asking for. He stated that the blue highlights are halfway between the required setback and the applicant’s Variance request.

Vice Chair Carvell asked if the two alternatives would make the situation worse.

Mr. Staten stated that they would make the situation worse. It would block the view from the living room for the neighbors.

Vice Chair Carvell thanked Mr. Staten for the clarification.

Member McSherry stated that he had a question for Director Young. Member McSherry stated that it seems that
in the past, while people value their views, it is not one of the things that the ASRB can take into account as long as the applicant is following all the Zoning Ordinances as far as height and other factors. Member McSherry asked Director Young if that is correct.

Director Young stated that is a topic that was discussed during the last meeting. Director Young stated that the Town of Woodside does not have a View Protection Ordinance. She stated that it is rare. She stated that after the fires in the Berkeley Hills and before reconstruction, there was a requirement for houses to be stepped down on the hill to protect views. Director Young stated that there is also one particular street, Beach Street in Santa Cruz County, where there is view protection, i.e., no two-story homes allowed. There are no such Ordinances in the Town of Woodside. She did note, however, that the Residential Design Guidelines encourage residents to be sensitive to neighbors. There are some view easements recorded in Town. One example is on Moore Road, where the original owner subdivided his land, and recorded view easements. He retained ownership of the remaining parcel, and also control over what was built next door. Director noted that there are no legal rights to the view. Director Young stated that she would encourage Mr. Staten to go over the site plan again, and to specifically discuss the topography of the site, and why the building envelope is located where it is. Director Young noted that there are people attending the Zoom meeting who did not have the opportunity to hear the project when it was presented at the prior hearing.

Mr. Staten stated that he will present the plans again. Mr. stated that the site is constrained as noted by Director Young. Mr. Staten stowed the location of Echo Lane and a ravine in the middle of the property. He noted that there is a large planting of redwoods on the property. Mr. Staten stated that the site was previously graded many years ago into a flat building pad, which is where they are proposing the residence. There is an existing driveway which will be coming down from Echo Lane. There are no other access points to the site that does not cross 35 percent slopes, therefore that is the only point of access that they can use. Mr. Staten stated that the area is already graded and that they are just picking up on existing conditions. He stated that they are basically following the existing grading and topography of the site. He stated that the line of the grading is visible, but the natural grading is flowing downhill, so it was a bit shallower in certain areas leading down into the ravine. Mr. Staten stated that this previously graded spot is the site for the building. He stated that he believes that the edges or cuts of the slope are man-made 35 percent slopes. They are taking advantage of that and tucking them into the house up, and into the cut slope they are going to dig out a little bit lower and tuck in the side a little bit to give a little installation. They are also going to use that area as a catchment for rainwater treatment. He stated that they will be working with a Civil Engineer and an Architect on some alternatives. Mr. Staten showed on the plans that they need to get the access into the garage plus two additional parking spaces. There is space for pulling in and backing up out of the driveway. The curving of the building was designed after seeing a banana slug on the site; another inspiration was Frank Lloyd Wright’s semicircle houses where he uses the curve to achieve optimal light utilization throughout the day. He stated that the sun comes up in the east. He reviewed solar access during different seasons. The house is oriented to receive optimal solar access. The second thing they would like to do is capture views of the forest throughout the house. Looking at the floor plan, there is a window there that will provide a view into a grove down in the valley, and there is a window in the master bedroom that will face the sun. He stated that they are adding some shading mechanisms for the windows that will wrap up into the roof to control solar glare. He stated that they will continue to refine those designs.

Director Young stated that she primarily wanted to review the topography. She stated that the site plan was very illustrative. She referenced the Residential Design Guidelines under Site Planning, Item 5: Neighborhood and Community compatibility, and Item C which is to consider neighboring home’s privacy, scenic vistas, and solar access. Windows, decks, and balconies should not look into private areas of adjacent properties. The scenic views and the solar access of adjacent homes should not be negatively impacted by a proposed structure’s location and height, or roof pitch. She stated that it relates back to the General Plan Policy LU 1.2. Director Young stated that these are recommendations and they are not codified regulations. They are recommendations
for reviewing designs. She stated that, as Mr. Staten mentioned, the ASRB may wish to have this project revised to be less impactful to the neighbor. This would require a revision to the design. She stated that Mr. Staten had reviewed the design intent at the last meeting, i.e., the inspiration for the design being from agrarian structures that have a steeply pitched roof with folded windows that go from roof to wall. Director Young noted that, as seen from the photos, in order to maintain that portion of that view, a redesign of the project would be required.

Vice Chair Carvell stated that the structure in one of the plans stated that the proposed residence is 28 feet high. The second floor be the greatest in height. What is the maximum height allowed?

Planner Filipe stated that it is 30 feet.

Vice Chair Carvell stated that they are nearly two feet under the limit, and they are looking to lower the floor plate with the grading another foot and a half.

Mr. Staten stated that the plans presented did not reflect the lower grade. The story poles do not reflect this either.

Member Green asked: if you moved the second story portion to the other bar, would that pull it under? He stated that it would be further south and closer to them.

Mr. Staten stated that, right now, the two story is located there as presented on the plans, and the one story is at the other location. He stated that if he flips those locations, it would cause more view blockages.

Member Green stated that he wonders if that would be that much closer to move it under the angle and under the view. Member Green stated that right now, it is blocking the view.

Mr. Staten stated that he has an exhibit displaying that as there was a question regarding the windows. Mr. Staten presented a visual showing the change in the view of the roofline from the neighbors’ property and topography. He stated that if he was to push the home in more it would most likely not work. He stated that, in reference to the staking photos, if he were to push the bedroom in and the living room, it would cause the structure to pull towards you, thus making it worse. The main concern is the deck which is actually sort of in the front setback. If he was to pull that down, he will block the living room and the deck. He stated that the best thing to do would be to take the pitch off the roof.

Mr. Fitch stated that he had suggested to Ms. McAuliffe that they could raise their deck as well. He stated that between this and lowering the height by two feet, it is a good solution.

Mr. Staten stated that he thinks they have done a pretty good job in positioning. What it basically comes down to is that they have done their best to keep the primary portion of their property unobstructed.

Ms. McAuliffe stated that she has had a flat roof for years. She stated that it has been fine for more than 60 years. She stated that she is not saying that the new design of the home would not support that. Flat roofs are not disagreeable. She stated that, if you look at the lower photograph on the right-hand side, what you are looking at in the distance are just redwood sprouts that are from the redwood trees on the right-hand side of the property. The laurel hedge is the greener foliage that is closer to you. She stated that all of the sprouts get cut down every year. The redwood sprouts get cut every year. The laurel hedge was planted because, as soon as a house was on that adjacent property, they knew that they would be able to see the home. She stated that they accepted that. They intended to block the property view with the laurel hedge. She stated that they were surprised when the story poles went up how obstructive the roof would be. She stated that, as seen from the photos from the left and
the photos she included in her comments, it is obstructive. She stated that her home is small: 1,800 square feet. She stated that they do a lot of their entertaining outside on their deck. She stated that what was not clear when discussing the view from the living room versus the deck is that the deck is basically off of their dining room which has French doors and then the view also gets blocked from the half of the living room which is closed. She stated that it would block the view of the living room, dining room, and deck. She stated that, since most of their entertaining is held outdoors, it would impact their way of living. In regard to Mr. Fitch’s comments regarding them selling their home, she stated that was a possibility as they are both retired and are looking to sell their home. She is also concerned on how the lack of the view will impact the sale of the home. She stated that her home is enclosed with redwood trees on three sides, and only has one side with an open view. She stated that she is appreciative of all the work Mr. Staten and Mr. Fitch have done in lowering the roof a little bit. Ms. McAuliffe stated that if you observe how that roof is in the front of their home blocking the living room, deck, and dining room, it is really impactful.

Chair Larson stated that there has been a lot of work on this project. Chair Larson closed the public discussion and opened for Board Discussion.

MEMBER DISCUSSION

Member McSherry stated that he understands the neighbors’ concerns. He stated that the applicants have tried to accommodate, to some degree, but not enough to satisfy the neighbors. The lot is very constrained and this issue that was discussed at the last meeting. It was agreed that they did as good of a job as they can. In siting the project, it was recommended that they consider various siting locations. It appears as if there is not much that can be done to alter the location of the building besides lowering the height by 2 feet. Member McSherry stated that he is not sure how that would work architecturally. He stated that there is a view issue, and as stated by Director Young, there is no View Protection Ordinance to protect the view, but there could be recommendations on being considerate in the Design Guidelines. It is a rock and a hard place situation.

Vice Chair Carvell stated that, in the last meeting, it was requested that the applicant look at siting, rotating, and splitting the difference of the offset. Given the comments from the neighbors, keeping with the original plan and going further into the setback is beneficial. Vice Chair Carvell stated that he understands that the project will move forward to the Planning Commission if they move forward. He stated that he would be supportive if the building were to be pushed more into the setback. He stated that other houses are within the setback, as shown in other documents that have been provided to the ASRB. He stated that he would recommend this to the Planning Commission to keep as far out of the view corridor as possible. Lowering the grading was discussed and is supported, as well as lowering the ground level. Regarding the form of the building, he stated that he is not sure if something can be done with the pitch of the building, but that is the design of the building. Vice Chair Carvell stated that they have tried to accommodate the neighbors by allowing at least half of the property in the view corridor with the neighbor in more of the east or at least away from Echo Road corridor so that it would allow some view corridor as opposed to just blocking the whole view corridor.

Member Green stated that it is a difficult situation. It is the neighbor’s view against an architectural idea. He stated that arbitrarily flattening the roof would make it a different house, but at the same time solve the problem. Member Green stated that it seems beyond their remit but is possible yet severe to actually do that. Member Green stated that it is a difficult situation to place all the burden on 20 Echo Lane to redesign, or the burden on the neighbor to deal with half a view. They are both unfortunate outcomes.

Chair Larson asked if it was possible to have the neighbor and the architect go back and look at all the possible solutions to see if there can be a compromise.
Member McSherry stated that he is supportive. If the architect and neighbor are willing to reach an amicable resolution, that would be ideal outcome. It seems like both sides would like to work together. He stated that it would not be productive if the applicant would have to file for new permits and fees and applications to do this project. If the neighbor and architect can try to resolve the issue, that would be the ideal solution worth pursuing.

Vice Chair Carvell stated that would be ideal. He stated that the architect and neighbor have spoken to each other regarding the project previously. Vice Chair Carvell stated that he would not like to have a situation where it seems as if they are kicking the can down the road. He stated that it is further into the building horizon in the permitting process. Just by the time the applicant gets back onto the agenda, it will be another two-week notice, giving a couple weeks to talk. Vice Chair Carvell stated that it would push the project out by a month to discuss it again. Vice Chair Carvell stated that, if there is a middle ground that can be reached, that would be ideal. He has the concern of reaching the same position a month from now with nothing changed materially.

Member Green stated that he shares the same concerns as Vice Chair Carvell. He stated that he is concerned if there are any significant changes to the design architecturally. He stated that the applicant had tried to accommodate the concerns of the neighbor as much as possible with the design strategy that they choose. Member Green stated that the visual concerns would require some major changes that would be significant to the design of the project. Member Green stated that the major changes are something that the applicant and architect have not been open to change. He stated that he is open to have the applicant and neighbor come to a compromise. He stated that changes that would be drastic is something that the applicant has shied away from to date.

Director Young asked if the applicant, Mr. Fitch, can comment on the suggestion of the Board that he work with the neighbor. Director Young stated that her concern is that if the project is approved as is, and it goes into an appeal situation, it could become a lengthier process for the applicant.

Mr. Fitch stated that they have been talking about the project for a while with both the architect and the neighbors, Catherine and Thomas. Mr. Fitch stated that from one of the neighbors, Thomas, he is under the impression that it would take something drastic in order to give them everything that they wanted. He stated that a flat roof would create a huge problem. He stated that the neighbor kept stating that the house is just too big. He stated that it is not about a flat roof, but about creating a single-story home instead of a two-story home. Mr. Fitch stated that there is no way that they could build a one-story home. Mr. Fitch stated that there is not much that they can do in terms of the design.

Chair Larson stated that it appears that Mr. Fitch has taken the project as far as he can in terms of the revisions.

Mr. Fitch stated that is correct. He stated that a whole redesign is drastic, and they have looked all the different ways they could revise the project. He stated that they offered to raise the neighbors’ deck or lower the proposed home. The neighbors stated that they did not want to raise their deck. He stated that the only solution was lowering the proposed home, lowering the pitch of the roof, and sliding it on the side. He stated that they have spent time with various engineers to try to mitigate the effects their property has on the neighbors.

Chair Larson closed again for Board Discussion.

Director Young stated that the ASRB has noted that the property is very constrained lot. Some movement was made to be responsive to the neighbors, especially the lowering of the building by two feet. while there are suggestions from the Residential Design Guidelines, there is not an Ordinance for view protection. The ASRB asked that the applicant look at re-siting of the structure be a solution. She stated that pivoting the proposed residence would actually impact the view even more negatively. The ASRB supported the moving of the
structure further into the front setback which requires a Variance and would result in less view impact to the neighbor. She stated that, the ASRB noted that the site had a foot to a foot and a half of duff that would lower the floor level. Director Young stated that she would need to hear from the ASRB collectively whether or not it is recommended to move forward to the Planning Commission as currently proposed, or if there is a request for a different design.

**ACTION**

The ASRB noted the following:

I. Site Planning:
   a. The lot is very constrained;
   b. The applicant explored siting alternatives. With the current design, however, relocating the proposed residence within the constrained building envelope increases impacts on the neighbor’s (10 Echo Lane) view of the Bay; and,
   c. Moving the proposed residence into the required front yard setback, which then necessitates a Variance, is supportable as it decreases the impacts on the neighbor’s (10 Echo Lane) view of the Bay.

II. Building Design:
   a. The applicant lowered the building height by two feet. Furthermore, clearing the existing duff on site may lower the building height another 12-18”; and,
   b. While the Residential Design Guidelines and the General Plan encourage consideration of impacts on neighbors’ views, there is no such provision or protection in the Town ordinances.

The ASRB recommended that the application move forward to the Planning Commission.

**Motion:** Member McSherry / Second: Vice Chair Carvell  
**Yes:** Chair Larson, Vice Chair Carvell, Member McSherry  
**No:** None  
**Abstain:** Member Green  
**Absent:** None  
**Recused:** Member Rosenblum  

The motion moves.

Director Young stated to the applicant and to the neighbors that this action of the ASRB is a recommendation by the ASRB and is not a final decision. She stated that when a project requires a Variance and needs to go to the Planning Commission, it is the Planning Commission that will take the final action on the design as well as the Variance. She stated that the applicant and the neighbors will receive a notice of the Planning Commission hearing. Director Young encouraged all parties to reach out to the Project Planner, Sarah Filipe, for any further questions regarding the project.

Chair Larson thanked the applicants and the neighbors for participating in the hearing.

**AGENDA ITEMS:**

4. Julie Moran and Bruce Tognazzini  
   2 Medway Road  
   Planner: Joseph Balatbat, Assistant Planner  

Presentation and consideration of a proposal, requiring Conceptual Design Review, to construct additions to an
existing single-family main residence, two detached carports, and other site improvements.

**DISCUSSION**

Assistant Planner, Joseph Balatbat, presented the staff report.

Chair Larson asked: what is the height of the retaining wall?

Planner Balatbat stated that the maximum height of the retaining wall would be 4 and a half feet. Planner Balatbat stated that the retaining wall would vary in height.

Vice Chair Carvell asked: in the space between the retaining wall carport, would that be extra parking? Vice Chair Carvell stated that it appears that space could be used for extra parking.

Planner Balatbat stated yes.

Vice Chair Carvell stated that there was mention of two parcels. He asked if there is a requirement for the parcels to be merged in order for the project to move forward or if it is just a memo note.

Planner Balatbat stated that it is a requirement. He stated that the reason for the lot merger is that there are a lot of underlying lots on the property, which is common. He stated that, when reviewing properties in Town in the Western Hills, there are a lot of smaller lots that appear on older subdivision maps. Planner Balatbat stated that staff had informed the applicant about a voluntary land merger. He stated that, if the lots were not merged together, setbacks would be an issue.

Member McSherry asked if the highest point is somewhere near the spare parking space. Member McSherry asked: where would the highest point of the retaining wall be?

Planner Balatbat showed the highest point of the proposed retaining wall on the plans. He stated that it would be 54 inches.

Member McSherry asked: how would the applicant accommodate the easement?

Planner Balatbat stated that would be an issue that he would let the applicant work on. He stated that one solution that he can think of is maybe shortening a side of the proposed retaining wall till it ends on an easement line. Another solution is to create a gap in the proposed retaining wall.

Member Rosenblum asked if there is something currently in the easement.

Planner Balatbat stated that it does not look like there is anything in the easement beside the existing shed.

Member Rosenblum stated that he is referring to utilities in the easement.

Planner Balatbat stated possibly. Planner Balatbat stated that he is trying to better understand how those easements were granted by PG&E. Planner Balatbat stated that, if it is reserved for PG&E, then that would be a question the project’s civil engineer could clarify.

Member Rosenblum stated that these lots are older. Member Rosenblum stated that, when the lot lines were created, the easements were created for future development. Member Rosenblum stated that he does not know if
there is a process to remove the easements when the lots are merged.

Wade Hammond, Project Surveyor, stated that the subdivision was created in 1926. Mr. Hammond stated that, in 1928, Woodside Properties No. 2 granted all easements shown on the map and also granted to PG&E. He stated that as a guess, the subdividers wanted to make sure that they could service the lots and not have to rely on the fact that they were original easements. He stated that in 1928 there was a separate grant made to PG&E for all easements and roads as shown on the map. In 1974, the Town had abandoned most of the easements, except for the one that runs in the middle of the lot alongside the pool. Mr. Hammond stated that easement was withheld. He stated that, technically, he does not think PG&E is using any of these easements.

Julie Moran, the property owner, stated that there is a telephone pole down at the end of that easement. She stated that there is a telephone wire that runs across there.

Mr. Hammond stated: that is correct. He stated that there is an overline that veers off. He stated that it skirts the pool. He stated that this is an example of PG&E continuing to use that area.

Bruce Tognazzini stated that they have power and telephone there. Mr. Tognazzini stated that in his recollection of living in the area for 30 years, there has never been anything across the middle easement between the pool and the house. He stated that he did not know until today that it even existed.

Member Rosenblum asked: what is the total area of the two parcels?

Mr. Tognazzini stated that the area is 4.01 acres.

Member Rosenblum asked if the lot is subdividable. He stated that it is now two lots. If the applicant were to merge it, could it be subdivided in the future?

Ms. Moran stated no. She stated that it is one giant lot, and a tiny portion that consists of half of the old road that goes towards the corner of the lot.

Member Rosenblum stated that he is not sure if that would meet today’s development requirement.

Ms. Moran stated no, the subdivided parcels are too small.

Mr. Tognazzini stated that he believes the area is zoned for 7 and a half acres minimum.

Director Young stated that the lot is 4.1 acres and is located in the SCP 7.5 zoning district. Director Young stated that the lot cannot be subdivided.

Member Rosenblum asked if the applicants could maintain it as two lots.

Director Young stated that it depends on where the development is located. She stated that, right now, there are a number of underlying lots so that is a possibility.

Member Rosenblum asked if it would be a Lot Line Adjustment rather than a Lot Merger.

Director Young stated that there are underlying lot lines right now, and there is development that is accessory to the main use. She stated that, at a minimum, the lot size which has an accessory use to the home would have to be merged.
Member Rosenblum asked if this is currently two separate assessor parcels.

Director Young stated that is correct.

Member Rosenblum asked if that means it is two separate lots. He asked: if they were to do a Lot Line Adjustment, could they still have two lots?

Director Young stated that, right now, there are assessor parcels listed on the map. She asked Planner Balatbat if, in reviewing Engineering, have all the other underlying lots been terminated?

Planner Balatbat stated that Engineering does not typically review Conceptual Design Review applications.

Director Young stated that just because there are two parcel numbers doesn’t mean that individual underlining parcels do not exist. She stated that it does not appear that a determination has been made on that yet.

Member Rosenblum stated that the point is that the underlining parcels do not exist as separate parcels. He stated that they may have been merged in the real estate process. He stated that it appears to be an option for the property owner to do a Lot Line Adjustment which basically maintains two lots but reconfigures them to then allow for future development. He stated that he just wants to understand the process.

Mr. Hammond stated that there is only one grant deed for the entire property, and two tax numbers. He stated that if they were to try a Lot Line Adjustment, there would be an intermediate step to create two separate parcels that could be sold separately. Right now, the grant deed does not exist that way. He stated that there would definitely be a step in the Town to get a Certificate of Compliance because, right now, the description just says lots 388 and 396. He stated that it does not delineate where the tax line is. He stated that, at one point, the tax assessor did have separate deeds for the parcels, otherwise they would not have drawn that in.

Member Rosenblum stated that there may have been separate owners at one time.

Director Young stated that just because a lot has a separate assessor’s number does not mean it is a legal lot of record. She stated that she wanted to clarify that. Director Young stated that an assessor’s number is for tax purposes only and has nothing to do with the lot being legal. She stated that it appears that there is not enough information yet regarding this topic. This has yet to be reviewed with the Town Engineer. She stated that, in discussing this with the property owner, if there were any underlying lots, they were going to be merged. If that is a change and the owner wishes to pursue something different, they would have to go back and look through the change of title on the property to determine what they have as existing for the underlying lots.

Member Rosenblum asked: as far as the review by the ASRB, they should they be looking at the project as just as one lot; should they even care about the easements?

Director Young stated that what they are looking at right now is a Conceptual Design to construct the addition of two detached carports and other site improvements. She stated that there are currently easements that impact that. She stated that the applicant can address this by abandoning the easements through the Town Engineer, or with a Lot Line Adjustment. She noted that this is not really within the purview of the ASRB. Director Young stated that the underlying legal issues are something that staff will work out. She stated that she cannot address questions regarding lot legality at this time. She stated that her understanding of the project is that all underlying lots were to be merged. She stated that if this is not the case, there would need to be a change in the project description, but it would not impact the ASRB’s decision.
Member Rosenblum stated that it is clear to him.

Member McSherry asked about the retaining wall. He asked: if they are going to have a gap in the retaining wall, what is the retaining wall retaining then?

Planner Balatbat stated that chances are it is not retaining anything, it is just a landscape wall. Planner Balatbat stated that sometimes those terms are used interchangeably.

Member McSherry stated that it was not clear. He stated that the knows it is downhill from the road. He stated that he wanted to know how much the wall was retaining. He stated that, if the wall was just an architectural wall, then that is fine.

Steven Leslie, Project Architect, stated that the project is simply adding onto the house. Mr. Leslie stated that they are adding portions to the home and not adding any additional height to the home. He stated that the house has three floors but is technically a two-story home because of the slope. He stated that the project is compatible to the house and is far from neighbors. Mr. Leslie stated he can answer any questions that the ASRB may have.

Vice Chair Carvell asked: on the carport, it is a four-corner post with a simple gable roof open on the ends? Vice Chair Carvell asked if there are any thoughts concerning which ends are relative to the gables of the home. He stated that it appears that the gables are perpendicular to the house from the 3D drawing. Vice Chair Carvell asked if there were any thoughts versus the 90 degrees.

Mr. Leslie stated that it could go 90 degrees. He stated that it could certainly work that way and still look agreeable. He stated that he is not sure if the property owner has a preference. He stated that he had continued with the gable. If you are looking on the right-side elevation, you would see the two gables of the kitchen.

Vice Chair Carvell stated that it would depend on what side you would be driving up to. The current angle is less obtrusive versus from the street angle where you would see the gable.

Mr. Leslie stated that not much would be visible from the street. He stated that it is more angled for the convenience of parking versus being parallel to the house.

Vice Chair Carvell stated that, concerning the addition off the living room and the storage area, there is a house that is sort of downhill to the right. He asked if there are any privacy issues with neighbors.

Mr. Leslie stated: not that he knows of. He stated that he can hardly see the neighbors as they are pretty far down. He stated that the project is higher than the neighbor’s home. He stated that there are a lot of trees on the property providing screening.

Vice Chair Carvell asked if Mr. Leslie received any feedback from the neighbors.

Mr. Leslie stated he has not heard from the neighbors, but he asked the property owners if they had heard from any neighbors.

Mr. Tognazzini stated that there was no discussion with neighbors specifically about that. Mr. Tognazzini stated that they do enjoy their Japanese cherry trees around this time. He stated that the neighbors’ view is on the opposite side of his property and down into the valley. He stated that their house is in the other direction of the neighbors’ view.
Ms. Moran stated that all of her neighbors on every side of her home have been absolutely lovely people. She stated that she intends to talk with all of them individually specifically about the design.

Vice Chair Carvell stated that he had asked the questions on views and neighbor interactions so that the applicants could be well prepared going forward.

Member Rosenblum asked if the applicant could give a reason why there are two assessor parcel numbers.

Mr. Leslie stated that on Plan Sheet A-1, there is a site summary under the title. Mr. Leslie stated that it is a little confusing, so he had written a summary. There are two parcels. He identified the parcel from grant B which includes lots 388 and 396, and then parcel 2 which is the other lot which was the abandoned Portola Field Road. He stated that those are the two legal parcels. Mr. Leslie stated that he had listed the two APNs, which are for tax purposes; but had also identified the two APN numbers and broke it down to what lots are by the APN. He stated that is probably the easiest and simplest way of explaining it.

Ms. Moran stated that is the way it is. She stated that one parcel is the vast majority of the property, and the other parcel is mostly half of the abandoned Portola Field Road. She stated that makes up the two parcels. Within the main parcel, there are lots and the lots were lines put in there for the purpose of selling the subdivision lots originally, which was never done. Ms. Moran stated that she had done a title search all the way back to the beginning, and the first owner of all the parcels was PG&E. She stated it was both parcels together. It was sold back in the 1920s to another owner. It was both parcels at the same time. She stated that there have only been a couple of owners. Anyone who had owned the property had owned both parcels at the same time. Ms. Moran stated that the thing about the second parcel is that its tiny. There is no way it can be built on because it would not meet the size requirements of the Town. She stated that it could not be sold or used separately for anything. She is going through the process to combine the lots. She stated that Planner Balatbat had stated that it was going to be necessary and required a fee. She stated that the Town had gone ahead and worked on that issue. Ms. Moran stated that they are original subdivision lots that should now be merged.

Mr. Leslie stated that he had not applied for the merge officially as by the time he had received the check, the doors were already closed because of the coronavirus shut down. He stated that there was no way for him to submit a check. He stated that they were informed that it would be ok because they just need to do it before they pull a permit.

Ms. Moran stated that was ok.

Mr. Leslie stated that he had not cashed the property owner’s check because he has no way to submit it.

Director Young stated that the Town is accepting applications by appointment. Director Young stated that applicants drop their items off into a box by the door. She stated that staff is not touching any papers or plans for at least 72 hours based on the advice from an epidemiologist. She stated that for lot mergers, she suggests that applicants wait until they are through the process and have an approval before they merge anything. Director Young noted that, there have been situations in the past where property owners merged lots and then project approvals were not completed. She stated that needs to be the final step. Director Young stated that Mr. Leslie is welcome to submit the check.

Ms. Moran thanked the ASRB and staff for conducting the hearing.
BOARD DISCUSSION

Member Green stated that, setting aside the tax and real estate complexities, the project itself is very straightforward - aside from the front elevation, where it looks like they are adding some new windows right next to existing ones that would create a weird juxtaposition of sizes, especially on the lower left elevation. Member Green stated that the form of the project is agreeable. He stated that it is just matching the existing house. He stated beside the mix of window sizes, he sees no other issues with the project.

Member Rosenblum stated that they are adding a little bit to the existing house. He stated that it is not changing the character of the home. Member Rosenblum also noted that there are not many people who could even see the house. He stated that it looks great and there is not much grading proposed. Member Rosenblum stated that the lot is oversized so there will not be many issues for the project. He stated that what he wants to bring up is the issue of there being two legal lots being merged, so there will only be one lot. He stated that is something to think about. He stated that if you have two lots these days, you hate to lose them. Member Rosenblum stated that the project looks straight forward to him.

Vice Chair Carvell stated that the project is straight forward. He stated that there are a couple issues that are positive such as having the top level, the third level, come back over the structure which actually ties the house together better than when there was just the popup over the garage. He stated that, over the living room and kitchen area, they are redoing the roof line. The lower new right elevation versus the existing is something he thinks ties in a bit better. If you look at Plan Sheet A-13, the roofline has a steeper pitch, so it ties in a little better. Vice Chair Carvell stated that there have been a couple changes made that pull the house together in a more cohesive manner. Vice Chair Carvell stated that the project is agreeable.

Member McSherry stated that all the previous comments from the other Board Members are in agreement with his opinion of the project. He stated that it is a small addition to the house. Member McSherry stated that the project is agreeable.

Chair Larson stated that he is also in agreement with all the other previous comments made. Chair Larson stated that he has nothing further to add.

ACTION

ASRB noted the following:

I. Community Character:
   a. Other than real estate and tax assessor’s complexities (i.e., the status of the underlying lots), this is a simple project.

II. Site Planning:
   a. The project requires minimal grading and tree removal.

III. Building Design:
   a. The proposed addition is modest and improves the architectural design of the residence.

The ASRB recommended that the applicant complete Formal Design Review with staff, and address the following:

I. Community Character:
   a. Given that story poles cannot be constructed at this time due to the Coronavirus pandemic (i.e., there is a construction moratorium), outreach to all adjacent neighbors and acquire emails supporting the project without story poles. The Project planner will determine the addresses required for this outreach.
II. Building Design:
   a. Increase the consistency of the fenestration pattern on the front elevation.

Finally, the owner may wish to research the legal status of the two Assessor’s parcel numbers assigned to this property before merging the lots.

Motion: Member McSherry / Second: Member Green
Yes: Chair Larson, Vice Chair Carvell, Members Green, McSherry, and Rosenblum
No: None
Abstain: None
Absent: None

The motion moves.

Planner Balatbat noted that story poles have not been installed for the project. He stated that in order for the project to go to Formal Design Review with staff, story poles would need to be erected. Planner Balatbat stated that it is a unique situation currently with the shelter in place order. Planner Balatbat stated that, he is not too sure of how to move forward regarding that concern.

Director Young stated that, currently, story poles are not able to be erected (Covid 19). She noted that the addition is very modest with the two detached carports. She stated that story poles are, however, required. Director Young stated that she is not able to change those requirements. Director Young noted that they could have a review of the plans with the neighbors and request emails if they have any concerns with story poles not going up.

Ms. Moran stated that she agrees with that request.

Chair Larson stated that is a good solution.

Mr. Tognazzini noted that he had planted a redwood tree 30 years ago near his garage. He stated that it grew to 80 feet in height. It was about to destroy the garage, so he had to cut it down two years ago. He stated that he had it milled for siding so that it could be used for the home.

Chair Larson stated that is a great choice.

Director Young stated that is a great solution.

REPORTS

Planning Director, Jackie Young, presented the March Director’s Report.

Vice Chair Carvell stated that based on previous comments of applicants having to drop off application by appointment and having plans untouched for 72 hours, he asked: if Town Hall would be closed for another month or so, would there be any further thoughts on that.

Director Young stated that the Town is looking at many different contingency plans. She stated that the first course of action was to work with the IT department. Director Young stated that all employees have remote access to the Town server. All employees are able to access anything that is on the Town server from their homes. Director Young stated that the other thing they are doing if the shelter in place continues, is looking into digital submittals.
in place of paper submittals. The IT department will be installing new monitors in the offices of employees who do plan checks. She stated that additional contingency plans are being put in place to respond to the shelter in place orders.

Mayor Fluet thanked the applicants and staff for attending the virtual meeting and their efforts during the shelter in place order.

Chair Larson adjourned the meeting at 6:31 P.M.