

MINUTES OF THE REGULAR MEETING  
LARKSPUR PARKS AND RECREATION COMMISSION  
VIA TELECONFERENCE DUE TO COVID-19  
OCTOBER 21, 2021

COMMISSION:       PRESENT: Chair Blauvelt, Harrison, Koeppel, Sunshine

COMMISSION:       ABSENT:   Friedel

STAFF:             PRESENT: Community Services Director Franklin Escobedo  
                          Planning Director Neal Toft  
                          Public Works Analyst Rita Schoch  
                          City Clerk Alison Foulis

1. Roll Call

Chair Blauvelt called the meeting to order at 6:30 p.m.

2. Public Comment

There were no public comments.

3. Approval of the Consent Calendar

3.1 Approval of Minutes of September 16, 2021

M/s Harrison/Koeppel, to approve the September 16, 2021 minutes as submitted.

Ayes: Harrison, Koeppel, Sunshine, Chair Blauvelt

Absent: Friedel

(through a roll call vote)

4. Public Hearing

4.1 Protest Hearing of Heritage Tree Application at 305 Alexander Avenue

Planning Director Toft presented the staff report. The Redwood tree is approximately 200 inches in circumference and is in good health. Central Marin Fire Department Chief Ruben Martin initially expressed support for removing the tree since it is growing into a driveway easement and could eventually block emergency vehicles. A letter of protest was received by staff on August 19<sup>th</sup> by Mr. James Holmes. Staff received three items of late mail including one from Fire Chief Martin noting that, after further review, it would be unlikely that the driveway would be used for emergency access. Planning Director Toft referred to Municipal Code Section 12.16.070(f) which cites the findings that must be made to approve removal of a tree.

Chair Blauvelt opened the Public Hearing.

Ms. Yvonne Bush, spokesperson for property owner Ms. Fantima Scarsella, stated the driveway is for parking and emergency vehicles including ambulances. She is not sure why Chief Martin revised his recommendation. She responded to the protest submitted

by Mr. Holmes. There are two Redwood trees immediately adjacent to the subject property and a grove of five trees to the west. She would like to see the Town Policy that requires replacement of trees that are removed.

Mr. Eric Bush stated it is a beautiful tree but it is impeding the driveway- a large truck could not get by this tree. The root creates a speed bump in the middle of the driveway. The tree will only get bigger and it will have to be removed at some point

Commissioner Koepfel asked if they had any comments about the email from Fire Chief Martin or the neighbor saying that emergency access of the residence is achievable through the main entrance. Ms. Bush stated that is a sixty foot walkway as opposed to twenty feet from the driveway.

Mr. James Holmes, Larkspur, stated this application is a “second bite of the apple”. Several years ago a similar application was rejected by the Commission. There is a new Larkspur policy that is a part of the Larkspur Climate Action Plan (CAP) that relates to trees. The CAP has a chapter titled “Sequestration and Adaptation” which speaks to sequestering carbon dioxide through the planting and preservation of trees. There is no issue as to the health of the tree. This is a landmark sentinel tree that should be preserved. The required findings cannot be made. Its removal would negatively impact the neighborhood. There is no claim of hazard. The tree does not presently block the driveway. There is no issue with respect to emergency vehicle access. There is no reason to remove this tree.

Ms. Martha Heidinger, Palm Avenue, stated her driveway access is from 305 Alexander. The tree is a welcoming beacon as she returns home. It lends character to her property. The fire hydrant at 1 Baltimore Avenue serves all the houses on Palm and Baltimore. There is no reason to have any emergency vehicle come down the subject property’s driveway. She asked the Commission to deny the request to remove the tree.

Commissioner Harrison asked Ms. Heidinger who owns the driveway. Ms. Heidinger stated there is an easement for 2 Palm and 20 Palm Avenue.

Mr. Fred Grange stated he drove his debris box truck down that driveway all the time. There is a root ball at the bottom of the driveway that could be trimmed. He urged the Commission to deny the request.

Ms. Bush stated they have the legal right to use this easement and she asked who would be responsible if it got to the point where it could not be used. The tree is in the way.

Chair Blauvelt closed the Public Hearing.

Planning Director Toft cited the findings that must be made to approve removal of the tree

Commissioner Harrison asked for more information on the recent ordinance pertaining to the replacement of trees. Planning Director Toft stated the CAP is a broad set of goals and policies adopted to address the climate crisis. It reinforces the current Tree Ordinance

in terms of minimizing the removal of trees. The City has not adopted specific guidelines or standards for replacement of trees.

Commissioner Sunshine asked about the anticipated growth (width) of the tree and if they can take this into account. Planning Director Toft stated Redwoods grow quickly (up but not out) and this is a judgement call that should be considered on a case-by-case basis.

Commissioner Koeppel stated these requests are tricky but they have to rely on the Municipal Code. He referred to Code Section 12.16.070 and stated it somewhat limits their authority. Central Marin Fire Chief Martin has stated that emergency services would be provided at the front rather than the rear of the house. There are alternative measures that can be taken such as shaving off some of the root ball. He cannot make the findings

Commissioner Harrison stated these are not easy decisions. She agreed with the comments made by Commissioner Koeppel. The Fire Chief's opinion carries the most weight. This is a large tree that is protected by the Tree Ordinance. She is unable to make all the findings.

Commissioner Sunshine was thinking about the future growth of the tree. If the Commission denies the application the property owners will be back in five or ten years. Should they make the decision now or down the line to remove the tree? She wondered how much leeway they have in terms of the ordinance.

Commissioner Koeppel stated the Commission does not have the authority to play the "what if" game. They have to base their decision on current conditions.

M/s Koeppel/Harrison, to deny the application to remove the Redwood tree at 305 Alexander Avenue.

Ayes: Harrison, Koeppel, Sunshine, Chair Blauvelt

Absent: Friedel

(through a roll call vote)

## 5. Business Items

### 5.1 Park Updates

Public Works Analyst Schoch presented a staff report and a PowerPoint presentation that included the following: 1) Shade Sail for the Piper Park Picnic area is being fabricated; 2) Staff will meet with the architect on Monday to review the fence layout for the Dolliver Park Project; 3) The donor for the Hamilton Park Project has decided to withdraw from the project; 4) The preliminary design concept for Niven Park focuses on the picnic table area across from the Fire Station, the entrance area, the playground, and small upgrades throughout the park.

The Commission thanked Public Works Analyst Schoch for the good work!

6. Director's Oral Report

Community Services Director Escobedo reported the grass fields at Piper Park will close on November 1<sup>st</sup> for the winter. Staff is beginning plans for the Spring Egg Hunt. It is Larkspur's turn to host the event! There will not be a Commission meeting next month.

7. Commissioner's Reports

There were no reports.

8. Adjourn Meeting

The meeting was adjourned at 7:40 p.m. The next meeting would be held on December 16, 2021.

Respectfully submitted,

Toni DeFrancis,  
Recording Secretary

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Larkspur Parks and Recreation Commission.

*Franklin Escobedo*

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Franklin Escobedo, Community Services Director