

Minutes of Regular Town Council Meeting July 26, 1977

In pre-session at 7:30 P.M. Council interviewed Planning Commission applicants Oliver Harle, Audrey Fatooh and Robin Franco

Mayor Toal convened the regular meeting at 8 P.M. with Councilmen Reed, Colteaux, Signorelli and Capurro present.

3. OPEN TIME FOR PUBLIC DISCUSSION

None

3. NOMINATIONS AND APPOINTMENTS

a. Planning Commission

M/S Signorelli, Reed to close nominations. Passed unanimously.

Appointment held over to next meeting to provide opportunity to interview applicant Larry Wylie (7:45 P.M. 8/9)

b. Parks & Recreation Commission

Councilman Colteaux nominated Richard Shaffer and Taffy Donery.

M/S Reed, Signorelli to close nominations. Passed unanimously.

Held over for appointment to next meeting.

c. Library Advisory Board

Announcement was made of the tendered resignation of C. Richard Shaffer - question of acceptance of resignation held over to next meeting.

d. Historical Commission (added item)

Announcement was made of the resignation of Millard Morgen and Jeanne Renaud - applications open for two terms to 9-14-80.

4. ESSEX STREET WATERMAIN UPGRADING

M/S Colteaux, Capurro to appropriate \$5,500 from the reserve for contingencies to Budget 432, 43E watermain upgrading, being the Town's share of the cost of upgrading the Essex Avenue watermain for fire protection purposes. Passed unanimously.

5. (cont.) PHILCOX (THE COTTAGE) APPEAL FROM PARKING REQUIREMENTS (VAR 727)

Councilman Colteaux questioned the appearance of this item on the agenda from the standpoint of procedure, Council having referred the matter back to applicants for alternate solutions to the necessity for a parking variance, with no alternatives being submitted and applicants continuing their original appeal.

M/S Reed, Capurro to re-hear the appeal. Motions passed on a 4 - 1 vote with Councilman Colteaux voting No.

Wallace Myers, Esq. appeared on behalf of applicants, advising Council that his clients were unable to secure any firm lease on parking spaces that would satisfy the legal requirements of the ordinance and reiterated the appeal for a variance on the grounds of hardship.

M/S Reed, Signorelli to grant the appeal with respect to the parking variance and to grant a variance to permit the expansion of an existing building at 727 Sir Francis Drake Blvd. to allow five parking spaces to be provided rather than nine as required by the law on the following grounds: 1) The parking for this building is down a narrow steep driveway at the rear of the building which makes it difficult and unattractive for use by customers patronizing the restaurant and therefore such parking would be little used by patrons; said parking does adequately serve the owners and their employees. 2) The existing structure is small and the expansion of the structure is necessary if the property owner is to enjoy his property rights in terms of having sufficient space to conduct the business of a restaurant. 3) The health, safety, and welfare of persons residing and working in the neighborhood will not be adversely affected as indicated by the lack of protest to this variance from anyone in the neighborhood. Parking is available on Sycamore Avenue, which is of a limited time duration, adequately serving the needs of restaurant customers. Motion passed on the following roll call vote: Ayes: Councilmen Reed, Signorelli, Capurro  
Noes: Councilman Colteaux, Mayor Toal.

6. ORDINANCE REQUIRING LAND DEDICATION OR IN-LIEU FEES FOR PARK LAND IN SUBDIVISIONS

M/S Signorelli, Reed to table without prejudice. Passed unanimously.

7. ORDINANCE CONSOLIDATING, SIMPLIFYING AND CONFORMING NUISANCE ABATEMENT PROCEDURES

M/S Reed, Toal to waive reading. Passed unanimously.

M/S Reed, Capurro to introduce an ordinance authorizing penalties and the abatement of nuisances and making the expense of abatement a lien against the property on which a nuisance is maintained and a personal obligation of the property owner. Passed unanimously.

Staff to bring in at next meeting clarification on using shavings for mulching, etc.

8. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF

Mayor Toal expressed appreciation on behalf of Council for the Administrator's diligence in pursuing an appeal from the Economic Development Agency's reduction of San Anselmo's Local Public Works Act fund grant.

9. CHAMBER OF COMMERCE RECOMMENDATIONS RE DOWN-TOWN PARKING

To be considered at August 2nd workshop session.

10. TOWN ATTORNEY'S OPINION IN RELATION TO SECOND UNIT APPLICATIONS, CONTRACTS OF SALE

Accepted opinion - no action necessary

11. PLANNING DIRECTOR REVISED REPORT ON PLANNED DEVELOPMENT PROCESS

M/S Colteaux, Reed to adopt Staff's recommendations as outlined in Planning Director's memorandum of July 20th, with the exception that there shall be a mandatory referral to Design Review for SPD applications. Passed unanimously.

12. CONSENT AGENDA

M/S Signorelli, Reed to pass consent agenda. Passed unanimously.

- a. Approved minutes of July 12, 1977
- b. Approved warrant register for 7/1-15/77.

Adjourned at 9:40 P.M. to workshop session on Town meeting resolutions August 2, 1977 at 8 P.M.

LIBBY HANSON  
Deputy Town Clerk