

**TOWN OF SAN ANSELMO**  
**Minutes of the Town Council Meeting of May 10, 1994**

1. CALL TO ORDER.

Present: Chignell, Breen, Kroot, Yarish, Zaharoff  
Absent: None

2. ANNOUNCEMENT OF ACTION TAKEN, IF ANY, IN CLOSED SESSION REGARDING PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (b)(2), SAN ANSELMO REFUSE & RECYCLING V. TOWN OF SAN ANSELMO.

There was no action taken in closed session regarding this item.

3. OPEN TIME FOR PUBLIC EXPRESSION.

Linda Ross, Yolanda Court, said that there is a violation of the residential use ordinance at 37 Yolanda, and the neighbors would like to have it on the next agenda. There is an illegal second unit at the address. The neighbors would also like Council to consider strengthening the second unit ordinance. Neighbors in attendance were Jane and Jerry Burroni, Kathy Beck, Carlin Strand, George and Doris Halmos and Sarah Nome.

Sarah Nome, 77 Alder, said second units are a big problem and should be looked at carefully. San Anselmo can't afford to have an underground community.

Barbara Schmidt, 59 Austin, said that building in the hills should be looked at carefully, with consideration to how the building will affect neighbors.

Robert McCohen, 141 Barber, said the neighbors on Barber, Prospect, and Avenue del Norte are getting together to have their Dutch Elms sprayed. He would like to get together a community-wide effort to save the Dutch Elms. Cost is approximately \$35 per tree. Prices are better if you get together a group.

Breen commented that it may be a problem for some neighborhoods to spray while others don't. We may have spot infestations. He had understood that the Town would act as a facilitator or coordinator, but not actually arrange for the spraying to be done. This may not be the best way to go.

It was the consensus of council to ask staff to look into this issue and bring it back in two weeks. In addition, staff will send out a mailer to homeowners with Dutch Elms before the next meeting.

Barbara Schmidt, 59 Austin, said she feels the issue should be researched more thoroughly. Sometimes trees that look dead are just dormant.

Sarah Nome, 77 Alder, asked how much money is being spent on open space, especially for attorney and consultant fees. She feels the public should see an accounting.

Barbara Schmidt, 59 Austin, said we must be careful of runoff.

Sarah Nome, 77 Alder, asked if any violations of the Brown Act have been sent to the Town Attorney. She would like an accounting of how many violations of the Brown Act are taking place. She was advised by Mayor Chignell that there are none.

4. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Kroot asked staff to look into the possibility of a crosswalk at Tamalpais Avenue, crossing San Anselmo Avenue. There is a lot of jaywalking at that spot. Interim Town Administrator Pollard said the Traffic Safety Committee will look into this and report back.

Yarish said that the long lead time for applications to the Planning Commission seems to be a problem. He has heard a lot of complaints about the amount of time involved.

Breen asked about the policy on signage at Creek Park. Lately there has been more than just one sign, giving a messy look. Council had previously asked the Downtown Merchants to work with the Chamber of Commerce on this problem. Staff will check the status.

Chignell said he too is concerned about the long lead time for planning applications. He asked what can be done to move this along.

Chignell asked that a letter be sent to the Marin Municipal Water District encouraging them in their effort to keep the parking at Natalie Coffin Greene Park.

Chignell mentioned that signage at Tamalpais Avenue and San Rafael Avenue has not yet been completed.

Chignell said that the tow ordinance needs to be brought to Council.

Chignell was asked by Joan Jacobsen, Town representative to the Mosquito Abatement District, if the term could be lengthened to four years.

Pollard said that an interagency meeting for groups that serve this area has been set up for Thursday, June 9. This is an opportunity for agencies to share information on their financial situations and any future plans in the funding area. It is called "Town Meeting - Who spends my Property Tax and How and Where?"

5. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. OTHERWISE, ALL THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: April 26, 1994
- (b) Appropriate \$5,000 from Contingency for Americans with Disabilities Act compliance.
- (c) Acknowledge \$50 contribution from Martin Blinder.
- (d) Waive banner fee for the Fairfax San Anselmo Children's Center fundraiser.
- (e) CONTINUE TO JULY 26, 1994: Public hearing on adoption of an ordinance amending Chapter 3 of Title 10, Article 4 (Development Standards), and Article 7 (Procedures), of the zoning ordinance relative to the maximum size of dwellings on residential properties located above 150 mean sea level elevation.

Sarah Nome, 77 Alder, said that she would like the 4/26/94 minutes to reflect the following addition to Item 8, Leaf Blowers, paragraph 8: "She asked that lawn mowers be included in the ordinance."

M/s, Kroot/Zaharoff, to approve the consent agenda as amended. Ayes: All

6. REVIEW OF CONCEPT TO PLACE A GATE IN THE REAR OF THE UNITED MARKET NEAR JORDAN AVENUE TO ALLOW MARKET CUSTOMERS TO EXIT THE LOT BUT NOT ALLOW THROUGH TRAFFIC, AND TO INCREASE TRAFFIC CONTROL MEASURES AT THE INTERSECTIONS OF HILLDALE AND JORDAN, AND FORBES AND JORDAN.

Interim Town Administrator Pollard said that at the last council meeting United Market's proposal to place a railroad arm type gate in the rear of the market at the constriction point caught everyone's attention. Shoppers who wish to exit the market's parking lot at the rear could request a token that would lift the gate's arm. Staff met with representatives from the market and the three affected neighborhoods and the feeling was that the gate approach was workable. However, it does not address all safety concerns.

There is still concern with traffic on Hilldale Drive illegally turning right onto Jordan. Staff feels that more signs, striping and publicity could reduce this problem. Staff believes it better to try the signage rather than put in a permanent barrier. Staff proposes that United Market put in the railroad arm, the Town would complete the required drainage, and monitor illegal traffic during a three month trial period. If that doesn't work, the solution would be closure with breakaway posts.

Karen Lamb, 6 Jordan Ave., asked how many citations have been given out since this effort began. Police Chief Del Santo will find out and let her know.

Joan Green, 39 Forbes, addressed safety concerns about the railroad gate. She is worried about traffic leaving the rear of the market and exiting on Hilldale Drive. She feels there should be a barrier at Hilldale and Jordan.

Nancy Reese, 14 and 16 Forbes, feels that the Town isn't addressing the safety issues of residents by not shutting off Jordan. The many signs and police enforcement don't work. People read the signs then disobey. We shouldn't rely on police to spend so much time at this corner. She wants a barrier at Hilldale and Jordan.

Nancy Edmondson, 46 Forbes, said that United Market has said that all their trucks could exit via Sequoia Drive, so closing Jordan shouldn't be a hardship.

Evelyn Reese, 14 and 16 Forbes, said the railroad gate is a positive solution. Restriping Sequoia will help flow out of the parking lot. But she feels the staff's plan falls short by not closing Jordan. We have twenty years of experience that signs and enforcement at Hilldale and Jordan don't work. In 1977 the Council resolved to close it, and 17 years later it is still a problem.

Joel Necke, 2245 Fifth Avenue, San Rafael, representing the Sun Valley Neighborhood Association, said they support staff's recommendation.

Daniel Fross, 58 Racquet Club, San Rafael, wants Jordan closed. There are lots of small children on Forbes and traffic goes too fast. The U-turn at Ross Valley doesn't seem like a big deal to him.

Dorothy Frazier, Alpine Lane, said the railroad gate is a good solution. The exit to the market needs to be opened up. There are traffic jams every day. Closing Jordan is a bad idea; it would be a hazard to people in the hills in an emergency.

Leo Dwyer, Hilldale Drive, supports the closing of Jordan at Hilldale.

The public hearing was closed.

Yarish noted that enforcement is clearly a problem at Hilldale and Jordan. Something to prevent traffic making that right turn is needed. He suggested a second railroad gate with access provided to those who need to get through.

M/s, Breen, Kroot, to adopt staff's recommendation, but close Jordan at Hilldale, except to emergency traffic, with barriers that could be knocked down in a catastrophe, for a 3 month trial period.

United Market owner Bob Mazzanti said that United Market would not put in a railroad gate at the constriction point if their trucks were required to back all the way out to Sequoia. The motion was dropped.

It was the consensus of council that they want to put up some kind of removable barrier at Hilldale and Jordan, that would restrict traffic eastbound, but would allow trucks to legally exit by Hilldale.

M/s, Zaharoff/Yarish, to endorse the proposal to put a railroad gate in the rear of the United Market parking lot and to place a barrier at Hilldale and Jordan that will allow

access by emergency vehicles, access by residents in the event of an emergency, and egress by United Market delivery trucks out onto Hilldale if it is legally and physically possible.  
Ayes: All

7. REQUEST FOR CONTRIBUTION, SEQUOIA AVENUE PAVING PROJECT.

Public Works Director Wayne Bush said that San Anselmo has a number of streets that have not been accepted for maintenance by the Town. Residents must get together and pool resources. The neighbors on Sequoia Drive are doing this. The job will cost \$35,000, and contributions have been requested from MMWD and the County of Marin. The Town is acting as the project's fiscal agent, taking checks from residents, as well as offering design guidelines, inspection services and staff time. Now the residents are requesting money from the Town.

Denise Gula, Paving Project Manager, said the paving will start in August. They are having a yard sale June 11 at Town Hall to raise money. This is a big financial burden on the residents and they would like some help.

Steve Murch, Sequoia Drive, said he knows the Town is in bad financial shape, but he would like the council to look to the future.

Zaharoff asked Ms. Gula how much of a contribution the residents want. She replied \$3,000 to \$4,000.

Interim Town Administrator Pollard said that this year's Capital Reconstruction fund is largely committed. The contingency fund has some reserve, but some uses have already been identified.

Zaharoff asked how much time staff has put in. Bush replied 40 to 50 hours, approximately \$3,000. Permit fees would have been \$2,000-\$3,000.

Doug Eisinger, 35 Woodside Drive, asked how long the portion of road is and how many other miles of roadway might be in a similar position.

Steve Murch said their street paving project is about 1/2 mile long. There are 23 homes and 2 MMWD parcels.

Public Works Director Bush said there are 6 1/2 miles of unaccepted streets in San Anselmo; Sequoia is among the worst.

Breen suggested a commitment from this year's budget and next year's to lessen the blow.

It was the consensus of council that this is a worthy project, and that it is important for the town to participate to encourage other non-accepted neighborhoods to do the same.

M/s, Breen/Kroot, to contribute \$5750, or \$250 per household, to the Sequoia Avenue paving project. Ayes by Roll Call: Breen, Chignell, Kroot, Yarish, Zaharoff. Noes: None.

8. ADOPT ORDINANCE NO. 957 REGULATING THE USE OF LEAF BLOWERS.

M/s, Breen/Yarish, to adopt Ordinance No. 957 regulating the use of leaf blowers. Ayes: All.

Barbara Schmidt, 59 Austin, said she hears leaf blowers every day. There is really no way to monitor them.

9. STATUS REPORT: PDP-9401/VTM-9402/ER AND DENSITY DETERMINATION, PETER AND PAMELA FRASER, NEAR 390 REDWOOD ROAD, APN'S 7-071-03, 7-101-02, 7-154-04, ENVIRONMENTAL REVIEW,

DENSITY DETERMINATION, PRECISE DEVELOPMENT PLAN, AND VESTING TENTATIVE MAP APPLICATIONS FOR A 25.65 ACRE SITE LOCATED OFF REDWOOD ROAD NEAR 390 REDWOOD ROAD. THE SUBDIVISION MAP WOULD CREATE SEVEN (7) HOMESITES ON ABOUT 5.7 ACRES AND A PUBLIC OPEN SPACE PARCEL TOTALING 19.95 ACRES.

Planning Director Ann Chaney said the Planning Commission has had three meetings on this subject. One more meeting is planned and approval may be forthcoming. There is a lot abutting Redwood Road that the Marin County Open Space District doesn't want. This lot could be dedicated to the Town and this would need the Council's approval.

Sarah Nome, 77 Alder, asked when this item will be concluded. She asked if the legal budget is overdrawn. Interim Town Administrator Pollard advised that the legal budget is not overdrawn.

Barbara Schmidt, 59 Austin, said she is against the whole thing. She feels there are drainage problems in an environmentally sensitive area.

Council continued this item to the next regular meeting.

10. ZONING ORDINANCE AMENDMENT: INTRODUCE ORDINANCE AMENDING TITLE 10, CHAPTER 20, OF THE MUNICIPAL CODE TO PERMIT A WELL TO BE SHARED FOR IRRIGATION PURPOSES ONLY (CURRENTLY PROHIBITED) AND WOULD ALLOW WAIVERS OF WATER CONNECTION FEE DEPOSITS UNDER CERTAIN CIRCUMSTANCES.

Planning Director Ann Chaney said the Council is being asked to approve the draft negative declaration and introduce the ordinance that would make these two revisions. Both revisions were initiated because of the Fraser property, but these amendments would apply to everyone.

Barbara Schmidt, 59 Austin, is against sharing wells for irrigation. In a highly sensitive area this could hurt nature.

Kathy Sanders, 310 Redwood Road, asked how much water would be allowed to run off down the existing stream bed. She is concerned for the Redwood trees there; they may be relying on this source of water.

Planning Director Ann Chaney said this concern had not specifically been addressed, but the water district does not regulate irrigation wells as they don't feel they jeopardize their surroundings.

Barbara Geisler, 405 Redwood Road, was concerned about a grove of Redwoods on her property and asked how much water would be taken.

M/s, Yarish/Kroot, to approve draft negative declaration. Ayes: All

M/s, Yarish/Kroot, to introduce the ordinance as amended to require adequate flow be maintained, as determined by the Public Works Director. Ayes: All.

11. APPOINTMENT TO PLANNING COMMISSION (1 SEAT).

M/s, Yarish/Kroot, to appoint Bill Ollinger to the Planning Commission.

Zaharoff expressed concern that, while Mr. Ollinger is a very fine candidate for this position, only one application was received. She would like to see the position open long enough to get three or four applicants.

Interim Town Administrator Pollard said that Spencer Sias has offered to serve until his replacement is found, and it would be best if he stayed until the Gill and Fraser matters are concluded. This would allow more time for advertising.

The motion was voted on: Ayes: Kroot, Yarish. Noes; Chignell, Breen, Zaharoff.

12. SELECT SAN ANSELMO SENIOR OF THE YEAR.

Interim Town Administrator Pollard said that several names of San Anselmo residents had been submitted to her for the San Anselmo Senior of the Year, including Larine Brown, Bill Franchini, Bill Davis, Jane Davis, and Ranald Cockburn.

M/s, Zaharoff/Kroot, to nominate Ranald Cockburn for San Anselmo's Senior of the Year. Ayes: All.

13. ADJOURNMENT.

The meeting was adjourned at 10:15 p.m.

Debbie Stutsman