

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3367**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO AMENDING RESOLUTION NO. 3263 AND NO. 3307 FOR A PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE MAP, RELATIVE TO TREE PROTECTION AND LANDSCAPING, TO CREATE SEVEN (7) RESIDENTIAL LOTS AND A 19+ ACRE PUBLIC OPEN SPACE LOT ON PROPERTY LOCATED NEAR 390 REDWOOD ROAD IN THE R-1-H ZONING DISTRICT (ASSESSOR'S PARCEL NUMBERS 7-071-03, 7-101-02, AND 7-154-04)

WHEREAS, the Planning Commission of the Town of San Anselmo held a public hearing on September 23, 1996, to consider amendments to the above referenced project to create a seven unit subdivision near 390 Redwood Road; and

WHEREAS, the Town Council of the Town of San Anselmo held a public hearing on October 1, 1996, to consider amendments to the above referenced project; and

WHEREAS, the Planning Commission has considered the recommendations of the Town of San Anselmo staff, the applicants (Peter and Pamela Fraser), and members of the public; and

WHEREAS, the Town Council has considered the recommendations of the Town of San Anselmo staff, the applicants, the Planning Commission, and the members of the public; and

WHEREAS, this resolution and subsequent action shall apply to the Frasers, including their heirs and assigns; and

FINDINGS OF FACT

WHEREAS, the project was granted an administrative change to reduce the retaining walls along the roadways and utilize reinforced earth slopes instead, also known as geogrids; and

WHEREAS, a letter from the geotechnical engineer for the project, John Hom, recommends that these reinforced earth slopes be seeded with grasses and does not recommend the use of any shrubs or trees where the root cover exceeds approximately six inches; and

WHEREAS, a memorandum from Ron Zeise, Fire Chief, advises not planting the replacement trees in the earth fill areas because without trees, it enhances the "firebreak" aspect of the roadway and adds to the fuel load; and

WHEREAS, the conditions below will help to mitigate for the loss of trees within the geogrid slope areas and help mitigate for damage to the trees during construction because of the lack of tree protection.

CONDITIONS OF APPROVAL

THEREFORE, BE IT RESOLVED that the Town Council of the Town of San Anselmo:

Hereby acknowledges that Condition No. 15, relative to a Tree Protection Plan, was not implemented during infrastructure improvements, and that the following condition be added and accomplished prior to Final Map recordation. (Note: A Tree Protection Plan will continue to apply to Design Review applications for individual houses.):

1. Treat all trees damaged by construction activities with "tree paint" or "tree seal" as soon as possible (as recommended in the September 6, 1996, letter from Steve Arago). If left untreated, these exposed areas could become susceptible to insect infestations, which could, ultimately, lead to the tree's demise.
2. Any tree that dies due to construction activity shall be replaced within one year, as determined by the town arborist. This condition does not apply to those trees which were originally approved to be removed.

Hereby amends Condition No. 16 Landscape Plan (d) and (e), relative to tree replacement and placing low walls around trees in cut and fill areas, subject to substituting the following conditions which must be accomplished prior to Final Map recordation.:

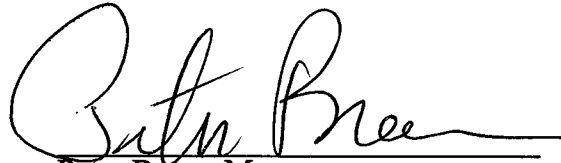
3. All of the slope areas should be hydroseeded with the basic mix, supplemented by colorful wildflowers (as recommended in the September 6, 1996, letter from Steve Arago).
4. All geogrid slopes should have a well-implemented hydroseed mix with straw mulch in accordance with the geotechnical engineer's recommendation. Shrubs having a root system no deeper than 12-inches may also be planted in these areas.
5. Plant 40 - 1 gallon can specimens of Wild Lilac (*Ceanothus* species) in locations at the daylight line for grading operations (as recommended in the September 6, 1996, letter from Steve Arago).
6. Plant 15 - 15 gallon can specimens, mixed between California Live Oaks and Black Oaks in the slide repair area along the lower road subject to approval of John Hom, geotechnical engineer for the project (as recommended in the September 6, 1996, letter from Steve Arago). If no trees are permitted, as determined by the geotechnical engineer, an alternative plant material shall be substituted as recommended by the landscape architect and approved by the geotechnical engineer.
7. That within one year of hydroseeding the slope areas, any bare spots over two square feet shall be reseeded by the contractor to ensure slope protection.

PASSED AND ADOPTED by the Town Council of the Town of San Anselmo on October 1, 1996 by the following vote:

AYES: Hodgens, Yarish, Chignell, Kroot, Breen

NOES: None

ABSENT: None

A handwritten signature in cursive script, appearing to read "Peter Breen", written over a horizontal line.

Peter Breen, Mayor

ATTEST:


Debbie Stutsman
Debbie Stutsman, Town Clerk

TOWN OF SAN ANSELMO

DEPARTMENT OF PUBLIC WORKS AND PLANNING
525 SAN ANSELMO AVENUE, SAN ANSELMO, CA 94960



October 9, 1996

Peter Fraser
12 Keintz Lane
San Anselmo, CA 94960

RE: Redwood Hills Subdivision

- 1. Resolution amending Conditions No. 15 and 16 (d) and (e)**
- 2. Administrative Design Review appeal - irrigation water tank**

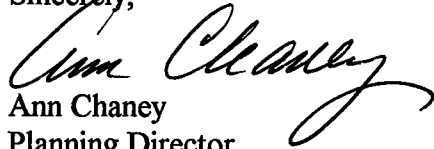
On October 1, 1996, the Town Council approved the attached resolution which amends Conditions No. 15 and 16 (d) and (e) regarding the Tree Protection Plan and the Landscaping Plan by substituting several new conditions. **Please refer to the attached resolution.**

At that same meeting, the Town Council approved your appeal of the Administrative Design Review for the water tank by deleting the condition which referred to protection of the Redwood grove and substituted it with a different condition. Therefore, the Administrative Design Review approval for the irrigation water tank was approved October 1, 1996, by the Town Council with the following conditions:

- 1. That a Building Permit is obtained from the Public Works Department prior to any grading or tank installation.**
- 2. That five, 15 gallon, Toyon (evergreen shrubs) be planted near the tank specifically to help screen the tank from Redwood Road. Plans submitted for the Building Permit shall indicate tree locations.**
- 3. That, where possible, large ferns removed as a result of grading for the irrigation tank should be replanted near the tank and water course.**
- 4. Any water used for irrigation will be through a water well rather than tapping the spring. Any potential water well shall not interrupt the natural flow of the spring which serves downstream vegetation in accordance with SAMC 9-20.07 (12).**

If you have any questions, please contact me at 258-4617.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Chaney".

Ann Chaney
Planning Director

cc: Town Administrator