

Notes from Mid-Coast Community Council Meeting 11 November 1998 at Seton Coastside Hospital

[See disclaimer at end of notes; these are not official minutes.]

Regular Agenda for Meeting and Summary of Actions Taken

1. Election of new Mid-Coast Community Council officers. Sponsor: David Spiselman
New officers: Chair: Paul Perkovic; Vice-Chair: Mary Hobbs; Treasurer: David Spiselman; Secretary: Laura Stein. The Council determined unanimously that Committee chairs are not "officers" and hence may succeed themselves. The Council voted unanimously to change the starting time of regular meetings to 7:30 pm.
2. Consideration of Zoning Regulations text amendment to establish a process that would allow a limited exception to fence, wall, and hedge height requirements. Sponsor: Laura Stein.
The Council approved in concept a letter expressing our concerns; see details in notes.
3. CalTrans Permit Application and related issues for traffic light at Coronado Street in El Granada. Sponsor: Laura Stein.
Council approved in concept sending a letter expressing our concerns, by a 6 to 1 vote.

Introductions, Pledge of Allegiance; meeting started about 7:25 pm

Council Members present: Bill Derow, Joe Gore (Vice-Chair), Mary Hobbs (Treasurer), Ric Lohman, Paul Perkovic (Secretary), David Spiselman (Chair), Laura Stein
Council Member absent: none

Announcements and Public Comment

Edward Merritt – Father of Geronimo, the 64-foot sailboat down at the Harbor (which he has been building for 5 years, 4 months, and 7 days, according to Joe Gore). Measured height of wires, trees, etc., using a 20' 3" story pole. A tree across from the Mezza Luna Restaurant now only has a 16' clearance. He is going to be launching later this year, plans to launch down at the public ramp. Needs four to six days in a staging area to put a 72' stainless steel mast into the boat. Asks us for assistance in getting the tree trimmed to allow passage of his boat for launch. His phone is 728-2366, Post Office Box 33, Moss Beach. [Referred to the Public Works Committee.]

Kathryn Slater-Carter – Has a question for Joe Gore. She had heard that Joe had replaced her on the Planning and Zoning Committee. The Council is dependent on volunteers; she has been a long-term volunteer. Objects to being replaced without the simple courtesy of at least calling her. [Joe offered a public apology, indicating that he had sent an email that apparently bounced.]

Mike Fields – Asked for better communication with the local people; concerned that calling the Council number gets a March agenda, not a current one. [David Spiselman replied that agendas are posted at each Post Office, as well as at the Council office at the Half Moon Bay Airport. It is also posted electronically to Midcoast-L, which is a public distribution list. It is also mailed to those who request to be on the agenda mailing list; contact Joe Caruso at 363-4569.] Also, he invited Council members to the Princeton Advisory Council's meeting Thursday, November 12, at 7:30 pm at the Half Moon Bay Yacht Club.

Sam Caponio – Speaking as Treasurer of Neighbors Alliance; they are planning to start a referendum on traffic on the Coastside, asking for a moratorium on construction until traffic is improved to a reasonable level of service. Contact Dave Iverson for further details at 726-9525.

Laura Stein – Has not received a response to our correspondence on water reallocation issues. Who should she contact? [Suggestion was Supervisor Rich Gordon.] Harbor District proposals – does anyone have an update? [Keet Nerhan won the exclusive negotiation rights; two of the proposals were withdrawn, according to Leonard Woren, who attended the Harbor District meeting. Leonard also said Mr. Nerhan is

willing to meet with reasonable people in the community.] Laura suggested we invite him to one of our meetings. Her third item was a revisit of substandard lots, design review, and residential zoning updates.

Kathryn Slater-Carter – Apparently at the Coastal Commission meeting two weeks ago, the Commission indicated that it would begin to do reviews of some Local Coastal Programs. She thinks if the Coastal Commission is going to be doing a review of San Mateo County's LCP, that would be the appropriate time to analyze the substandard lot issue.

Ric Lohman – Requests that we go ahead with the priorities the Council previously adopted, and then bring it back to the Council for reconsideration at a future meeting.

Laura Stein – Has a sensitive topic dealing with the two new designees on the Planning and Zoning Committee. She has received many calls expressing concerns about these two persons, suggesting that they do not represent the interests of the larger community.

Paul Perkovic – Doesn't think there should be a problem. It is valuable to have a variety of perspectives and experiences brought into discussion, especially since it allows all sides of an issue to be considered before making a recommendation. At times the Council has looked uninformed before the Planning Commission or the Board of Supervisors.

Mary Hobbs – Thinks that Judy Taylor has many of the same interests in preserving the character of the coast, as well as a great deal of experience in the real estate community, and that she will be an asset to the Planning and Zoning Committee.

David Spiselman – Observed that Judy Taylor and John Plock bring a diversity to the Committee; also notes that the votes taken at the last Planning and Zoning Committee meeting were unanimous.

Ric Lohman – If there is a conflict of interest, it is the responsibility of the person who has the conflict to recuse himself or herself from discussion of the issue.

Bill Derow – Judy is one of the most knowledgeable persons on the Coast regarding rules, regulations, and details; there are a lot of things she won't agree with you on, but that's good. We are an advisory Council, and it is important to bring a different side of the story to the discussions.

Joe Gore – Surprised that this issue even came up. It is supposed to be a democratic process, but to view that the community is only represented by a certain side, that there is something wrong because someone has a different view – it is incredible that someone even suggested that.

Leonard Woren – Observed that the whole discussion the Council just had was out of order, because the Brown Act only allows public comment and a brief response, not a non-agendized discussion.

Fran Pollard – Thinks it is outrageous that someone who has a direct financial interest in many of the issues considered by the Planning and Zoning Committee should be a voting member.

Ric Lohman – Wishes everyone a happy Veterans Day, and especially to remember those who gave their lives for our country so that we can be here enjoying democracy.

Laura Stein – Announced that Jeff Merz has left the County Planning and Building Department.

David Spiselman – Gave a brief State of the Mid-Coast report as he ends his year as Chair. [See attached.] Gave thanks to all the volunteers who have helped the Council.

Mary Hobbs – Offered her thanks to David for his dedication and great work as Chair.

Committee Reports

Mary Hobbs – Treasurer's Report: We have about \$243.94 in our own account, and most of the \$3000 appropriated by the Board of Supervisors. The Parks and Recreation Committee met on Monday, November 9. The Committee has focused for much of the past year on the Fitzgerald Marine Reserve Master Plan process. There will be a Technical Advisory Committee meeting next week. There is a real major concern about the health of the reef. The Committee recommended that the reefs be closed at very low tides (a few times a month). They don't think fences are necessary; they recommend that handicapped parking be provided; and that fewer parking spaces should be available (to try to discourage excessive visitors). When the reefs have recovered, they suggest that only docent-led tours be allowed for limited numbers of visitors. Regarding trails, they recommend that a clearly-designated bike trail be determined; The Strand right-of-way in Vallemar should be explored as part of the Coastal Trail. Purchase of the Mirada Surf parcel as a community park, as designated in the Local Coastal Program, was also recommended. Mary Hobbs can be reached at 728-5012.

Laura Stein – The next Planning and Zoning Committee meeting will be November 18 at 7:30 pm at the Half Moon Bay Airport. [Missed her summary of the agenda items.]

Joe Gore – The Public Works Committee is considering a request from some community members for a crosswalk on Airport Road.

Consent Agenda

None.

Regular Agenda

1. Election of new Mid-Coast Community Council officers, discussion and vote on term of Committee Chairs, and possible change in MCC meeting time

David Spiselman asked for nominations for Chair, and nominated Joe Gore (currently Vice-Chair). Ric Lohman nominated Paul Perkovic. [Joe Gore offered to decline the nomination if Paul Perkovic was willing to serve, which he was.] Paul Perkovic was named Chair by acclamation.

The new Chair asked for nominations for Vice-Chair. Ric Lohman nominated Mary Hobbs, who was selected by acclamation. The Chair asked for nominations for Treasurer. Mary Hobbs nominated David Spiselman, who was selected by acclamation. The Chair asked for nominations for Secretary. Joe Gore nominated Laura Stein as Secretary, who was selected by acclamation.

David Spiselman – He received correspondence from Gerry Laster, who drafted the Council's By-Laws. In his opinion, the Council may decide that Committee chairs are not officers, and therefore might succeed themselves. David moved that Committee chairs are not considered officers of the Council, and therefore are permitted to succeed themselves, if they receive a vote of the Council to do so. Seconded by Ric Lohman. Approved unanimously.

Mary Hobbs – Feels a commitment to the public to start on time. Set up is extensive with the new sound system. Traffic has also been a significant delay. She moved that the Council begin meetings at 7:15 pm.

Joe Gore – Asked whether there are Council members who cannot be here at 7:00 pm. Joe seconded.

Bill Derow – Does it make sense to go to 7:30 pm, to give us more leeway?

Leonard Woren – Pointed out that all other local agencies begin at 7:30 pm. Commuters have a real hard time getting home and getting over to the meeting.

David Spiselman – Asked whether Mary Hobbs would consider amending her motion to begin at 7:30 pm.

Mary Hobbs – Amended her motion to begin meetings at 7:30 pm, seconded by David Spiselman.
Approved unanimously.

2. Consideration of a Zoning Regulations text amendment to establish a process that would allow a limited exception to fence, wall, and hedge height requirements

Laura Stein – Back in October, the Planning Commission was going to consider a proposal from the Planning Director on this issue. She also spoke to Lennie Roberts, and the Ladera Community Association submitted written comments on the issue. There had been a number of residents who had requested higher fences than the zoning regulations currently permit. The existing regulations limit fences, hedges, etc., to 4 feet in the front setback area, and to 6 feet in the side and rear setback areas. Any exception currently requires issuance of a variance. The proposal allows the Planning Director to approve exceptions without a public hearing if there is no objection from any neighbors within a specified radius, and no objection from a community neighborhood association, provided that a list of findings can be made. There would be no appeal if the decision was favorable to the applicant. Otherwise, the applicant could appeal to the Planning Commission, which would have to make similar findings. The decision of the Planning Commission would be final (not appealable to the Board of Supervisors). The staff believes that allowing fence heights to be up to two feet higher would not have environmental impacts. This will be heard by the Planning Commission on December 9, with written comments desired by November 23.

Ric Lohman – There is a current process in place; if you have an exception – a weird property – you just ask for a variance. He doesn't see the need to automatically raise the heights two feet and eliminate appeals. Like design review, all the comments they have in there about meeting the character of the neighborhood, showing good taste, etc., after a reasonable length of time those become automatic boilerplate. He is concerned that in the future they won't take the effort to determine that a request is truly within the character of the neighborhood.

David Spiselman – What is the impact of this new procedure on health and human safety, and on property valuation? Is this going to make it more difficult for fire personnel to fight a fire? Will this reduce or increase the value of the property that the person owns? Why not just raise the fence limits up two feet, and leave it at that?

Mary Hobbs – Thinks she just heard David Spiselman volunteer to be Chair of the Health and Safety Committee. [David indicated that was likely.] Is her interpretation correct that they want to make it easier because others have built illegally high fences? She thinks the impact on the Mid-Coast will be serious. Also, the 300-foot notification range may be insufficient in the rural areas. Would we (the Council) be considered as a neighborhood association? Just because fences were constructed illegally before, doesn't mean we should encourage more of them.

Lou Bertolucci – By raising the limits, it will begin to look like the Berlin Wall. A lot of people are building fences next to the sidewalk, and higher than permitted, without getting permission. It has always been 4 feet in front and 6 feet on the sides and back, why does it need to be changed now? People have been putting fences where sidewalks should be.

Laura Stein – They are not talking anywhere about an on-site visit. A six-foot stucco wall has a much different impact from a chain link fence. Also, the ten-day notice period seems insufficient.

Ric Lohman – Still interested in who actually initiated this. It seems to be similar to the Homeowner Exemption for expanding homes; the purpose seems to be to streamline the process of getting approvals. We have a process in place for variances, we should stick to it.

Joe Gore – Is totally opposed to high fences in front yards, especially on corners. But he understands the loss of privacy when new two-story homes are crowding in on existing homes. The fences on corners make it dangerous for drivers.

Mary Hobbs – If you are trying to keep deer out of your yard, you might need an 8-foot fence.

Leonard Woren – Agrees with everyone here, but disagrees with the County turning a blind eye to illegal fences built in front yards. Wants a total prohibition on variances on front yard fences, and on chain link fences. Would like to see Mid-Coast Council's recommendation be that we make it easy to get variances on side and rear yard fences, but nearly impossible to get front yard variances. We need to have the existing laws enforced. If people want a walled-off house, there is always Atherton.

Kathryn Slater-Carter – Doubts that the Council will be considered a neighborhood association; was the Mid-Coast Community Council invited to the recent housing conference, to which County neighborhood associations were invited? There are portions of unincorporated Menlo Park where higher fences are perceived to be necessary for security. This proposal will take away the opportunity to appeal a decision. She thinks that it is essential to have an appeal process. There are safety issues for pedestrians and drivers backing out of driveways.

David Spiselman – Has heard from comments negatives, such as the tunnel effect of higher front fences.

Ric Lohman – Moved that the Council send a letter to the County planner and Rich Gordon enumerating our consensus thoughts: The current variance process is adequate; there are safety concerns; there is no appeal process; we want the County to enforce the current laws, especially in front yards; and that construction materials must be addressed; and that the notification range is too small. Laura Stein seconded. Approved unanimously.

3. CalTrans Permit Application and related issues for traffic light at Coronado Street in El Granada

Laura Stein – This is not a discussion of whether or not to have a stoplight at Coronado. She summarized the discussion at the Planning and Zoning Committee meeting on November 2. [See Planning and Zoning Committee notes for the November 2 meeting.]

Ric Lohman – We are asking for the real drawings for Montara, because the permit request doesn't match what we have heard before.

Lou Bertolucci – There is no off-ramp from southbound Route 1 to Mirada Road. We need a stoplight at this intersection.

Steve Terry – There seem to be wetlands issues that might be involved. [See materials from the Mirada Surf EIR.]

Kathryn Slater-Carter – She is concerned that they are talking about grading 7,200 cubic yards of earth; the Mirada Surf project only required 25,000 cubic yards on 18 acres. Is this grading actually primarily in the Montara area, where Highway 1 currently goes through a cut; will the sidewalk or footpath along the top of the existing cut be lost?

Fran Pollard – She has heard there are plans for up to sixteen signals up and down the highway. That's the main reason that there should be an EIR done on this; you can't piecemeal the whole project.

Mary Hobbs – Thinks we should repeat our request for a coastwide plan for the future highway.

David Spiselman – Lives in Montara, thinks this is a public safety issue. Wants to see a map of what they are planning to do to the site.

Laura Stein – Moved that we send a letter incorporating our comments to the County, with a copy to CalTrans. Seconded by Ric Lohman. We want specific drawings for Montara; we want each project considered individually; we asked for a complete EIR; we want a master transportation plan; we think this affects sections of the application that were not checked correctly, and additional agencies to be notified; and wetlands issues. Approved 6 to 1 (Gore opposed).

Future Agenda Items

For the December 9 meeting:

The Tree in Princeton (if not resolved by Public Works Committee and DPW)

Resolution in support of purchase of Mirada Surf as a community park

Council business (setting date for retreat, committee chairs, etc.)

Discussion of permit application for bed and breakfast at Cortez and Mirada Road

Harbor District plans with Keet Nerhan

Possible items for future agendas (carried over from previous meeting notes):

Scenic corridor / underground utilities district

Abalone aquaculture project update

County Parks General Plan for Fitzgerald Marine Reserve and Pillar Point Marsh

Variances policy

Sewage spillage

Airport Master Plan

Adjourned at 10:35 pm.

[Disclaimer: These are preliminary, unreviewed notes taken in real-time by a Council member and participant. They have NOT been augmented by viewing the broadcast of the meeting on Thursday, November 12, 1998. Although they attempt to be a neutral summary of points made by each speaker, they are neither a verbatim transcript nor official minutes. Additions, clarifications, and corrections from the community are welcomed. As with the previous notes, these notes will be made generally available via hard copy and electronically on the Montara Web Site and via the MIDCOAST-L@LISTS.MONTARA.COM community distribution list server, to enable the Council and the community to keep a relatively clear and complete written summary of the discussions. Complete videotapes of meetings are broadcast by MCTV, cable Channel 6, following each meeting, and archived copies of these tapes may also be available for review, if appropriate. My apologies to the grammarians for mixing voice; the first person sentences were more-or-less direct quotations of statements made by the speaker, the third person sentences were my summary of what was said. Where you find bracketed ellipses, such as [...], it indicates that the speaker said something that was lost in the notes.]