

Charles Durnin, Chair
Donita Van Horik, Vice-Chair



Becky Blair, Commissioner
Alan Fox, Commissioner
Leslie Gentile, Commissioner
Phil Saumur, Commissioner
Melani Smith, Commissioner

FINISHED AGENDA AND DRAFT MINUTES

CALL TO ORDER (5:02 PM)

At 5:02 p.m., Chair Durnin called the meeting to order.

ROLL CALL (5:02 PM)

Boardmembers Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith,
Present: Donita Van Horik, Becky Blair and Phillip Joseph Saumur

Also present: Amy Bodek, Director of Development Services; Derek Burnham, Planning Administrator; Jill Griffiths, Planning Officer; Ira Brown, Planner; Mark Hungerford, Planner; Heidi Eidson, Bureau Secretary.

FLAG SALUTE (5:02 PM)

Commissioner Saumur led the flag salute.

MINUTES (5:03 PM)

11-045PL Recommendation to receive and file the Planning Commission minutes of August 4, 2011.

A motion was made by Commissioner Saumur, seconded by Commissioner Van Horik, to approve the recommendation. The motion carried by the following vote:

Yes: 6 - Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Donita Van Horik, Becky Blair and Phillip Joseph Saumur

Abstain: 1 - Melani Smith

DIRECTOR'S REPORT (5:04 PM)

Amy Bodek, Director of Development Services, presented the Director's Report.

Amy Bodek responded to a query from Commissioner Blair.

Amy Bodek responded to a query from Commissioner Smith.

REGULAR AGENDA (5:10 PM)

Chair Durnin swore in witnesses.

1. 11-046PL Recommendation to find the proposed projects listed in the Proposed Fiscal Year 2012 Capital Improvement Program in conformity with the General Plan. (Citywide) (Application No. CIP -12)

Derek Burnham, Planning Administrator, introduced Ira Brown, Project Planner, who presented the staff report.

Amy Bodek, Director of Development Services, responded to queries from Chair Durnin.

A dialogue ensued between Chair Durnin and Mike Conway, Director of Public Works.

Amy Bodek responded to a query from Commissioner Blair.

Mike Conway responded to a query from Commissioner Saumur.

Amy Bodek responded to a query from Commissioner Saumur.

Mike Conway responded to a query from Commissioner Van Horik.

Mike Conway responded to a query from Commissioner Smith.

Mike Conway responded to a query from Chair Durnin.

A motion was made by Commissioner Van Horik, seconded by Commissioner Smith, to approve the recommendation. The motion carried by the following vote:

Yes: 7 - Alan L. Fox, Charles Durnin, Leslie Fernald Gentile, Melani Smith, Donita Van Horik, Becky Blair and Phillip Joseph Saumur

2. 11-047 PL Recommendation to deny the Appeal from Tamara J. Van Duyne and uphold the Zoning Administrator's June 13, 2011 decision to deny Standards Variance requests for front and rear setback encroachments and approve a Local Coastal Development Permit and a Standards Variance request for a side setback encroachment in conjunction with garage, second story and roof deck additions to an existing single-family

dwelling located at 20 Pomona Avenue in the R-2-S Zoning District.
(District 3) (Application No. 1101-03)

Derek Burnham, Planning Administrator, introduced Mark Hungerford,
Project Planner, who presented the staff report.

Derek Burnham responded to a query from Commissioner Gentile.

Tamara Van Duyne, appellant, spoke.

A dialogue ensued between Commissioner Fox and Tamara Van Duyne.

Mark Hungerford responded to a query from Commissioner Blair.

Tamara Van Duyne responded to queries from Commissioner Van Horik.

Derek Burnham spoke.

Tamara Van Duyne spoke.

Commissioner Smith spoke.

Tamara Van Duyne responded to a comment made by Commissioner
Smith.

Walter Petroski, architect, responded to a query from Commissioner
Smith.

Derek Burnham responded to a query from Commissioner Saumur.

A dialogue ensued between Commissioner Saumur, Walter Petroski,
and Derek Burnham.

Derek Burnham responded to a query from Commissioner Blair.

Chair Durnin spoke.

Walter Petroski responded to queries from Commissioner Blair.

Derek Burnham responded to a query from Commissioner Blair.

Commissioner Blair spoke.

Amy Bodek, Director of Development Services, spoke.

Tamara Van Duyne spoke.

Jim Corbett provided public comment.

A dialogue ensued between Commissioner Smith, Jim Corbett and Derek Burnham.

Jim Corbett responded to a query from Commissioner Blair.

Commissioner Gentile spoke.

A dialogue ensued between Commissioner Saumur and Derek Burnham.

Chair Durnin spoke.

Commissioner Fox spoke.

Commissioner Blair spoke.

A dialogue ensued between Commissioner Blair and Derek Burnham.

Commissioner Van Horik spoke.

A dialogue ensued between Commissioner Van Horik and Derek Burnham.

Derek Burnham responded to a query from Commissioner Saumur.

A motion was made by Commissioner Van Horik, seconded by Commissioner Fox, to sustain the appeal, overturn the decision of the Zoning Administrator, and approve three variances for front, rear, and side setbacks.

A dialogue ensued between Commissioner Smith, Amy Bodek and Derek Burnham.

A substitute motion was made by Commissioner Smith, seconded by Commissioner Saumur, to sustain the appeal, overturn the decision of the Zoning Administrator, and approve the front and side setbacks, but deny the rear setback.

Commissioner Gentile spoke.

A dialogue ensued between Derek Burnham and Commissioner Gentile.

A vote was taken on the substitute motion, which failed by a vote of 3-4, with Commissioners Durnin, Smith and Saumur voting for and

Commissioners Fox, Blair, Van Horik and Gentile voting against.

A vote was then taken on the original motion, which also failed by a vote of 3-4, with Commissioners Fox, Blair and Van Horik voting for and Commissioners Durnin, Gentile, Smith and Saumur voting against.

Commissioner Fox spoke.

Tamara Van Duyne responded to a query from Commissioner Fox.

A dialogue ensued between Chair Durnin, Derek Burnham, and Tamara Van Duyne.

Derek Burnham responded to a query from Commissioner Blair.

Commissioner Gentile spoke.

Amy Bodek responded to a query from Commissioner Gentile.

Commissioner Smith spoke.

Commissioner Gentile spoke.

A dialogue ensued between Derek Burnham and Commissioner Gentile.

Commissioner Blair made a motion, seconded by Commissioner Fox, to reconsider the motion to sustain the appeal, overturn the decision of the Zoning Administrator, and approve three variances for front, rear and side setbacks.

Commissioner Gentile responded to a query from Amy Bodek.

Jim Corbett spoke.

Chair Durnin spoke.

A substitute motion was made by Commissioner Gentile, seconded by Commissioner Saumur, to continue the item to a date to be renoticed to allow the applicant to work with staff to eliminate the need for variances for side and rear setbacks and improve the turning radius for garage ingress and egress at the alley. The motion carried by the following vote:

Yes: 4 - Leslie Fernald Gentile, Melani Smith, Donita Van Horik and Phillip Joseph Saumur

No: 3 - Alan L. Fox, Charles Durnin and Becky Blair

PUBLIC PARTICIPATION (6:35 PM)

There was no public comment given.

COMMENTS FROM THE PLANNING COMMISSION (6:35 PM)

Derek Burnham responded to queries from Commissioner Blair.

Commissioner Fox spoke.

Amy Bodek spoke.

Derek Burnham spoke.

Derek Burnham responded to a query from Commissioner Smith.

ADJOURNMENT (6:39 PM)

At 6:39 p.m., Chair Durnin adjourned the meeting.

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