

**MINUTES OF THE 18 OCTOBER 2006
TRINIDAD PLANNING COMMISSION MEETING**

I. ROLL CALL

Chairman Kenny called the meeting to order at 7:30 p.m. Other Commissioners in attendance were Fulkerson, Lake, Johnson, and Morgan. Council Liaison Heyenga was absent. Parker represented staff in attendance.

II. APPROVAL OF MINUTES – August 16, 2006

There were no changes or corrections made to the minutes. Johnson moved to approve the minutes as submitted. Fulkerson seconded. Motion passes 5-0.

III. APPROVAL OF AGENDA

No changes were made to the agenda.

IV. ITEMS FROM THE FLOOR

There were no items from the floor.

V. AGENDA ITEMS

PLANNING COMMISSION DISCUSSION / ACTION / PUBLIC HEARING ITEMS

1. Pinske/Hess 2006-13: Use Permit and Coastal Development Permit to remove two large (>12" DBH) Monterey cypress trees from the northwest corner of the property that were damaged during winter storms and which pose potential hazard to neighboring structures and pedestrians along the Underwood Trail. 811 Underwood Drive; APN: 042-041-29

Parker summarized the staff report. Kenny called for questions of staff from the Commission. Kenny inquired as to whether the Monterey Cypress trees are native species. Parker and Lake stated they are not native. Public comment from Stan, with a degree in Horticulture, stated that the Monterey Cypress is not native to Humboldt County but is native to Monterey Peninsula area. Commissioner Morgan questioned whether the trees were planted. Applicants stated that the trees were planted by Mrs. Underwood. Commissioner Johnson restates that one of the staff conclusions states that no fencing or landscaping is proposed at this time. For clarification he states that part of the existing fence is knocked down and questions whether the applicants have any plans to repair or replace the fence. The applicants state that there are plans to fix the existing fence. Second comment is in regards to the trees root system and whether the applicant would consider the recommendation to trim tree number two and what is the long term prognosis if that is considered? Parker states it would be best to seek the advice of an arborist.

Kenny opened the hearing to public comment. The applicant addressed Commissioner Johnson's question of whether trimming tree number two would be considered and refers to recommendations by the arborist. Kenny restated the recommendations given

by the arborist. Recommendation for tree number one is “there is not much left of it and the proposal is to completely remove that tree. For tree number “our proposal is to remove the entire tree thus eliminating any potential damage to the property and/or pedestrians.” Parker confirms that is the applicant’s proposal. Applicant reads additional arborist recommendations, “Tree number one has much history of limb failure and is nearing the end of its life, I recommend complete removal. Tree number two is still a good healthy Monterey Cypress tree. Though Monterey Cypress trees have a history of limb failure it can be pruned including several large lower limbs and dead wood removal. Some of the longer limbs can be pruned back for weight reduction. Pruning and dead wood removal will reduce but cannot eliminate all hazards.” Applicants reiterate that their focus for this proposal is primarily for public safety and for protection of property and restate their desire to see both trees completely removed. One public comment stated support of the removal of both trees for potential property damage. Stan Vinny stated that he may be a minority in his opinion and that he understands that there may be potential hazards but he is opposed to seeing another big tree being removed. It is clear that tree number one should be removed but he hopes that tree number two will only be trimmed. Commissioner Lake agrees that it is sad to see the trees be removed but states that the tree being removed today was completely rotted on the inside and that a life expectancy and the condition of the trees need to be addressed. Commissioner Fulkerson questioned why the trees being cut down today were not presented to the Commission. Parker stated that these trees were given immediate approval back in January after the winter storms.

Kenny closed public comment and opened Commission discussion. Commissioner Fulkerson began by stating the removal of these landmark trees represents another significant loss to the City of Trinidad. Fulkerson does not support the removal of these trees. Commissioner Johnson understands the position of the applicant and supports the removal of tree number one however he expresses that he would like to see long term planning and rehabilitation of tree number two. Kenny is sympathetic to applicant and property owners and states his support of the removal of both trees. Commissioner Morgan stated sympathies to homeowner and applicants. He stated that tree number two is leaning dangerously towards the house and not the trail. Commissioner Lake stated concern for potential hazards of trees in current condition and approves of removal of both trees.

Motion: Kenny made the following motion: *Based on the information submitted in the application, included in the staff report and public testimony, I move to adopt the information and findings included in this Staff Report, and recommend approval of the project as conditioned below.* Motion seconded by Lake. Motion passed 4-1. Commissioner Fulkerson opposed.

VI. **STAFF REPORT**

Parker updated the Commission on the status of the U.S. Cellular decision appealed to the California Coastal Commission. She is meeting with Jim Baskin with the Coastal Commission to get started on the appeal process. Other updates include work completed under the Prop 50 grant. She noted that preparations are beginning

for water quality monitoring. Parker said that work on the OWTS ordinance was on hold, while the monitoring plan and other obligations under the Prop 50 grant are completed, but that the ordinance should be updated in the next few months. Additionally the General Plan update is focused on septic, water quality, and land use.

Additional discussions began regarding the U.S. Cellular appeal process and the frustrations of the Commission that their recommendations were ignored by the City Council. Fulkerson stated that the Planning Commission recommendations should automatically be put on the Council's agenda. Additional comments from the Commission included the relevance of a Council Liaison. Commission suggests that perhaps there should be a Commission Liaison to attend Council meetings rather than a Council Liaison.

VII. **ADJOURNMENT**

Kenny adjourned the meeting at 8:30.

Respectfully Submitted by: Michelle Bedard, Assistant City Planner
Streamline Planning Consultants