

Marin Conservation League

North Marin Unit

Meeting Notes
October 20, 2011

The meeting was called to order at the home of Don and Gail Wilhelm . Attending were Bernie Meyers, Joyce Applen, Edith Piltsch, Pat U'ren, Frank U'ren and Susan Stompe. Guest Pat Eklund

Announcements: No new announcements

Minutes: The notes of the September 21 meeting were approved as distributed.

Hanna Ranch: The **Final EIR** came out on Oct. 4 and the Planning Commission had a hearing this last Monday, followed on Tuesday by hearings on the Vacation of Easements, General Plan Amendment, Master Plan, Precise Development Plan, Use Permit, and Development Standards Exceptions (15). The staff report was available on Monday. Susan had not absorbed the 248 page staff report at the time of the meeting and attended only to point out that the public needs more time than that to be able to comment substantively.

The final EIR brushed off DF&G request for a more current bioassessment. The City of Novato did not require it. The MCL letter on the Draft EIR recommended dual piping for the hotel, but the FEIR stated that recycled water would only be for irrigation. The NMWD recommended dual piping, as well as recycled water for irrigation.

The Marin County Flood Control & Water Conservation District challenged the calculation of "top of bank" being the water line. It was not apparent that the project was modified to address this. It does acknowledge, however, that a permit would be needed for encroachments onto Marin County Flood Control property.

Many additional studies are identified in the FEIR, however it is not evident that the public would have an opportunity to review them. The studies and plans include: Stormwater Control Plan, Storm Drainage and Hydraulic Study, native grass Restoration, Monitoring and Maintenance Plan, Wetland Mitigation and Monitoring Plan, tree Mitigation Plan for long term survival of native trees, Woodland Conservation and Management Plan, Stream and Wetland Management Plan.

A **General Plan Amendment** is required for the project to move forward. The property is currently Business Professional Office (BPO). It would be changed to General Commercial (CG). The designation would also be applied to the City owned property (Parcel C), which is proposed to be sold to the developer.

Vacating City Owned property and "floating access easement" are in a separate Resolution. After some discussion the NMU recommended that if Parcel C is vacated it should be sold at fair market value at the new General Plan designation adopted by the City. It was recommended that the "floating easement" not be sold or vacated. Although it is not viable now since no one has the funds to build a new interchange at Highway 37, it could be needed in 20 or 30 years. The option should not be lost for that much needed linkage. The project should be looked at with this in mind.

It was not recommended that housing be built on the site, but the developer should contribute to a **Commercial Linkage Fee** that will assist the city in providing housing for lower income people, such as the employees of the hotel and restaurants.

The proposed encroachments on the Bev Ehreth Ecological Preserve should be eliminated. The decks and amphitheater diminish the purpose for which it was established – mitigation for wetlands lost when Vintage Oaks was built. It is a quiet, secluded refuge for wildlife, even though it is adjacent to a busy shopping center. There still seems to be a difference in interpretation of the setbacks required by Novato's Development Code or the County Flood Control. The City says no development within 50' of the top of bank. The developer says that, because the preserve was "constructed" the top of bank should be the water line. We do not agree, nor does the Flood Control District. Currently a culvert connects the Preserve to the small Pond. Flood Control recommended daylighting the culvert and creating an open stream. The NMU agrees that would be preferable

to a separate culvert for wildlife, and agree that it would be onsite mitigation for the small seasonal wetlands to be lost.

The precise Development Plan includes 15 Exceptions to the Development Code and 88 conditions of approval. This seems indicative that the project is not compatible with normal standards of development in Novato. The precise Development Plan should not be approved until some of the engineering can demonstrate that the exceptions are feasible.

City Offices: Susan circulated the latest design for the City Offices. Design Review had a meeting the previous night.

Mills restaurant demolition and new project was discussed. The existing restaurant is proposed to be demolished and a new structure to hold 3 businesses would be built on the current parking lot. The new parking lot will be where the current building is located. Parking spaces would be fewer than the current number by 7.

NCRA – Bernie applied for reappointment.

Transportation issues: Don attended the SMART Board meeting and reported that the Board approved the staff recommendation to require RepealSMART to use their description, even though the Secretary of State had issued a letter with a conflicting interpretation of the law.

Community Marin Potential Change areas for North Marin were touched only briefly because of the lateness of the hour.

The meeting adjourned at 9:50.

Notes by S. Stompe