



## **Staff Report**

Date:

December 14, 2017

To:

Mayor Robbins and Council Members

From:

Heidi Scoble, Planning Manager

Subject:

Little Residence at 18 Sylvan Lane

File No. 2017-030

## Recommendation

Town Council approval of Resolution 2034 conditionally approving a Demolition Permit, Design Review, a Nonconformity Permit, and a Tree Permit to allow the demolition and the new construction of a 4,595 square-foot single-family residence, including a 405 square foot garage, and landscape/hardscape improvements, such as a newly reconfigured swimming pool at 18 Sylvan Lane.

## **Project Information**

Owner:

Dan Little and Elena Batalla

Applicant:

Barbara Chambers, Chambers + Chambers Architects

Location:

18 Sylvan Lane

A.P. Number:

073-161-08

Zoning:

R-1:B-20 (Single Family Residence, 20,000 sq.ft. min. lot size)

General Plan:

Low Density (1-3 Units/Acre)

Flood Zone:

Zone AE (1-percent annual chance floodplain)

## **Project Summary**

Lot Area	20,359 square feet		
Existing Floor Area/Ratio	4,666 sq. ft.	23%	(15% FAR Permitted)
Proposed Floor Area/Ratio	4,595 sq. ft.	22.5%	
Existing Lot Coverage	3,026 sq. ft.	15%	(15% Permitted)
Proposed Lot Coverage	2,805 sq. ft.	14%	5
Existing Impervious Surfaces	8,750 sq. ft.	43%	
Proposed Impervious Surfaces	5,930 sq. ft.	29%	

<sup>\*\*\*</sup>The applicant is requesting a Nonconformity Permit to allow floor area beyond the 15% permitted Floor Area Ratio. A Nonconformity Permit is also being requested to allow an existing legal nonconforming

residence that is currently located within the side yard setbacks to be reconstructed within the existing side yard setbacks.

## **Project Description**

The applicant is requesting a Demolition Permit, Design Review, a Nonconformity Permit, a Use Permit, and a Tree Permit to allow the demolition and the new construction of a two-story 4,595 square-foot single-family residence which includes an attached 405 square foot garage. The proposed residence is designed with a height of 29.25 feet. The proposed residence would also be designed with a finished floor height of 36.5 feet, which would be 1.5 feet above the base flood elevation.

The proposed residence consists of a contemporary version of a classically designed two-story pitched roof architectural vernacular. The proposed building materials would be as follows:

Roof:

Metal Standing Seam

Siding:

Painted Horizontal Siding- Grey Tone

Natural Cedar Vertical Board

Stone Fireplace

Trim/Doors/Windows:

Painted Wood- Grey Tone

The project would also include a revised landscape and hardscape design. The driveway would be relocated from the south side of the property to the north side of the property adjacent to the Sylvan Lane frontage. The existing driveway would revert back to a natural lawn area. Other landscape features include the plantings of new trees, shrubs, bushes, and native groundcover as shown on Sheet L1 of the project plans.

Proposed hardscape features would include the use of a permeable gravel driveways, permeable stone pavers, and a newly reconfigured swimming pool. Additionally, the project is designed with a six-foot tall solid entry gate with two 6 foot tall stone columns. The solid gate and proposed Laurel shrubs are intended to screen the driveway and parking areas. The Laurel shrubs would grow to a maximum height of 12 feet tall at maturity.

Lastly, the applicant is requesting a Tree Removal Permit to allow the removal of 26 trees. The trees to be removed consist of a hazardous Valley Oak, a Box Elder in fair condition, three cherry trees in fair to poor condition, five birch trees in fair to poor condition, a plum tree in fair conditions, a redwood in fair condition, and the remaining trees to be removed are overgrown bay tree clusters in fair condition. As shown on the proposed landscape as shown on Sheet L1, the project would include the planting of 21 trees (Dogwood, Redwood, and Japanese Maple), in addition to a minimum of 20 24" box Laurels, thus exceeding the Town's tree replacement requirements per Chapter 12.24 of the Ross Municipal Code

The proposed improvements require the following permits.

- A Demolition Permit is required pursuant to Ross Municipal Code (RMC) Section 18.50.020
  because the project would result in demolition of more than 25% of existing walls and exterior
  wall coverings of the main residence.
- Design Review is required pursuant to Ross Municipal Code (RMC) Section 18.41.020 because the proposed improvements would result in demolition of more than 25% of existing walls and a six-foot tall gate to be constructed adjacent to the Sylvan Lane right-of-way.
- A Non-Conformity Permit is required pursuant to Ross Municipal Code (RMC) Section 18.52.030 to allow for structural alterations to a nonconforming residence that has nonconforming floor area, lot coverage and side yard setbacks.
- A Tree Removal Permit is required pursuant to Ross Municipal Code (RMC) Section 12-24.080 to allow for the removal of 26 trees on improved land.

## Background

The project site was established as a part of the Fern Hill Tract subdivision that was recorded with the County of Marin. The Fern Hill Tract was further subdivided as shown on Parcel Map known as Sylvan Acres that was recorded with Marin County on October 5, 1951. The project site consists of a relatively flat west-to-east orientated lot that borders Corte Madera Creek along the eastern property line. Access to the site is via Sylvan Lane.

The existing residence to be demolished was constructed in 1951 and was considered to be legal nonconforming relative to floor area, lot coverage, and both right and left side yard setbacks. The applicant is requesting a Nonconformity Permit to be allowed to reconstruct the residence with nonconforming floor area, lot coverage, and side yard setbacks. The proposed project would reduce the nonconforming floor area by 71 square feet and would increase the north facing side yard setback from 0 feet to 16 feet, as well as increase the south facing side yard setback from 14 feet to 24 feet, where a 25-foot side yard setback is required.

## **Advisory Design Group Review**

On June 27, 2016, the Advisory Design Review (ADR) Group conducted Conceptual Design Review. The ADR Group members unanimously supported the project based on the improved design of the residence and designing a project that is in keeping with the mass and scale of the site. The ADR Group provided a recommendation to approve the project and requested the project applicants to consider the following:

- 1. Verify that the story poles have been installed accurately
- 2. Determine if additional tree removal would be required as a result of the project. Consider the requirements for "non-intrusion" zones.
- 3. Consider softening the appearance of the façade as it appears too austere and imposing
- 4. Consider pushing the residence back further from the street
- 5. Consider reducing the pitch of the roof

- 6. Consider stretching out the house so it appears more wider and shorter
- 7. Consider the architectural context of the streetscape relative to mass and scale
- 8. Consider a one-story element at the front and then a two-story element in back (e.g., consider project in reverse)

On October 24, 2017, the ADR Group conducted a formal review of a revised project submittal. The project that was presented to the ADR Group was redesigned from the June 2017 proposal as follows:

- 1. The building was stepped back 5 feet towards the east, resulting in a 30-foot front yard setback, where a 25-foot front yard setback was previously proposed.
- 2. The middle gable was modified to a cricket roof.
- 3. The roof pitch was modified from a 12:12 to a 10:12
- 4. The residence was four feet into the north setback

The ADR Group generally supported the project and stated that the project has been improved since the last proposal. The ADR Group especially supported that the residence was pushed back farther from the street, that the building forms were staggered to provide additional articulation, and liked the proposed materials and earth-tone colors.

The ADR Group supported both the original hipped roof design presented at the October 2017 meeting and gabled roof design that was presented at the June 2017 meeting. The ADR Group, suggested that if the gabled roof design was chosen, then the building should be stepped back a minimum of 10 additional feet from Sylvan Lane. The ADR Group also suggested that the cars in the driveway should be screened, that the driveway should be permeable with either gravel or permeable pavers, that the front driveway gate should be reduced in size, and that a portion of the front south-facing garden should be left open and have a manicured design aesthetic.

Since the October ADR Group meeting, the applicant has chosen to present a hipped roof design. Accordingly, the project has been redesigned to step the residence back an additional 10 feet resulting in a 40-foot front yard setback. The project also been designed to reduce the amount of impervious surfaces from 8,720 square feet to 5,824 square feet and would incorporate the use of permeable gravel material for the driveway and permeable stone pavers for hardscaped paths and patios.

## Key Issues

## Design Review

The overall purpose of Design Review is to provide excellence in design consistent with the same quality of the existing development, to preserve and enhance the historical "small town," low-density character and identity that is unique to the Town of Ross, to discourage the development of individual buildings which dominate the townscape or attract attention through color, mass or inappropriate architectural expression, and to upgrade the appearance, quality and condition of existing improvements in conjunction with new development or remodeling of a site.

Accordingly, pursuant to Section 18.41.100 of the Ross Municipal Code, a series of Design Review criteria and standards have been developed to guide development.

In reviewing the project, the following design review criteria and standards are most relevant to the project:

## 1. Minimizing Bulk and Mass.

- New structures and additions should avoid monumental or excessively large size out of character with their setting or with other dwellings in the neighborhood. Buildings should be compatible with others in the neighborhood and not attract attention to themselves. When nonconforming floor area is proposed to be retained with site redevelopment, the Council may consider the volume and mass of the replacement floor area and limit the volume and mass where necessary to meet the intent of these standards.
- ✓ To avoid monotony or an impression of bulk, large expanses of any one material on a single plane should be avoided, and large single-plane retaining walls should be avoided. Vertical and horizontal elements should be used to add architectural variety and to break up building plans. The development of dwellings or dwelling groups should not create excessive mass, bulk or repetition of design features.

## 2. Materials and Colors.

- ✓ Buildings should use materials and colors that minimize visual impacts, blend with the existing land forms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Colors and materials should be compatible with those in the surrounding area. High-quality building materials should be used.
- ✓ Natural materials such as wood and stone are preferred, and manufactured materials such as concrete, stucco or metal should be used in moderation to avoid visual conflicts with the natural setting of the structure.
- ✓ Soft and muted colors in the earth-tone and wood-tone range are preferred and generally should predominate.

## 3. Drives, Parking and Circulation.

Access ways and parking areas should be in scale with the design of buildings and structures on the site. They should be sited to minimize physical impacts on adjacent properties related to noise, light and emissions and be visually compatible with development on the site and on neighboring properties. Off-street parking should be screened from view. The area devoted to driveways, parking pads and parking facilities should be minimized through careful site planning.

## 4. Fences and Screening.

Fences and walls should be designed and located to be architecturally compatible with the design of the building. They should be aesthetically attractive and not create a "walled-in" feeling or a harsh, solid expanse when viewed from adjacent vantage points. Front yard fences and walls should be set back sufficient distance from the property line to allow for installation of a landscape buffer to soften the visual appearance. Transparent front yard fences and gates over four feet tall may be permitted if the design and landscaping is compatible and consistent with the design, height and character of fences and landscaping in the neighborhood. Front yard vehicular gates should be transparent to let light and lines of sight through the gate.

## 5. Landscaping.

✓ Landscaping should include appropriate plantings to soften or screen the appearance of structures as seen from off-site locations and to screen architectural and mechanical elements such as foundations, retaining walls, condensers and transformers.

Upon review of the project, staff suggests the project is designed to be consistent with the Town's Design review criteria and standards of Section 18.41.100 of the Ross Municipal Code and generally supports the size, location, and materials of the project, with the exception of the proposed fence. Staff recommends as a condition of approval that would require the front entry gate to be redesigned to be semi-transparent so not to have a "walled-in" feeling or a harsh, solid expanse when viewed from the Sylvan Lane right-of-way. The condition would require the applicant to submit a revised fence design to be approved by the Planning Manager, in consultation with the ADR Group, prior to issuance of a building permit.

With the above condition of approval, staff suggests the project is consistent with the Design review criteria and standards as follows:

- 1. As conditioned, the project would maintain the bucolic appearance of the grounds and appearance to neighboring properties.
- 2. As conditioned, the mass and scale of the project would be more in keeping with character of the setting and the surrounding neighboring properties.
- 3. As conditioned, the project would be in keeping with the architectural style and materials of the existing residence.
- 4. The project is designed within high quality, long lasting materials and earth-tone colors.
- 5. The project would provide adequate driveway access and circulation consistent with the requirements of the Town's Department of Public Works and the Ross Valley Fire Department.
- 6. The project would not impact any creeks and drainage ways to ensure protection of any natural resource area of the riparian area.
- 7. The project would not reduce the Town's housing stock.

In summary and as supported above, staff suggests the project is consistent with the intent of the Town's Design Review criteria, standards, findings, and conditions of approval.

## **Nonconformity Permit**

The applicant is requesting a Nonconformity permit to allow the continuance of the legal nonconforming floor area, lot coverage, and side yard setbacks. In order for a Nonconformity Permit to be approved, to project must be determined to be consistent with the findings in Section 18.52.040(f).

Staff suggests the Nonconformity Permit findings can be achieved as the project would meet the intent and purpose of the regulations as follows:

- The demolition of the existing residence would not impact a building that has any historical, architectural, cultural and/or aesthetic value to the Town of Ross or the context of the neighborhood.
- 2. The project would result in a project that would bring the residence into greater conformity than the existing residence by reducing floor area and increasing both the north and south side yard setbacks.
- 3. The project would be in keeping with the Design review criteria and standards as described in the Design Review section of the staff report.
- 4. The project would be required to comply with the Town's Municipal Code and California Building Code to ensure the public health, safety, and welfare to properties or improvements in the vicinity.
- 5. The project is located within a flood zone and is designed to comply with the Town's Flood Damage Prevention regulations of Chapter 15.36. Specifically, the residence is designed to be 1.5 feet about the base flood elevation.
- 6. The project is designed with adequate on-site parking.

### **Public Comment**

Public Notices were mailed to property owners within 500 feet of the project site. Apart from four Neighbor Acknowledgement Forms supporting the project, staff has not received comments as of the distribution of this report.

## Fiscal, resource and timeline impacts

If approved, the project would be subject to one-time fees for a building permit, and associated impact fees, which are based the reasonable expected cost of providing the associated services and facilities related to the development. The improved project site may be reassessed at a higher value by the Marin County Assessor, leading to an increase in the Town's property tax revenues. Lastly, there would be no operating or funding impacts associated with the project as the project applicant would be required to pay the necessary fees for Town staff's review of future building permit plan check and inspection fees.

## Alternative actions

- 1. Continue the project for modifications; or
- 2. Make findings to deny the application.

## **Environmental review (if applicable)**

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15303(e), Class 3 — New construction or Conversion of Small Structures, because the project consists of the new construction of a single-family residence and related improvements. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources.

## **Attachments**

- 1. Resolution 2034
- 2. Project Plans
- 3. Project Description prepared by Chambers and Chambers
- 4. Project History
- 5. Neighborhood Outreach
- 6. Advisory Design Review Group Minutes dated June 27, 2017 and October 24, 2017
- 7. Arborist Report prepared by Urban Forestry Associates, Inc. dated July 10, 2017

## ATTACHMENT 1

## **TOWN OF ROSS**

## **RESOLUTION NO. 2034**

# A RESOLUTION OF THE TOWN OF ROSS APPROVING A DEMOLITION PERMIT, DESIGN REVEW, A NONCONFORMITY PERMIT, AND A TREE REMOVAL PERMIT TO ALLOW THE NEW CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AND A SWIMMING POOL

## **AT 18 SYLVAN LANE, APN 073-161-08**

WHEREAS, project architect Chambers and Chambers, on behalf of property owners Dan Little and Elena Batalla, have submitted an application for a Demolition Permit, Design Review, and a Nonconformity Permit from FAR to allow the demolition and the new construction of a 4,595 square-foot single-family residence, including a 405 square foot garage, and landscape/hardscape improvements, such as a newly reconfigured swimming pool at 18 Sylvan Lane (herein referred to as the "project); and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15303 – New Construction, because it involves construction of new single family residence with no potential for impacts as proposed and as outlined in the staff report and no exception set forth in Section 15300.2 of the CEQA Guidelines (including but not limited to subsection (a) which relates to impacts on environmental resources; subsection (b) which relates to cumulative impacts, subsection (c) which relates to unusual circumstances; or subsection (f) which relates to historical resources) was found to apply to the project; and

WHEREAS, on December 14, 2017, the Town Council held a duly noticed public hearing to consider the proposed project; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

**NOW, THEREFORE, BE IT RESOLVED** the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A" approving the Project described herein, subject to the Conditions of Approval attached as Exhibit "B" at 18 Sylvan Lane.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular
meeting held on the 14 <sup>th</sup> day of December 2017, by the following vote:

meeting held on the 14" day of December 2017	, by the followi	ing vote:		
AVFS.	(g)			

NOES:

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ABSENT:		20	÷.		
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ATTEST:			¥		250

## EXHIBIT "A" FINDINGS TO APPROVE 18 SYLVAN LANE APN 073-161-08

## A. Findings

- I. Demolition Permit (RMC § 18.50.060) Approval of a Demolition Permit for removal of existing single family residence is based on the findings outlined in Ross Municipal Code Section 18.50.060 as described below:
- a) The demolition would not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.

The project will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.

b) The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town.

As supported in the December 14, 2017 Staff Report, the project would meet the purpose of the Design Review chapter through its design and landscaping. Additionally, the project would retain a similar, but updated design character, mass and bulk, and materials of the existing residence, therefore preserving the small town quality and feeling of the town.

c) The project is consistent with the Ross general plan and zoning ordinance.

With the exception of the existing legal nonconforming floor area, lot coverage, and both north and south facing side yard setback, the scope of the project is consistent with the allowed structures and uses that may be permitted within the low density land use designation of the General Plan and the R-1:B-20 zoning district.

d) The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The project would be required to comply with the Town's Building Code and Fire Code requirements, therefore ensuring the health, safety, and general welfare of the residence residing or working in the neighborhood.

- II. In accordance with Ross Municipal Code Section 18.41.070, Design Review is approved based on the following findings:
  - a) The project is consistent with the purpose of the Design Review chapter as outlined in Ross Municipal Code Section 18.41.010:

As supported in the December 14, 2017 staff report and as conditioned, the project would meet the purpose of the Design Review chapter through its high quality design and materials. The project is designed with a similar architectural style and materials of the existing residence. The project would not impact the "small town" character of the Town because the project is designed to maintain the overall mass, bulk, and style of the existing residence and garage. As conditioned, the project would also minimize visibility with landscaping to soften the appearance of the residence. Additionally, the project would not impact any unique environmental resources due to the location of the project site relative to any sensitive wildlife habitat, species, and/or creeks. Lastly, the project would be required to address drainage and stormwater prior to issuance of any building permit to allow for the construction of the project.

b) The project is in substantial compliance with the design criteria of Ross Municipal Code Section 18.41.100.

As summarized in the staff report dated December 14, 2017, the project would be consistent with the design review criteria and standards relative to architectural design, materials, colors, and landscaping. Lastly, the project would address health and safety through the issuance of a building permit to ensure compliance with the building, public works, and fire code regulations.

c) The project is consistent with the Ross General Plan and zoning ordinance.

The scope of the project is consistent with the allowed structures and uses that may be permitted within the Low Density land use designation of the General Plan and the single family residence chapter of the zoning ordinance.

- III. Non-conformity Permit (RMC § 18.52.040) Approval of a non-conformity Permit to allow reconstruction of the existing residence in its existing nonconforming location is based on the following findings:
- a) The nonconforming structure was in existence at the time the ordinance that now prohibits the structure was passed. The structure must have been lawful when constructed.

The existing structures were originally constructed circa 1951, prior to the Town's zoning regulations, therefore the project is consistent with this finding.

b) The town council can make the findings required to approve any required demolition permit for the structure.

These findings have been made under the demolition findings above.

c) The project substantially conforms to relevant design review criteria and standards in Section 18.41.100.

See Design Review Findings above.

d) Total floor area does not exceed the greater of: a) the total floor area of the existing conforming and/or legal nonconforming structure(s); or b) the maximum floor area permitted for the lot under current zoning regulations.

The project would result in less floor area than the existing floor area. Specifically, the project would result in a reduction in floor area from 4,666 square feet to 4,595 square feet. Therefore, the project would be consistent with this finding.

e) Granting the permit will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

As stated in the December 14, 2017 staff report, the project would be required to comply with the Town's Building Code and Fire Code requirements, therefore ensuring the health, safety, and general welfare of the residence residing or working in the neighborhood.

f) The project will comply with the Flood Damage Prevention regulations in Chapter 15.36.

The project site is designed to comply with the base flood elevation requirements of FEMA. Specifically, the finished floor of the residence would be 1.5 feet above the base flood elevation.

g) The fire chief has confirmed that the site has adequate access and water supply for firefighting purposes, or that the project includes alternate measures approved by the fire chief.

The project has been reviewed by the Ross Valley Fire Department (RVFD). The RVFD has provided stated that the project can be approved subject to the installation of fire sprinklers, smoke detectors, and carbon monoxide detectors.

h) The applicant has agreed in writing to the indemnification provision in Section 18.40.180.

Indemnification requirements have been included as conditions of approval

i) The site has adequate parking.

The project would provide the required four on-site parking spaces, one of which would be covered consistent with the R1:B-20 zoning district regulations.

- IV. In accordance with Ross Municipal Code Section 12.24.080, a Tree Removal permit is approved based on the following findings:
  - 1. The alteration or removal is necessary to allow the economic enjoyment of the property, such as construction of improvements because some of the trees are located over the most feasible development area;
  - 2. The alteration or removal would not adversely impact the subject property or neighboring properties because a large number of trees will remain;
  - 3. Tree removal would not result in significant erosion or the diversion of increased flows of surface water because engineered fill would be placed where stumps are removed;
  - 4. The alteration or removal is necessary to removal diseased and/or hazardous trees.

## EXHIBIT "B" CONDITIONS OF APPROVAL 18 SYLVAN LANE APN 073-161-08

- 1. This approval authorizes a Demolition Permit, Design Review, and a Nonconformity Permit from FAR to allow the demolition and the new construction of a 4,595 square-foot single-family residence, including a 405 square foot garage, and landscape/hardscape improvements, such as a newly reconfigured swimming pool at 18 Sylvan Lane.
- 2. The building permit shall substantially conform to the plans entitled, "Little Residence" consisting of 21 sheets prepared by Ann Bool Design and Planning, date stamped received November 20, 2017.
- 3. PRIOR TO ISSUANCE OF ANY GRADING OR BUILDING PERMIT, the following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit. The property owner shall certify on the building permit plans that they have read and agree to the following conditions.
- 4. The Tree Removal Permit cannot be issued until issuance of any grading or building permit for the project.
- 5. Except as otherwise provided in these conditions, the project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
- 6. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.
- 7. Prior to Building Permit Issuance, the applicant shall submit proposed exterior lighting fixtures if any new lighting will be installed as a result of the project. All lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and

pattern of light and eliminate spill light to neighboring properties or a glowing night time character.

- 8. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
  - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
  - b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
  - c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.
  - d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (e.g. temporary seeding and mulching or straw matting).
  - e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
  - f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director, who may consult with the town hydrologist at the applicants' expense (a deposit may be required). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to preproject conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to preproject conditions. Applicants are encouraged to submit a drainage plan designed to

produce peak runoff from the site that is the same or less than estimated natural, predevelopment conditions which existed at the site prior to installation of impermeable surfaces and other landscape changes (natural predevelopment rate standard). Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.

- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas.
- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A Final construction management plan shall be submitted in time to be incorporated into the job.
- k. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the project and the construction management plan.
- I. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- m. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- n. Inspections shall not be provided unless the Town-approved building permit plans are available on site.

- o. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- p. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved. (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.
- q. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- r. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- s. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- t. The project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. The Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
  - i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc, are implemented.
  - ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.
  - iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.
- 9. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

## **TOWN OF ROSS**

## **RESOLUTION NO. 2034**

# A RESOLUTION OF THE TOWN OF ROSS APPROVING A DEMOLITION PERMIT, DESIGN REVEW, A NONCONFORMITY PERMIT, AND A TREE REMOVAL PERMIT TO ALLOW THE NEW CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AND A SWIMMING POOL

## **AT 18 SYLVAN LANE, APN 073-161-08**

WHEREAS, project architect Chambers and Chambers, on behalf of property owners Dan Little and Elena Batalla, have submitted an application for a Demolition Permit, Design Review, and a Nonconformity Permit from FAR to allow the demolition and the new construction of a 4,595 square-foot single-family residence, including a 405 square foot garage, and landscape/hardscape improvements, such as a newly reconfigured swimming pool at 18 Sylvan Lane (herein referred to as the "project); and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15303 – *New Construction*, because it involves construction of new single family residence with no potential for impacts as proposed and as outlined in the staff report and no exception set forth in Section 15300.2 of the CEQA Guidelines (including but not limited to subsection (a) which relates to impacts on environmental resources; subsection (b) which relates to cumulative impacts, subsection (c) which relates to unusual circumstances; or subsection (f) which relates to historical resources) was found to apply to the project; and

WHEREAS, on December 14, 2017, the Town Council held a duly noticed public hearing to consider the proposed project; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

**NOW, THEREFORE, BE IT RESOLVED** the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A" approving the Project described herein, subject to the Conditions of Approval attached as Exhibit "B" at 18 Sylvan Lane.

The foregoing resolution was duly and regularly adopted by the Ross Town Counc	il at its regular
meeting held on the 14 <sup>th</sup> day of December 2017, by the following vote:	19

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NOES:

BSTAIN:					
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TEST:		×			

## EXHIBIT "A" FINDINGS TO APPROVE 18 SYLVAN LANE APN 073-161-08

## A. Findings

- I. Demolition Permit (RMC § 18.50.060) Approval of a Demolition Permit for removal of existing single family residence is based on the findings outlined in Ross Municipal Code Section 18.50.060 as described below:
- a) The demolition would not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.

The project will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.

b) The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town.

As supported in the December 14, 2017 Staff Report, the project would meet the purpose of the Design Review chapter through its design and landscaping. Additionally, the project would retain a similar, but updated design character, mass and bulk, and materials of the existing residence, therefore preserving the small town quality and feeling of the town.

c) The project is consistent with the Ross general plan and zoning ordinance.

With the exception of the existing legal nonconforming floor area, lot coverage, and left side yard setback, the scope of the project is consistent with the allowed structures and uses that may be permitted within the low density land use designation of the General Plan and the R-1:B-20 zoning district.

d) The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The project would be required to comply with the Town's Building Code and Fire Code requirements, therefore ensuring the health, safety, and general welfare of the residence residing or working in the neighborhood.

- II. In accordance with Ross Municipal Code Section 18.41.070, Design Review is approved based on the following findings:
  - a) The project is consistent with the purpose of the Design Review chapter as outlined in Ross Municipal Code Section 18.41.010:

As supported in the December 14, 2017 staff report and as conditioned, the project would meet the purpose of the Design Review chapter through its high quality design and materials. The project is designed with a similar architectural style and materials of the existing residence. The project would not impact the "small town" character of the Town because the project is designed to maintain the overall mass, bulk, and style of the existing residence and garage. As conditioned, the project would also minimize visibility with landscaping to soften the appearance of the residence. Additionally, the project would not impact any unique environmental resources due to the location of the project site relative to any sensitive wildlife habitat, species, and/or creeks. Lastly, the project would be required to address drainage and stormwater prior to issuance of any building permit to allow for the construction of the project.

b) The project is in substantial compliance with the design criteria of Ross Municipal Code Section 18.41.100.

As summarized in the staff report dated December 14, 2017, the project would be consistent with the design review criteria and standards relative to architectural design, materials, colors, and landscaping. Lastly, the project would address health and safety through the issuance of a building permit to ensure compliance with the building, public works, and fire code regulations.

- c) The project is consistent with the Ross General Plan and zoning ordinance.
- The scope of the project is consistent with the allowed structures and uses that may be permitted within the Low Density land use designation of the General Plan and the single family residence chapter of the zoning ordinance.
- III. Non-conformity Permit (RMC § 18.52.040) Approval of a non-conformity Permit to allow reconstruction of the existing residence in its existing nonconforming location is based on the following findings:
- a) The nonconforming structure was in existence at the time the ordinance that now prohibits the structure was passed. The structure must have been lawful when constructed.

The existing structures were originally constructed circa 1951, prior to the Town's zoning regulations, therefore the project is consistent with this finding.

b) The town council can make the findings required to approve any required demolition permit for the structure.

These findings have been made under the demolition findings above.

c) The project substantially conforms to relevant design review criteria and standards in Section 18.41.100.

See Design Review Findings above.

d) Total floor area does not exceed the greater of: a) the total floor area of the existing conforming and/or legal nonconforming structure(s); or b) the maximum floor area permitted for the lot under current zoning regulations.

The project would result in less floor area than the existing floor area. Specifically, the project would result in a reduction in floor area from 4,666 square feet to 4,595 square feet. Therefore, the project would be consistent with this finding.

e) Granting the permit will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

As stated in the December 14, 2017 staff report, the project would be required to comply with the Town's Building Code and Fire Code requirements, therefore ensuring the health, safety, and general welfare of the residence residing or working in the neighborhood.

f) The project will comply with the Flood Damage Prevention regulations in Chapter 15.36.

The project site is designed to comply with the base flood elevation requirements of FEMA. Specifically, the finished floor of the residence would be 1.5 feet above the base flood elevation.

g) The fire chief has confirmed that the site has adequate access and water supply for firefighting purposes, or that the project includes alternate measures approved by the fire chief.

The project has been reviewed by the Ross Valley Fire Department (RVFD). The RVFD has provided stated that the project can be approved subject to the installation of fire sprinklers, smoke detectors, and carbon monoxide detectors.

h) The applicant has agreed in writing to the indemnification provision in Section 18.40.180.

Indemnification requirements have been included as conditions of approval

i) The site has adequate parking.

The project would provide the required four on-site parking spaces, one of which would be covered consistent with the R1:B-20 zoning district regulations.

- IV. In accordance with Ross Municipal Code Section 12.24.080, a Tree Removal permit is approved based on the following findings:
  - 1. The alteration or removal is necessary to allow the economic enjoyment of the property, such as construction of improvements because some of the trees are located over the most feasible development area;
  - 2. The alteration or removal would not adversely impact the subject property or neighboring properties because a large number of trees will remain;
  - 3. Tree removal would not result in significant erosion or the diversion of increased flows of surface water because engineered fill would be placed where stumps are removed;
  - 4. The alteration or removal is necessary to removal diseased and/or hazardous trees.

## EXHIBIT "B" CONDITIONS OF APPROVAL 18 SYLVAN LANE APN 073-161-08

- 1. This approval authorizes a Demolition Permit, Design Review, and a Nonconformity Permit from FAR to allow the demolition and the new construction of a 4,595 square-foot single-family residence, including a 405 square foot garage, and landscape/hardscape improvements, such as a newly reconfigured swimming pool at 18 Sylvan Lane.
- 2. The building permit shall substantially conform to the plans entitled, "Little Residence" consisting of 21 sheets prepared by Ann Bool Design and Planning, date stamped received November 20, 2017.
- 3. PRIOR TO ISSUANCE OF ANY GRADING OR BUILDING PERMIT, the following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit. The property owner shall certify on the building permit plans that they have read and agree to the following conditions.
- 4. The Tree Removal Permit cannot be issued until issuance of any grading or building permit for the project.
- 5. Except as otherwise provided in these conditions, the project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
- 6. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.
- 7. Prior to Building Permit Issuance, the applicant shall submit proposed exterior lighting fixtures if any new lighting will be installed as a result of the project. All lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public right-of-ways is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and

pattern of light and eliminate spill light to neighboring properties or a glowing night time character.

- 8. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
  - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
  - b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
  - c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.
  - d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (e.g. temporary seeding and mulching or straw matting).
  - e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
  - f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director, who may consult with the town hydrologist at the applicants' expense (a deposit may be required). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to preproject conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to preproject conditions. Applicants are encouraged to submit a drainage plan designed to

produce peak runoff from the site that is the same or less than estimated natural, predevelopment conditions which existed at the site prior to installation of impermeable surfaces and other landscape changes (natural predevelopment rate standard). Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.

- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas.
- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A Final construction management plan shall be submitted in time to be incorporated into the job.
- k. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the project and the construction management plan.
- I. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- m. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- n. Inspections shall not be provided unless the Town-approved building permit plans are available on site.

- o. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- p. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved. (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.
- q. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- r. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- s. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- t. The project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. The Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
  - i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc, are implemented.
  - ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.
  - The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.
- 9. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

## ATTACHMENT 2

## LITTLE RESIDENCE

ROSS, CALIFORNIA



RECEIVED Planning Department

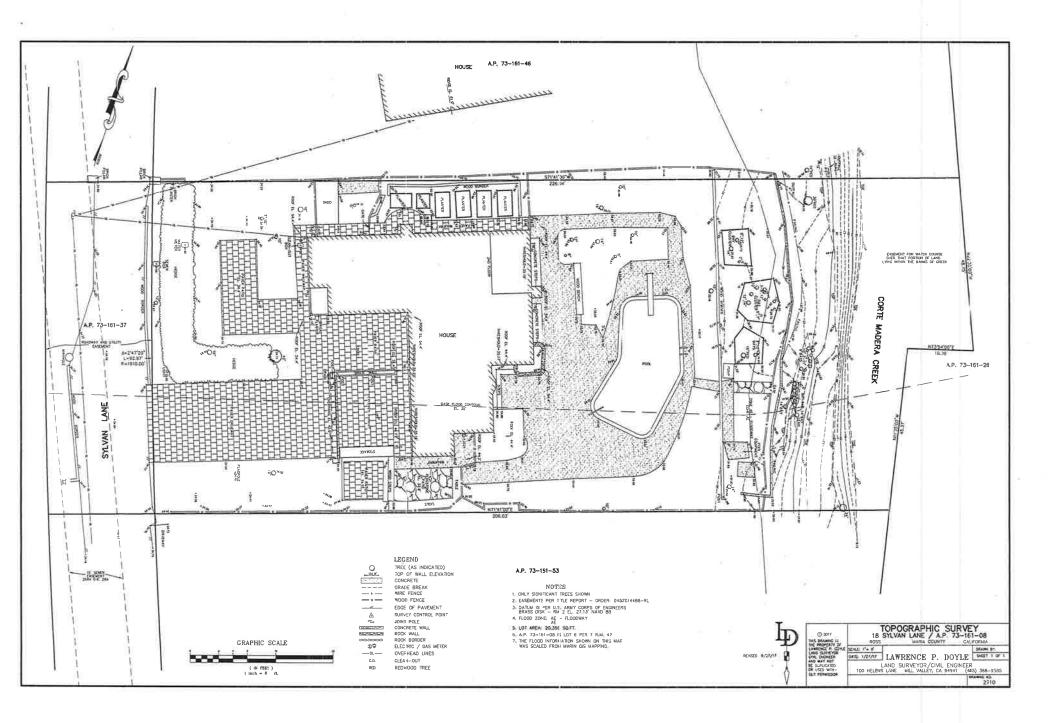
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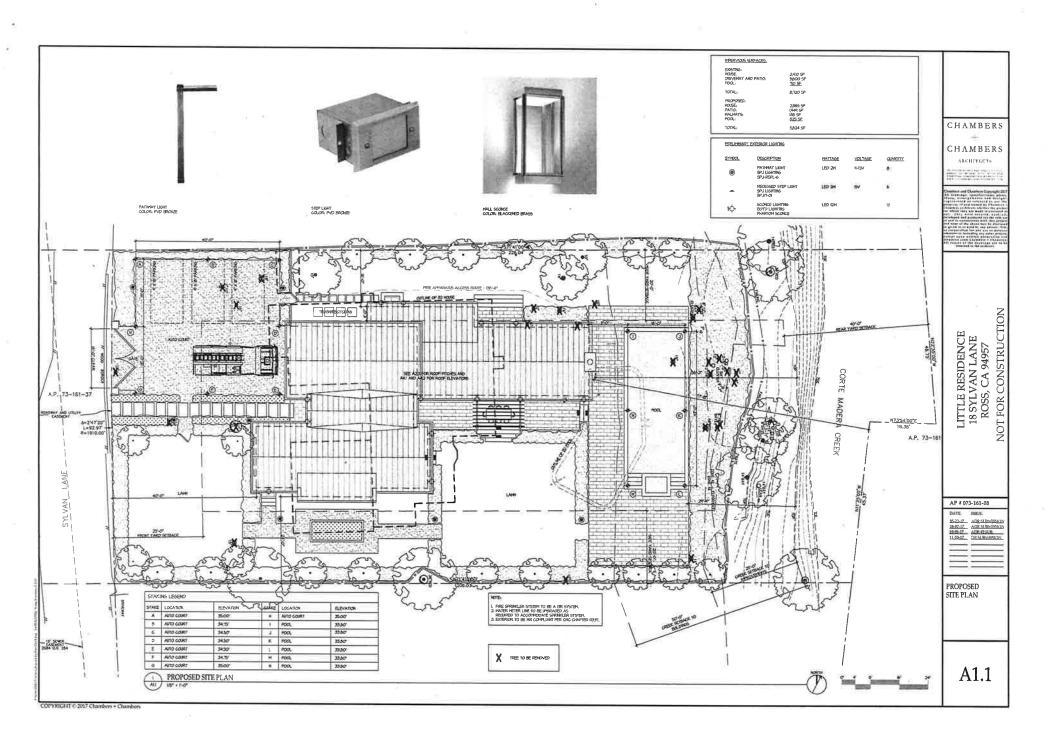
Town of Ross

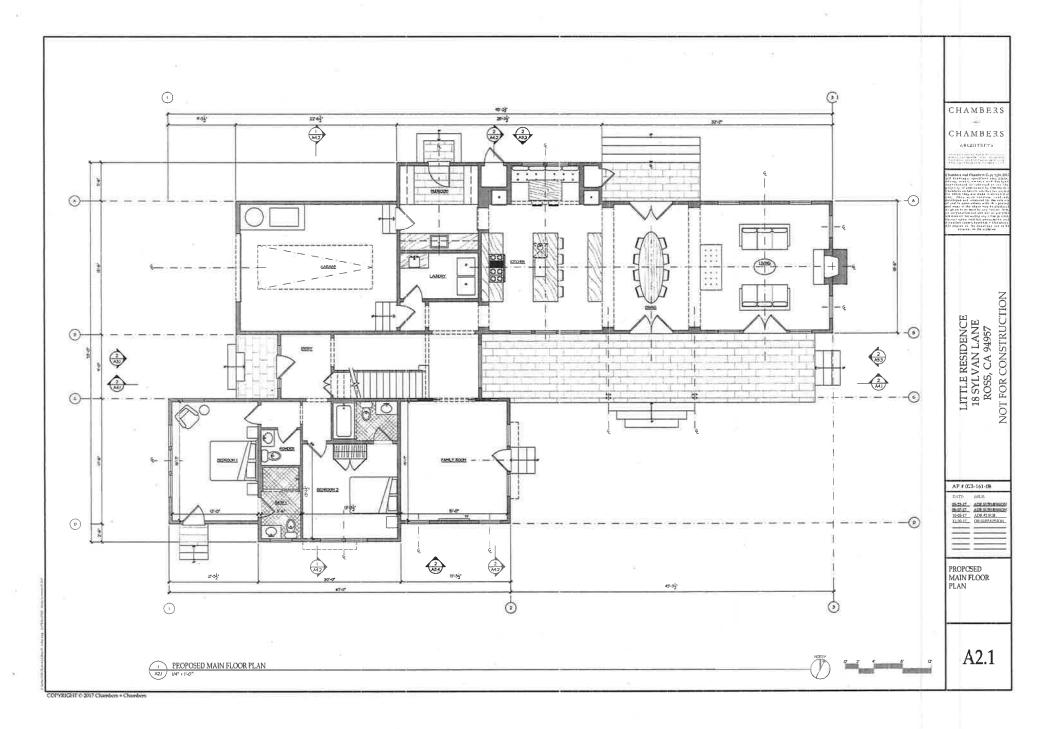
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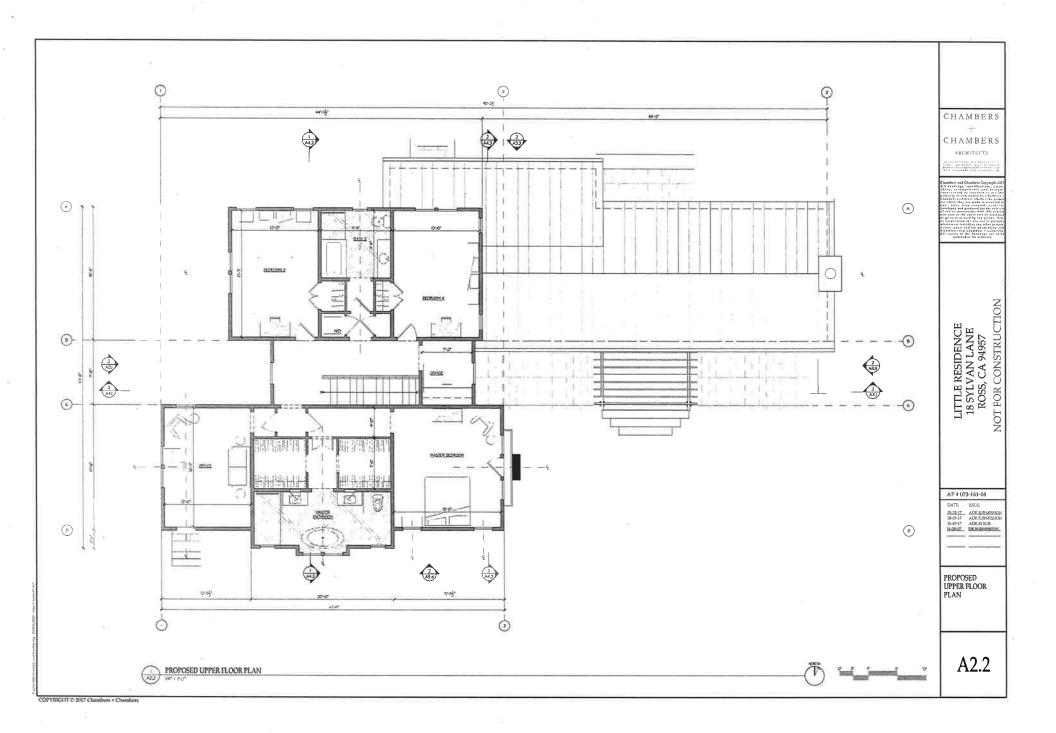
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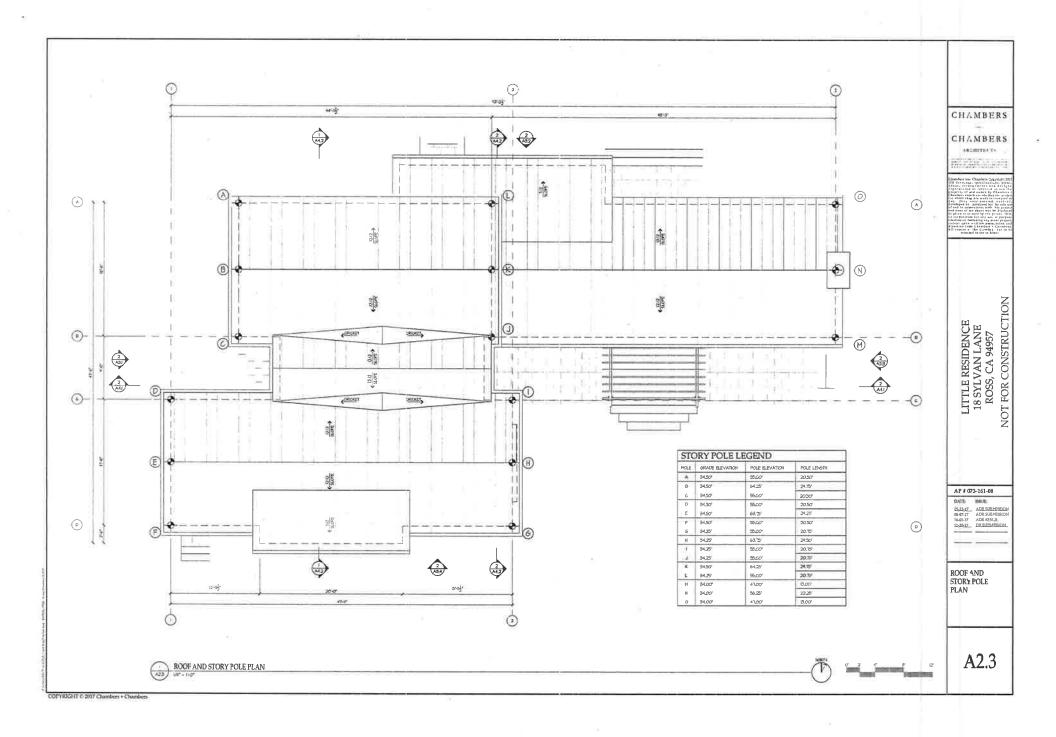
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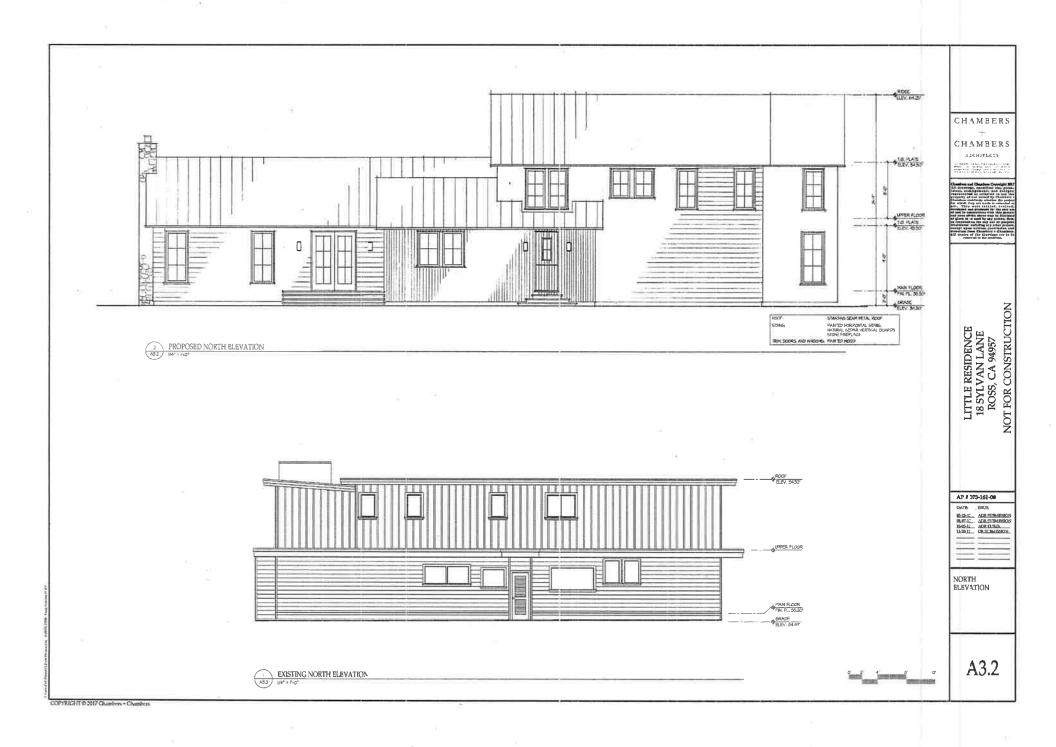




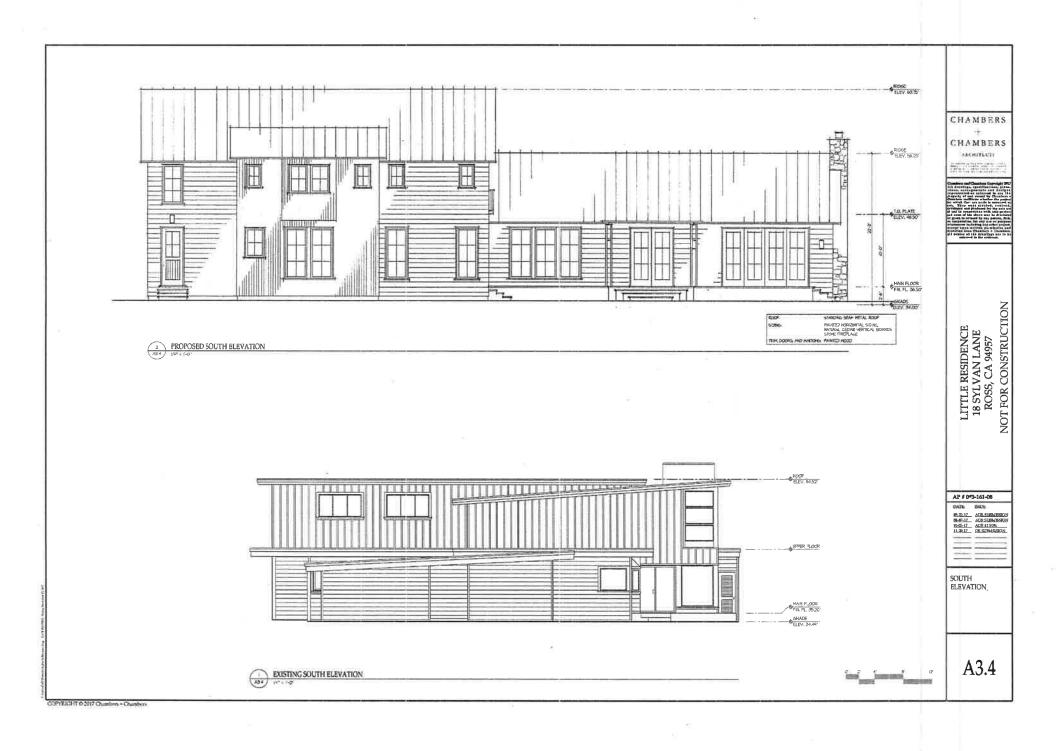


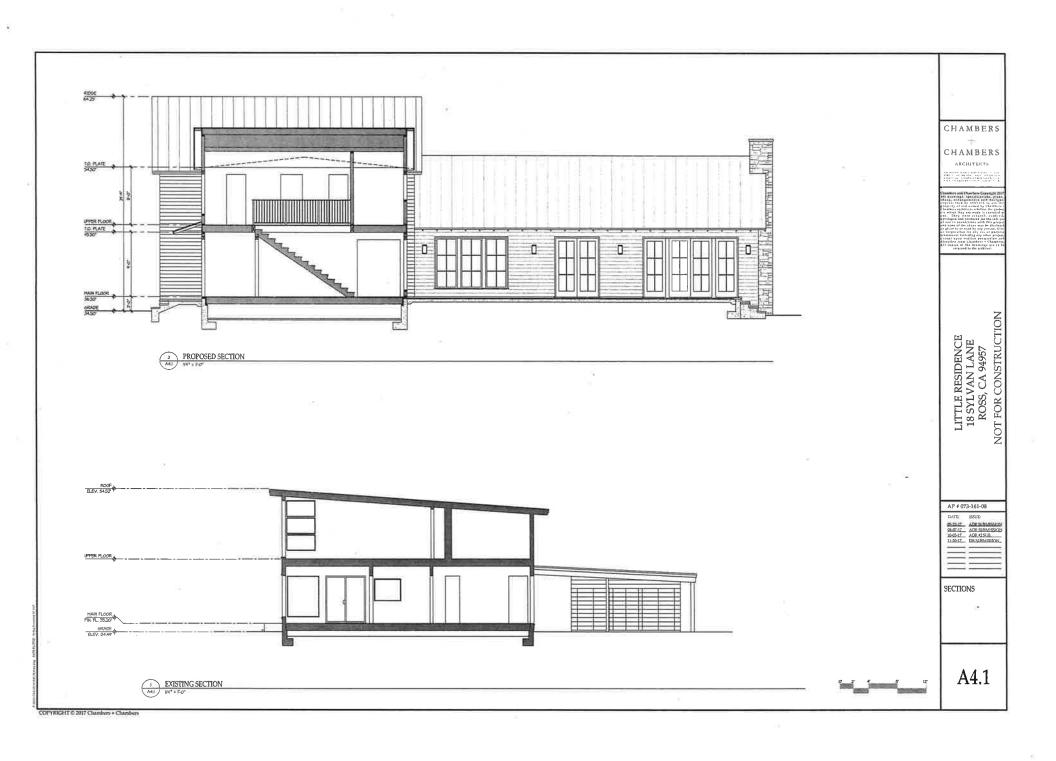
















1. STREET VIEW



2. FRONT PATTO



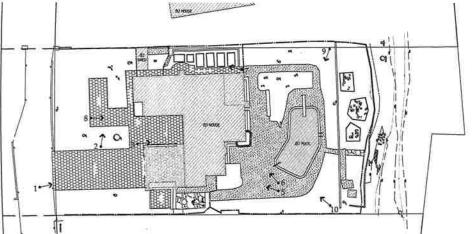
3. FRONT ENTRY



4. SOUTH SIDE OF HOUSE



5. REAR ELEVATION





8. WEST ELEVATION



9. POOL PATIO



6. REAR ELEVATION



10. BACK YARD



EXISTING SITE CONDITIONS AND PHOTOS

7. NORTH SIDE OF HOUSE

CHAMBERS

CHAMBERS ARCHITECTS

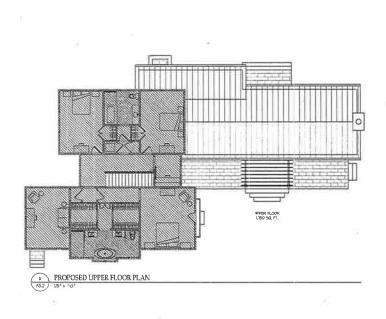
LITTLE RESIDENCE 18 SYLVAN LANE ROSS, CA 94957 NOT FOR CONSTRUCTION

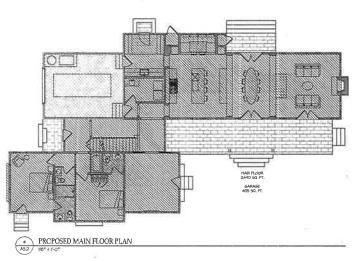
AP # 073-161-08

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EXISTING SITE CONDITIONS AND PHOTOS

A5.1

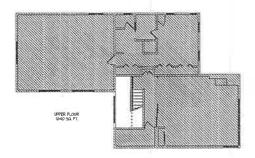






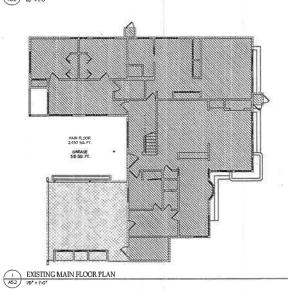
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2 EXISTING UPPER FLOOR PLAN

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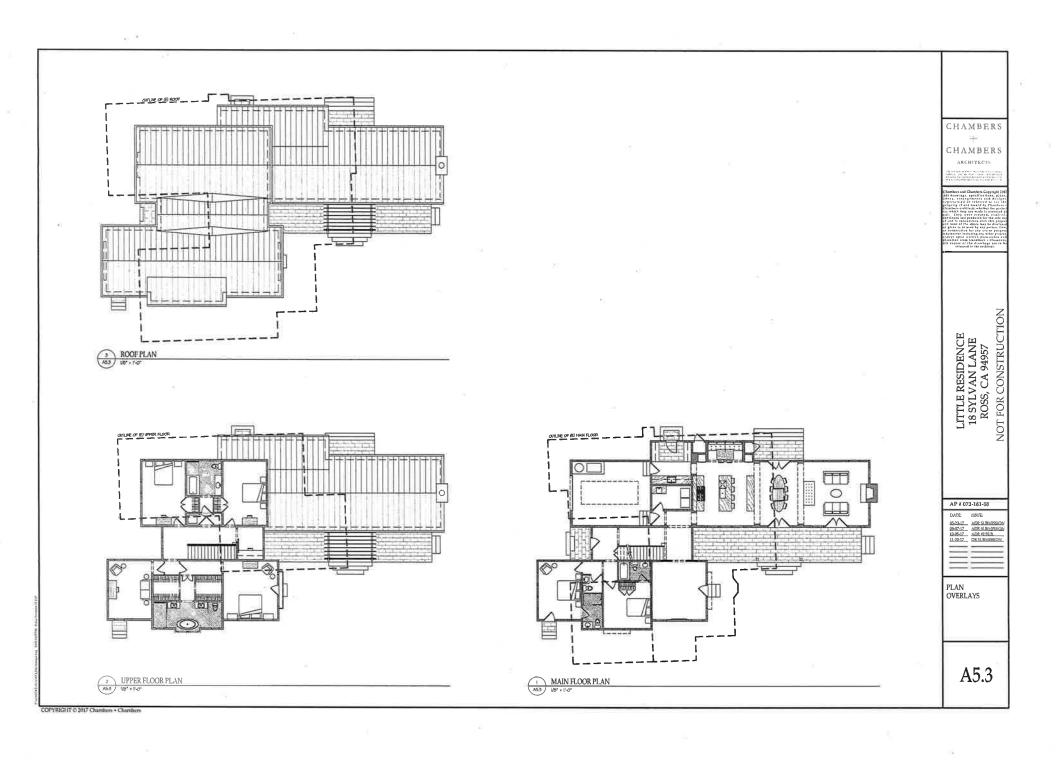
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AP # #73-161-06

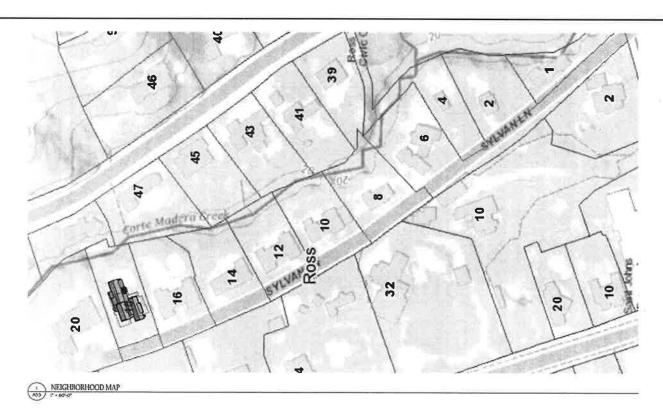
AREA CALCULATIONS

A5.2

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20 SYLVAN LANE



IO SYLVAN LANE



IB SYLVAN LANE



8 SYLVAN LANE



16 SYLVAN LANE



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ARCHITECTS

LITTLE RESIDENCE 18 SYLVAN LANE ROSS, CA 94957 NOT FOR CONSTRUCTION

AP # 073-161-08

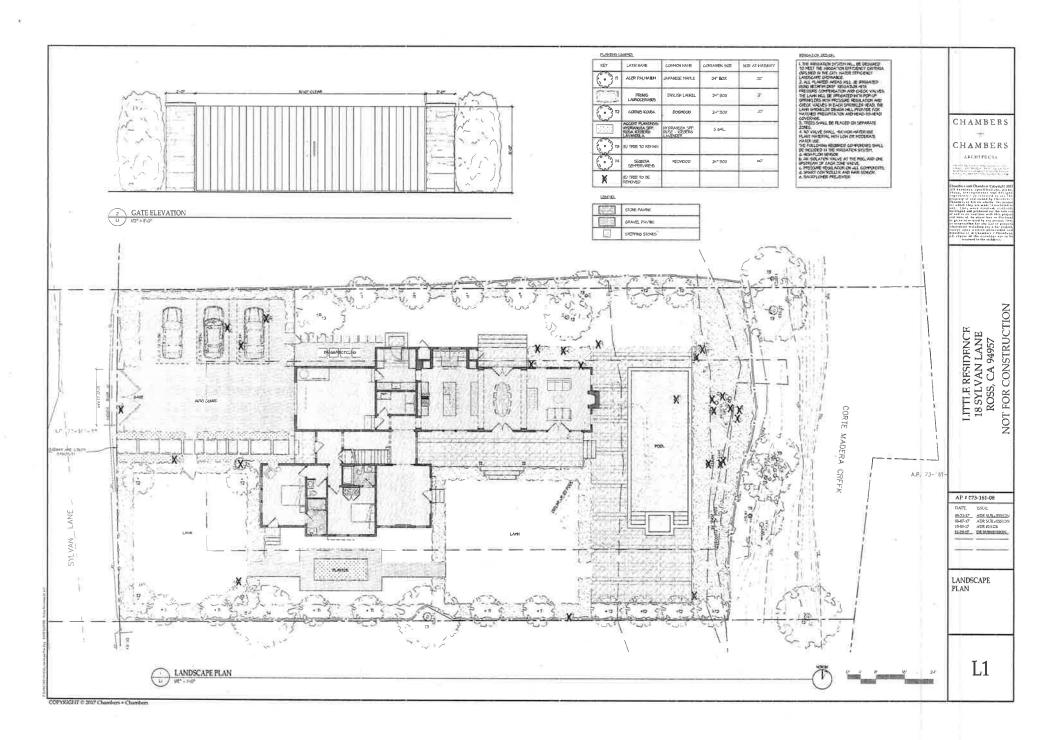
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NEIGHBORHOOD MAP AND ELEVATIONS

A5.5

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#### CONSTRUCTION MANAGEMENT NOTES

I, HOURS OF OFERATION. IN ACCORDANCE WITH THE TOWN OF ROSS MUNICIPAL CODE, THE CONSTRUCTION ACTIVITY IS LIMITED FROM BAM TO SPIN MONDAY THROUGH FRIDAY, CONSTRUCTION IS NOT ALLOWED ON WEEKENDS AND HOLIDAYS.

2, PROJECT DELIVERIES: DELIVERIES ARE LIMITED TO WEEKDAYS FROM IOAM TO 2PM

3 TRUCK SIZES: TRUCKS EXCEEDING 26 FT, IN LENGTH SHALL J TRUCK'S GAN MAKE THE TURNS AND MAKE IT SAFELY TO THE SITE.

41 ROAD CLOSURES, LANE CLOSURES, LANE SHIFT: A SEPARATE PRENIT FROM DPM IS REQUIRED PRIOR TO CLOSING THE ROAD OR DOING A LANE CLOSINE OR SHIFT, ROAD CLOSING THE ROAD OR DOING A LANE CLOSINE OR SHIFT, ROAD CLOSINES REQUIRE POSTING SIGNS A MINIMUM OF 48 HOURS IN ADVANCE, CONTACT DPM FOR FURTHER INFORMATION, 415–453-1453, EXT. 4.

5, MATERIALS STORAGE: ALL CONSTRUCTION MATERIALS, DEBRIS

6. ROADWAY CLEARANCE: A MINIMUM OF ILL FT. OF CLEARANCE MUST BE MAINTAINED AT ALL TIMES ALONG THE ROADWAY.

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7. PORTABLE TOILETS AND JOB SHEPS: THESE WILL NOT BE PERMITTED IN THE PUBLIC RIGHT-OF-WAY...

& PARKING: ALL VEHICLES MUST PARK AT THE JOB SITE OR CARPOOL FROM GITY PARKING LOT BETWEEN LAGINITAS RD AND THE POST OFFICE. NO PARKING ON SYLVAN LANE

9. MATERIAL DELIVERIES AND OFF-HAUL (MASS EX AND DEBRIS): TO BE EXECUTED IN SMALLER TRUCKS (IZUSU FLATBED - +/-SYD CAPACITIES) TO LIMIT NEIGHBORHOOD AND ROAD IMPACT AND BETTER NEGOTIATE EXISTING NEIGHBORNOOD STREETS AND PARRING, JOB RELATED TRICK AND VEHICLE TRIPS TO BE RESTRICTED DURING HORNING AND AFTERNOON SCHOOL DROP OFF AND PICK UP HOURS.

IO. ALL TREE PROTECTION PER ARBORIST REPORT IO. ALL TREE MOTIONED AND RESEARCH REPORT REPORT RECOMMENDATIONS AND REFERENCE FRACTICES. PROTECT EXISTING TREES AGAINST INJURY DUE TO CUTTING, BREAKING OR SCININING OR ROOTS, TRUMS, GO REPORT AND RESEARCH OF TO ZONE, OR SYSTEMING SY CONSTRUCTION MATERIALS. EXCAVATION MATERIALS.

II. NO PRUNING OF EXISTING TREES SHALL BE COMPLETED WITHOUT PRIOR APPROVAL BY THE CLIENT AND ARBORIST. GREAT CARE IS TO BE TAKEN IN NORKING MIDER TREE CANOPIES TO AVOID UNINECESSARY DAMAGE TO THE ROOT SYSTEM OR CUTTING OF MAJOR STRUCTURAL ROOTS

12. ALL EROSION CONTROL PER CIVIL PLANS AND BEST PRACTICES.

IB. APPLY WATER TO CONTROL DUST FREQUENTLY OR AS NEEDED TO PREVENT VISIBLE EMISSIONS AND OFFSITE DUST IMPACTS FROM BUILDING CONSTRUCTION ...

14, TRUCK ROUTE TO BE VIA SIR FRANCIS DRAKE BOULEVARD TO LAGUNITAS ROAD.

LASURITAS ROAD.
ROUTE TO SITE FRANCIS DRAKE BLVD.
NOTRIBEST ON SIR FRANCIS DRAKE BLVD. TO LAGINTAS RO
HEST ON LAGINTAS RD, TO SYLVAN LANE
NORTH ON SYLVAN LANE
NORTH ON SYLVAN LANE ARRIVE AT 18 SYLVAN LANE ON LEFT

15, PRELIMINARY CONSTRUCTION SCHEDULE: MOBILIZATION:

DEMOLÍTION EXCAVATION AND SITEMORK: EXCAVATION AND STEMORE: FOUNDATIONS, ROUGH CARPENTRY, PLUMBING, ELECTRICAL, MECHANICAL; ROOF AND EXTERIOR FINISHES: INTÉRIOR FINISHES

JINE 1, 2018 JINE 15, 2018 JILY 15, 2018 AUSUST 15, 2018 OCTOBER 15, 2018 DECEMBER I, 2018 JANUARY 15, 2019 APRIL 1, 2019 INTERIOR PINISHES: HARDSCAPE AND FLAT MORK: LANDSCAPING: COMPLETION: APRIL 1, 2019 JULY 1, 2019 AUGUST 15, 2019 SEPTEMBER 30, 2019

CHAMBERS

CHAMBERS

ARCHITECTS

TREE PROTECTION FENCING

CONSTRUCTION LITTLE RESIDENCE 18 SYLVAN LANE ROSS, CA 94957 FOR CORTE AP (25-16"-25 MADERA CREEK A.P. 73- 61 AP # 073-161-08 DATE: ISSUE: CONCRETE WASHOUT 05-23-17 ADR SUBMISSION 08-07-17 ADR SUBMISSION 10-05-17 ADR 02-5UB 11-20-17 DR SUBMISSION CONSTRUCTION MANAGEMENT PLAN **CMP** CONSTRUCTION MANAGEMENT PLAN

#### FLOOD PLAIN INFORMATION

THE FEMA FLOOD INSURANCE RATE MAP CURRENTLY IN EFFECT SHOWS THE PROPERTY WITHIN THE IOO-YEAR FLOOD PLAIN. THE BASE FLOOD ELEVATION IS 35.0 FEET NAVIDOR, THIS PROPERTY IS ALSO PARTIALLY LOCATED HITHIN THE FEMA RESILLATORY FLOODWAY SEE FEMA MAP 06041C0450F DATED 3-16-2016. FLOODWATER MAY RISE TO THE 35.0 FOOT ELEVATIONS SHOWN ON THIS DRAMING, FLOODS GREATER THAN THE LOO-YEAR FLOOD CAN OCCUR AND FLOODWATER COULD RISE ABOVE 35.0 FEET, NAVD&&.

#### GREEN BUILDING STANDARDS

- THE GRADING AND DRAINAGE PLAN SHOWN ON THE DRAWINGS COMPLIES WITH CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.1063 REGURING MANAGEMENT OF SURFACE WATER FLOWS TO KEEP WATER FROM ENTERING
- THE CONTRACTOR IS RESPONSIBLE FOR MANAGING 2. STORYMATER DRAINAGE DURING CONSTRUCTION TO PREVENT FLOODING OF ADJACENT PROPERTY, PREVENT BROSION AND RETAIN RUNOFF ON THE SITE AS REGULARD BY CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.106.2.

#### EROSION CONTROL PLAN

AN APPROVED EROSION CONTROL PLAN IS REGULED FOR ALL PROJECTS INVOLVING EXCAVATION, DRILLING, OTHER EARTHWORK OR EXPOSED BARE SOIL. THE PLAN MUST BE SEMITTED TO THE TOWN ENGINEER AND APPROVED PRIOR TO STARTING WORK, IMPLEMENT EROSION CONTROL MEASURES YEAR ROUND AS APPROPRIATE, REGULARLY MONITOR EROSION CONTROL MEASURES AND PROMPTLY REPAIR OR REPLACE ANY DAMAGED OR INSTRUCTIVE BROSION CONTROL MEASURES AS REQUIRED BY THE EROSION CONTROL PLAN. A SIGNED COPY OF THE EROSION CONTROL PLAN MUST BE POSTED AT

#### DRAINAGE CONSTRUCTION REVIEW

THE CONTRACTOR SHALL CONTACT THE BIGINEER AND REGUEST REVIEW OF ALL SUBSURFACE DRAINAGE PIPING AND STORMWATER DRAINAGE PIPING AT LEAST 2 DAYS BEFORE PLACING BACKFILL MATERIAL

#### FOUNDATION ELEVATIONS

BUILDING FOOTING, GRADE BEAM AND FOUNDATION WALL ELEVATIONS ARE SHOWN ON THE ARCHITECTURAL AND STRUCTURAL DRAWINGS, CONTACT THE ENGINEER IF ACTUAL SITE ELEVATIONS DIFFER FROM THE "OPOGRAPHY SHOWN ON THE GRADING PLAN. CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL FOUNDATION ELEVATIONS WITH THE GRADING PLAN, ARCHITECTURAL PLANS, STRUCTURAL PLANS AND LANDSCAPE PLANS, CONTACT THE ENGINEER AND ARCHITECT TO RESOLVE ANY CONFLICTS BETWEEN FOUNDATION ELEVATIONS AND THE SITE TOPOGRAPHY.

# DETAIL AND SECTION DESIGNATIONS SECTION

DETAIL

SEET ON HACK SETAL IS CALLED OUT

# SHEET ON MACH DETAIL IS SHOW UTILITY CONNECTION NOTES:

- I. THE PEOPOSED ALIGNMENT FOR UTILITY SERVICE CONNECTIONS HAS NOT BEEN APPROVED BY SERVICE PROVIDERS, CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH UTILITY SERVICE PROVIDERS TO DETERMINE MILITY ROUTES AND REGULATED SERVICE UPGRADE DETAILS, REVIEW ALL PROPOSED UTILITY ROUTES AND UPGRADE DETAILS WITH THE ENGINEER
- 2 UTILITY SERVICES TO THE PROJECT SITE ARE PROVIDED BY:

MATER: MARIN MUNICIPAL WATER DISTRICT.

SEIVER, ROSS VALLEY SANITARY DISTRICT NO. I,

ELLICTRIC PONER: PACIFIC 6AS AND ELECTRIC (PG4E)

6A5 PACIFIC 6A5 AND ELECTRIC (P61E)

TELEPHONE, ATAT

CABLE: COMCAST

- 5. NOTALL NEW MATER SERVICE PIPE DETWEN THE EXISTING MATER METER AND THE HOUSE. SIZE THE WATER SERVICE PIPE FOR THE REGUIRED FIRE SPRINGLER FLOW RATE. REPLACE THE WATER METER IF IT WAS INADEXIDATE CAPACITY FOR THE MAXIMUM FIRE SPRINCLER FLOM RATE.
- 4. CONDUCT A VIDEO INSPECTION OF THE EXISTING SENER LATERAL. REPAIR CONDICT A YIDEO INSTEAL IN THE EXISTENCE SEMENT LATERAL. NET THE OR REPLACE THE LATERAL IF THE INSPECTION RESULTS SHOW THAT THE PIFE IS NOT IN SATISFACTORY CONDITION OR IF THE LATERAL DOES NOT COMPLY MITH CURRENT ROSE VALLEY SANITARY DISTRICT NO. |

#### GENERIAL NOTES:

- I. SITE SIRVEY AND TOPOGRAPHIC BASE HAP PREPARED BY LANGENCE P. DOYLE, LANGURVEYOROYUL BIGNEER IOO HELDIG LANE, MILL VALLEY, CA 4414L (415) 388-4585, DATED 1/21/11, REVISED 2/24/11, DATUM IS FER U.S. AYBY CORPS OF ENGINEERS BRASS DISK - RM 2 EL. 21,13° NAVD 88. THE FLOOD INFORMATION OF THIS HAP WAS SCALE FROM MARIN 615
- 2. THE LIXATION OF EXISTING WIDERSKRAND UTILITIES OR INFROVEMENTS WAS NOT BEEN YISHFIED BY THE BRONERS AND NO LIXARANTEE IS MADE AS TO THE ACCURACY OR COMPLITIENESS OF INFORMATION HOW ON THE DRAWNES. THE CONSTRUCTION COMPRACTOR HISH NOTIFY UTILITY COMPLYINGS AT LESST THEY MORSHING DAYS BEFORE DECANATION AND REGUEST FIELD LOCATION OF ALL UNDERGROUND UTILITIES. CALL INDERSROIND SERVICE ALERT (ISA) AT BILLOR BOO-227-2600. ANY INDERSORADO SERVICE ALEST (SA) AT 811 OR 800-227-2600. ANY UTILITIES DAMAGED PRINS CONTRICTION SHALL BE COPPLETED AT THE RESICRED TO THE SATISFACTION OF THE LOCAL UTILITY SHOREER, AT THE SOLE DATABLE OF THE CONTRICTION. ANY PERSENT PARAMED TO THE DAMAGE TO CONSTRUCTED FACILITIES SHALL SE REPAIRED TO THE ANTISFACTION OF THE BISINESSE AND OWNER AT THE SOLE DATABLE OF

#### ESTIMATED EARTHWORK QUANTITIES

EXCAVATION	110 CY
FILL	130 CT
IMPORT	20 CT
MAX, EXCAVATION DEPTH	6 FT
MAX. FILL DEPTH	6 FT
DISTURBED AREA	035 AC

#### EAFITHMORK NOTES:

QUANTITIES ARE "IN-PLACE" ESTIMATES AND DO NOT INCLUDE AN ALLOHANCE FOR SHRINK OR SHELL, ESTIMATES ARE FOR PERMITTING FURPOSES ONLY, CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING QUANTITIES FOR CONSTRUCTION PURPOSES.

index of drawings		
DRAWING NO.	DESCRIPTION	
64 6-2	COVER SHEET CONCEPTUAL SRADING AND DRAINAGE PLAN	

#### **ABBREVIATIONS**

AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
AD	AREA DRAIN
ADA	AMERICANS WITH DISABILITIES ACT
APN	ASSESSOR'S PARCEL NUMBER
AFFROX	APPROXIMATE
ASTIM	AM SOCIETY OF TESTING MATERIALS
BH	BENCH HARK
CMP	CORRUGATED HETAL PIPE
co	CLEANOUT
COH	COMMUNICATION
COMOH	COMMUNICATION OVERHEAD
COHNUS	COMMUNICATION UNDERGROUND
CONC	CONCRETE
CY	CUBIC YARDS
Di	DRAINAGE INLET
DIA	DIAMETER
E	ELECTRICAL.
E/OH	ELECTRICAL OVERNEAD
E/U6	ELECTRICAL UNDERGROUND
E6	EXISTING GROUND
且の日野	ELEVATION
EX	EXSTING:
FD	FLOOR DRAIN
FF	FINISHED FLOOR ELEVATION
R.	FLOHUNE
F <del>6</del>	FROSHED GRADE ELEVATION
FT	PIET or FOOT
6	NATURAL 645
6ALV	6ALVANIZED
6M	
	6AS HETER
6PH	GALLONS PER HOUTE
<u>H</u>	HEIGHT OF EXPOSED WALL FACE
HB ·	H25E 588
HDPE	HIGH DENGTY POLYETHYLENE PIPE
HP	HIGH POINT
INY .	INVERT ELEVATION
JP .	JOINT UTILITY POLE
JI .	JOINT UTILITY TRENCH
ШFF	LOWER LEVEL FINISHED FLCOR BLEV
LPTT	LOW POINT FINISHED FLOOR FLEY
MAX	MAXIMM
MH	MANHOLE
MIN	HINDHIM
MUFF	MAIN LEVEL FINISHED FLOOR ELEV
MMP	MARIN MUNICIPAL MATER DISTRICT
OH	OVERHEAD
P64E	PACIFIC GAS AND BLECTRIC
PVC	POLYVINYL CHLORIDE PIPE
R.	RADIUS
RIM	ELEV AT MH COVER OR DI GRATE
RL	ROOF LEADER
ROW	RIGHT-OF-WAY
5	SLOPE
SCH	SCHEDULE
5IM	SIMILAR
SOM	STORM DRAIN HANHOLE

SANITARY SEMER HANNOLE
STANDARD DIMENSION RATIO
TOP OF CURB ELEVATION

UPPER LEVEL FINISHED FLOOR BLE/ VALVE BOX

TOP OF WALL BLEVATION

TYPICAL

WATER METER WATER VALVE

#### STORMWATER PLAN SUMMARY

INFORM CONSTRUCTION STANDARDS, MARIN COUNTY

	EXISTING SITE	PROPOSED SITE DEVELOPMENT PLAN
IMPERAIOUS SURFACES	3,T2O 5=	5,824 SF
SEMI-PERVIOUS SURFACES	05=	0 SF
LANDSCAPE (PERVIOUS)	11,634 5=	14,535 SF
TOTAL LOT AREA	20,354 5=	20,354 SF

ULFF VB

IMPERVICUS SURFACES INCLUDE ROOF DRIVENAY, WALKWAYS, PATIOS AND POOL FOR DRAINAGE PIRPOSES, IMPERVICUS AREA INCLUDEE ROOF EAVE OVERHANG

LTD Engineering, Inc. 50 Morthgate Drive, Suite 3 I San Rafael, CA 94903 L 4 III.446,7402 Faz 415,446,741



ISSUED FOR REVEW NOT FOR CONSTRUCTION

C L'TO Engineering, Inc. 201 here-documents and the ideal for designs incorporated lorels are as incorporated lorels are as and the property of LTD Emphorels, for Rane of these document for buy there project, in state or in part, in risk allowed withfull without and protestion.

RESIDEN

LITTLE

REVISIONS NO. CASE DESCRIPTION A VISIT BOUD FOR REVE A MANTE RELOCATED HOUSE

6. PEARTH DESIGNED BY: DRAME BY LHAYTON DATE.

5000

COVER SHEET

125201

2 1 of 2

**C-1** 

R.OODWAY

BOUNDARY

RM 326 IN 312

20 FOOT LONG LEVEL SPREADER INV 30.0

NO SCALE

LTD Engineering, Inc.

1050 Northgate Drive, Suite 315 San Rafael, CA 94903 Td. 115.446,7402 Fzz 415.446,7419 gdozth/PLTDengheering.com

**C-2** 

POLE

THREE 4565\*

HETER

# **ATTACHMENT 3**

## CHAMBERS + CHAMBERS ARCHITECTS

## 18 Sylvan Lane Design Review

## **Project Description**

Architect and designer Barbara Chambers weds classical modern language with gracious modern living in this newly proposed residence located at 18 Sylvan Lane in Ross, California. The shapes and forms of this home are well proportioned and resonate a strong sense of place. The material palette of natural wood and metal roof is simple and pure; it is harmonious with the neighborhood. Details of this home reflect strong symmetry and simplicity in plan and exterior elevations.

This elegant home sits on a long narrow site. The proposed home reflects this simplicity - long and narrow. The proposed home including garage is 4,595 SF; it replaces an out of date residence of approximately the same size without historical precedence. The massing on the proposed home is held to the front of the property with a longer narrow one-story extension to the rear yard. The two-story volume at the street side contains the majority of the home and the one story volume at the rear of the house contains the great room - kitchen, dining and living. The rear side of the home opens to the south-facing portion of the yard creating a magnificent place for family and friends to gather. The front yard is formal while the rear yard is less formal.

The stylistically contemporary vocabulary proposed for this property is also timeless in quality. It has modern details, but recalls classical gable forms and volumes very typical of Ross.

Changes that were made since the Advisory Design Review meeting are as follows:

- 1. Building moved 5' east. Front setback is now 30'.
- 2. Middle gable changed to a cricket
- Roof pitch changed from 12:12 to 10:12. Ridge height reduced by approximately 1'.
- 4. Flat roof over north side bay changed to sloping roof with a 4:12 pitch
- 5. Proposed house moved 4' into north setback

#### Non-Conformity Permit Requested

The existing house has an FAR that exceeds the currently allowable FAR of 3,054 SF and is also within the side yard setbacks. The submission requests a non-conforming permit to construct a new 4,595 SF single family residence of equal or less FAR than the existing house. A small single story portion of the proposed house is 4' within the north side yard setback whereas the existing 2-story house is within 7'-8" of the same setback. The proposed house will lessen the non-conformity along the north side yard setback.

# CHAMBERS + CHAMBERS ARCHITECTS

#### Sustainable Practices

The project design will include features that foster renewable energy and/or resource conservation, and the overall project (i.e., site design, building construction, energy efficiency, and waste reduction) will meet or exceed the applicable compliance threshold for green building as set forth by the California Green Building Standards (CALGreen) Code and/or Chapter 15.17 LMC. (Ord. 977 § 1(9), 2011; Ord. 956 § 2(4), 2007; Ord. 953 § 1(76), 2007; Ord. 945 § 5, 2004; Ord. 933 § 4, 2004; Ord. 929 § 65, 2004)

The proposed house will feature (but not limited to) the following CalGreen standards:

- 1. Water conserving plumbing fixtures (i.e. 1.28 gal/flush for water closets)
- 2. Irrigation system with weather or soil-based controllers
- 3. Rodent proofing
- 4. Construction Waste Management Plan to be submitted
- 5. Covering of duct openings and protection of mechanical equipment during construction
- 6. Install a direct-vent, sealed combustion type gas fireplace or EPA Phase II fireplace
- 7. Low VOC paints, adhesives, sealants and caulks to be used
- 8. Install EnergyStar exhaust fans and appliances
- 9. Use environmentally preferable materials for interior finish (reclaimed or FSC-certified wood)

# **ATTACHMENT 4**

July 12, 1990

On motion by Councilman Brekhus, seconded by Councilman Goodman, Ordinance No. 485 was unanimously passed.

#### 23. Use Permits.

Dan Ohlson and James Howey, Legal Owners and Gina and Darla Farr, Potential Tenants. 23 Ross Common, AP 73-273-10, C-L District. Request is to allow establishment of office for marketing and real estate consulting and banking consultant in the area of Federal Compliance Community Reinvestment Act; 550 sq. ft. rentable square footage; two persons on site. Hours of operation 9 a.m. to 5 p.m., Monday through Friday; approximately two clients to be received on site each day; on street parking.

USE PERMIT NO. 138

> Ms. Farr explained that she and her sister would be sharing the offices. There was some discussion re the possibility of renting the offices for retail and Councilman Brekhus reminded the council and audience that two of the Councilmembers had met with staff and the C-L property owners and it was determined that the landlords had exhausted the market trying to find retail tenants. Mr. Ohlson said his office had been vacant for five months. Mayor Barry stated that he had to pay taxes in San Anselmo for his offices and Mr. was directed to look into San Anselmo's Elias

ordinances.

After discussion, Councilman Reid moved approval, seconded by Councilman Lill and passed with four affirmative votes. Councilman Goodman voted against,

he felt the area should be used for retail.

Dan Ohlson and James Howey, Legal Owners and F. Haynes Lindley, Jr., Potential Tenant, 23 Ross Common. AP 73-273-10, C-L District. Request is to allow general business office for John Randolph Haynes and Dora Haynes Foundation, administering a trust fund benefiting research of social science; 380 sq. ft. plus 70 sq. ft. storage net rentable square footage; one person on site. Hours of operation 9 a.m. to 5 p.m., Monday through Friday; no clients will be received on

site; on street parking. Ms. Susan Bowman represented the applicant. She said Mr. Lindley is presently in Los Angeles but would be moving into the offices shortly.

After consideration, Councilman Reid moved approval, seconded by Councilman Lill and passed with four affirmative votes. Councilman Goodman voted against, he

felt the area should be used for retail.

John Levinsohn, Legal Owner and Michelle Benjamin, Potential Tenant, 22 Ross Common, AP 73-272-10, C-L Request is to allow establishment of a District. coffee shop, possible future luncheon cafe, serving on back patio; 500 net rentable square footage; one or two staff persons on site. Hours of operation: 6 a.m. to Councilman Goodman moved approval and that it be reviewed in one year. He asked the residents to patronize the new cafe. This was seconded by patronize the new cafe. This was Councilman Reid and passed unanimously.

Public Works Director Elias reminded Ms. Benjamin that due to the new smoking ordinance, smoking would not be

allowed in the coffee shop.

USE PERMIT NO. 137

USE PERMIT

NO. 136 135

25.

Solar Permit Application. Charles and Eileen King, 18 Sylvan Lane, 73-161-08, 20,000 sq. ft. zone. Request is to allow a solar permit for the installation of ten 4 ft. x 10 ft. solar panels, 8 inches on top of the south part of the main roof.

PERMIT

Upon motion by Councilman Lill, seconded by Councilman Reid the solar permit was granted with four affirmative votes, Councilman Goodman abstained.

NO.43

SOLAR

- 6. Hillside Lot Application No. 40
  Drs. Stephen and Carol Nimelstein, Canyon Road,
  Parcel 2 of Norman Subdivision 72-031-11 Acre Zone
  Samples of exterior materials, both preferred and
  alternates, were presented and approved by the Council.
  Mr. Poore moved granting the hillside lot application,
  subject to the siting as presented, the planting
  program, cuts and fills as shown and use of the approved
  exterior materials. Mr. Scales seconded the motion,
  which was unanimously passed.
- 7. Variances.

  1. William Smyth and Wren Duffy, 6 Fernhill Ave.
  (73-051-16) 10,000 sq. ft. zone
  Request to add two rooms to 2nd story of non-conforming house.
  At the applicant's request, this variance was continued to the August meeting.
  - 2. Variance No. 609 Drs. Eileen and Charles King, 18 Sylvan Lane (73-161-09) 20,000 sq. ft. zone Request to add 312 sq. ft. for additional kitchen space and 1st floor living room. Non-conforming house 16' from sidelines (20' required).

Lot Area 23,124 sq. ft.

Present lot coverage 13.77%

Proposed " 15.12%

Present floor area ratio 18.18%

Proposed " " 19.5%

(15% allowed)

Dr. Charles King explained that by squaring out part of the house, he would be able to correct the kitchen inadequacies and provide a first floor living room which is needed near the patic and pool. On motion by Mr. Scales, seconded by Mr. Poore, the variance was unanimously granted.

Variance No. 610 Your Pleasure Inc. doing business as Le Coquelicot, 18 Poplar Ave. Space 6 of Ross Garage Complex (73-273-10 & 11) Local Service Commercial Area. Request to allow outdoor lighting for seating area and illuminated existing projecting sign. Nancy Broomhead, presidentof Your Pleasure, Inc., introduced Max Schacher, the chef at LeCoquelicot, and explained that the restaurant will be open evenings starting August 1st. She displayed mini-luminators which will provide light on both sides of the uneven brick walks for safety. Tables will be lighted by candles. The small lights will also define the south perimeter light to be placed approximately 4' on center. The light over the existing projecting sign will have a color similar to sodium vapor street lights and will wash down on the sign. If the light

Later Market De la Company de

Page 3

MINUTES OF THE REGULAR MEETING OF THE ROSS TOWN COUNCIL HELD ON SEPTEMBER 10, 1964.

- 1. Roll Call.
  Mayor Allen opened the meeting with a call for the roll at 8:05 F.M.
  Present: Mayor Allen, Councilmen Bricca, Jones, McAndrew, Scott and Town Attorney Elliott.
  Absent: None.
- 2. Minutes.
  Minutes of the Adjourned Meeting of July 27, 1964, were approved as mailed.

Demands.
Mr. McAndrew announced that Demands 2171-2202 and PR 278-291, with the exception of #2195 to State Comp. Irs. in the amount of \$1,530.80, had been examined and approved and the warrants signed.

Variance #237. Dr. and Mrs. Charles D. King, Sylvan Lane. (73-161-08). Addition of dormitory, bath and dressing room to second floor of non-conforming house. On a motion by Mr. Jones, seconded by Mr. Bricca, the variance was unanamously granted.

Mr. William C. McDuffie, Woodside Way, (73-231-Portion of lots 17 & 18). Joint Owner, Mr. Boris Silverman. Construction of house on lot having an average slope in excess of 30%. Mr. Backes presented plans, with letter from A.J. Lang, civil engineer and topographic survey from Roemer and Estes. Town Engineer Oglesby reaffirmed his letter of August 27th to the Council that a drainage plan should be made showing a gutter above and along the top of the cutback of the house and provision made for water along Woodside. Mr. Scott moved that the matter be put over until the October meeting, Mr. Jones seconded and the motion was unanamously carried.

6. Sir Francis Drake Blvd.

Town Engineer Oglesby advised that Mr. Marcus of the Asphalt Institute recommended adding quarter inch rock or sand to the resurfacing. He and Mr. Ely are experimenting and he felt he would be in a position to submit specifications to Mr. Ely on Monday, Sept. 14th. Mr. Ely said he would do up to \$700 on corrective work.

102 L.

# 18 sylvan

Charles D. King

NAME OF APPLICANT

\$15 Part 6/27/6

No. 231

PHONE 456-2650

# APPLICATION FOR VARIANCE UNDER ORDINANCE NO. 220 - THE ZONING ORDINANCE OF THE TOWN OF ROSS

To the Town Council Ross, California
Application is hereby made for a VARIANCE from the strict application of Section  10 113 of the Zoning Ordinance of the Town of Ross to permit the following:  Enlargement of a non-conforming structure as shown in the accompanying  plans and within the limits of the present extreme southern structure!  line of the house which is now bounded by a 16 side yard for a distance of 33
on property situated at: Assessor's Map No. 73-161-08
Address Sylvan Lane, Lot #5 Subdivision Sylvan Acres
Legal owner of parcel Charles D. and Eileen B. King
Status of applicant if not legal owner
The following statements and attached plans are offered in substantiation of my request:
1. The exceptional or extraordinary circumstances or conditions applying to the land, building, or use referred to in this application which do not apply generally to land, buildings and/or uses in the same district are as follows: The proposed remodelling plans conform to the previously existent 15' side yard requirement for the area and were finalized with extensive architectural drawings prior to and without knowledge of the adoption of the Ross Zoning Ordinance No. 2 on December 28, 1961.
2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner because:
An increase in the size of the structure is necessary to provide
adequate living space for the members of the family.
3. The granting of this variance under the circumstances of this case will not adversely affect the health, safety or welfare of persons residing in the neighborhood or be detrimental to the public welfare, or to other property or improvements in said neighborhood because: The plans conform to the 15' side yard and all other requirements formerly in effect in the area. The proposed addition also conforms to the existing side structure on the south where there is now a 16' side yard for a distance of 33' and simply amounts to a continuance of this structural line to the front and to the rear for a distance of approximately 22.5' and in no way protrudes beyond this point on the South. I HEREBY CERTIFY under penalty of perjury that I have made every reasonable effort to ascertain the accuracy of the data contained in the statements, maps, drawings, plans and specifications submitted with this application and that said information is true and correct to the best of my knowledge and belief. I further consent to any permit issued in reliance thereon being declared by the Town Council to be null and void in the event that anything contained therein is found to be erroneous because of an intentional or negligent misstatement of fact.  Application (Granted) (Denied) Date
Read carefully the instructions on the reverse side.

# **ATTACHMENT 5**

### CHAMBERS + CHAMBERS ARCHITECTS

## 18 Sylvan Lane Neighborhood Outreach

A copy of the ADR submission was sent to Lee Carson at 16 Sylvan Lane and to Charles Goodman at 20 Sylvan Lane for their review in mid-May. Mr. Carson wrote an email to Dan Little expressing his support for the project on May 11<sup>th</sup>.

Chambers and Chambers Architects sent out invitations for an open house to all the neighbors of 18 Sylvan Lane on May 31, 2017. The list of addresses was provided by the Planning Department. The open house was scheduled for June 16<sup>th</sup>, from noon to 4pm, at the office of Chambers and Chambers Architects in Mill Valley. Mr. Goodman contacted Chambers and Chambers the week of June 5<sup>th</sup> to let us know he would be unable to attend the open house and wanted to schedule a meeting on June 20<sup>th</sup>. He asked that Mr. Carson also be invited to the meeting. No other neighbors contacted Chambers and Chambers.

Chambers and Chambers met with the Goodman's on June 20<sup>th</sup> at their home at 20 Sylvan Lane, but Mr. Carson was unable to attend. Plans, materials board, and a model were presented to the Goodman's for their review. The meeting went well and the project was well received. They had no negative comments about the design and most of their comments were concerning construction (parking, road blockage, construction times, etc). Mr. Carson wrote a letter of support and sent it to the Planning Department the week of June 12<sup>th</sup>.

# **ATTACHMENT 6**

## **MINUTES**

# Meeting of the Ross Advisory Design Review Group \*\*\*18 Sylvan Lane Excerpt\*\*\*

Tuesday, June 27, 2017

## 1. 6:05 p.m. Commencement

Mark Fritts, called the meeting to order. Joey Buckingham, Mark Kruttschnitt, and Stephen Sutro were present. DA Winey was absent. Heidi Scoble representing staff was also present.

#### 2. New Business

## a. Little and Batalla Residence- 18 Sylvan Lane

Planning Manager Heidi Scoble briefly introduced the project in place of contract planner Brett Bollinger. The project architect Barbara Chambers described the project. Property owners Dan Little and Elena Batalla introduced themselves.

As the project was submitted for conceptual advisory design review, the ADR Group provided the following comments:

- ✓ Verify that the story poles have been installed accurately
- ✓ Determine if additional tree removal would be required as a result of the project. Consider the requirements for "non-intrusion" zones.
- ✓ Soften the appearance of the façade as it appears too austere and imposing
- ✓ Consider pushing the residence back further from the street
- ✓ Consider reducing the pitch of the roof
- ✓ Consider stretching out the house so it appears more wider and shorter
- ✓ Consider the architectural context of the streetscape relative to mass and scale
- ✓ Consider a one-story element at the front and then a two-story element in back (e.g., consider project in reverse)
- ✓ Overall like the design, but not consistent with the site and street

# **MINUTES**

# Meeting of the Ross Advisory Design Review Group \*\*\*18 Sylvan Lane Excerpt\*\*\*

Tuesday, October 24, 2017

## 1. 7:00 p.m. Commencement

Mark Fritts, called the meeting to order. Stephen Sutro, Joey Buckingham, and Mark Kruttschnitt were present. Heidi Scoble representing staff was also present.

#### 2. Old Business

## a. Batalla-Little Residence- 18 Sylvan Lane

ADR Group members Joey Buckingham and Stephen Sutro disclosed that they had met with the applicants prior to the meeting. Planning Manager Scoble provided a brief introduction of the project. Project architects Jason Yee and Barbara Chambers also provided a presentation on the project revisions since the June 27, 2017 meeting. Property owner Dan Little stated that he did not like the proposed hipped roof and would prefer a gables roof, but was willing to compromise if it meant the ADR Group would provide a positive recommendation.

The ADR Group stated that the project has been improved since the last proposal and liked that the residence was pushed back farther from the street, that the building forms were staggered to provide additional articulation, and that the proposed materials and colors could be supported. The ADR Group also supported both the hipped and gabled roof design, but suggested that if the gabled roof design was chosen, that the building should be stepped back a minimum of 10 additional feet from Sylvan Lane and that the steep roof pitch should remain. The ADR Group also suggested that the cars in the driveway should be screened, that the driveway should be permeable with either gravel or permeable pavers, that the front driveway gate should be reduced in size, and that a portion of the front south-facing garden should be left open and have a manicured design aesthetic.

# ATTACHMENT 7



# URBAN FORESTRY ASSOCIATES, INC.

8 Willow Street San Rafael, CA 94901 (415) 454-4212 info@urbanforestryassociates.com

# TREE PRESERVATION / PROTECTION PLAN

for 18 Sylvan Lane Ross, CA 94957

> Prepared for: Daniel Little

Prepared by:
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Urban Forestry Associates, Inc.	July 10, 2017
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Urban Forestry Associates, Inc.	July 10, 2017
SUMMARY	
Trees included in inventory	19
Trees to be removed with poor health or structure	2
Trees to be removed with fair health or structure	4
Total trees to be removed	6
Photos of all the subject trees can be made available upon request.	950

Urban Forestry Associates, Inc.

#### **PURPOSE**

Urban Forestry Associates (UFA) was hired by Daniel Little to inspect the trees at 18 Sylvan Lane in the town of Ross. The purpose was to assess the condition of the trees and provide a prognosis on tree health, vigor, structural stability and potential impacts to the trees resulting from the proposed development of the property. The inspection occurred on July 10, 2017. This report documents the health and structural condition of the trees and provides conclusions and recommendation in accordance with the Town of Ross Municipal Code, regarding protection of trees during construction.

#### TREE SURVEY

A full tree inventory, including a tree by tree description can be found on the supplemental Arborist's Map, dated July10, 2017, that is to accompany this report.

#### **OBSERVATIONS**

- No grading or utility plans were assessed for this report. These may or may not pose additional impacts to the subject trees.
- Tree 2 was the subject of a previous risk assessment and found to have High to Extreme risk of whole-tree failure and impact with surrounding homes due to subterranean decay consistent with Armillaria root rot.
- The trees east of the existing wood boarder east of the pool were not included in this survey as they are
  outside the footprint of the proposed development with the exception of Tree 17, whose canopy extends
  into the development area. All these trees are to be retained and protected with fencing and all demolition
  work is to be performed by hand.
- Tree 19 was not included in the survey and so not accommodated in the proposed plans evaluated for this
  report. It was brought to the attention of the development team and accommodation should not be a
  problem.

#### NON-INTRUSION ZONE

In determining the size of the non-intrusion zone (NIZ) for the subject trees, both existing and proposed site conditions were considered. Given these restrictions, none of the subject trees will have NIZs in compliance with the table in the Ross Municipal Code, however, if they are respected and installed as described, the indicated zones should be adequate to preserve the health and stability of the subject trees.

#### **SCOPE OF WORK / LIMITATIONS**

Information regarding property boundaries, land ownership, and tree ownership was evident from a land survey, property fencing and/or provided by the client. UFA has no personal or monetary interest in the outcome of this matter. All determinations reflected in this report are objective and to the best of our ability. All observations regarding the sites and trees were made by UFA personnel, independently, based on our education and experience. Determinations of the health and hazard potential of the subject trees are through visual inspection only and of our best professional judgment.

The health and hazard assessments in this report are limited by the visual nature of the assessment. Defects may be obscured by soil, brush, vines, aerial foliage, branches, multiple trunks or other trees. None of the subject trees were examined using invasive techniques such as increment coring or Resistograph® tests. The probability of tree failure is dependent on a number of factors including: topography, geology, soil characteristics, wind patterns, species characteristics (both visually evident and concealed), structural defects, and the characteristics of a specific storm. Structurally sound, healthy trees are wind thrown during severe storms. Consequently, a conclusion that a tree does not require corrective surgery or removal is not a guarantee of no risk, hazard, or sound health.

#### TREE WORK STANDARDS AND QUALIFICATION

All tree work, removal, pruning, planting, shall be performed using industry standards as established by the International Society of Arboriculture. Contractor must have a State of California Contractors License for Tree

Urban Forestry Associates, Inc.

July 10, 2017

Service (C61-D49) or Landscaping (C-27) with general liability, worker's compensation, and commercial auto/equipment insurance.

Contractor standards of workmanship shall adhere to current Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI) for tree pruning, fertilization and safety (ANSI A300 and Z133.1).

#### INSPECTION SCHEDULE

Inspection of site: Prior to Equipment and Materials Move In, Site Work, Demolition and Tree Removal: The Project Arborist will meet with the General Contractor, Architect / Engineer, and Owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection / non-intrusion zone fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

**Inspection of site**: After installation of NIZ fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection.

**Inspection of site**: <u>During excavation or any activities that could affect trees</u>: Inspect site during any activity within the Non-Intrusion Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

**Final Inspection of Site**: <u>Inspection of site following completion of construction</u>: Inspect for tree health and make any necessary recommendations.

#### ARBORIST'S CHECKLIST

- An urban forester, certified or consulting arborist shall establish the Tree Protection Zone (TPZ) prior to starting the demolition work. Four-foot-high wire deer fencing will be erected by the contractor and inspected by the arborist to limit access to the TPZ. This will protect the trunk and root zone throughout construction.
- The Arborist shall have a pre-demolition meeting with contractor or responsible party and all other foremen or crew managers on site prior to any work to review all work procedures, access and haul routes, and tree protection. The contractor must notify the Arborist if roots are exposed or if trunk or branches are wounded.
- Any trunk and root crown that is not protected by a TPZ where heavy equipment operation is likely to wound the trunk, install a barrel stave-like trunk wrap out of 2 X 4 studs connected together with metal straps, attached to the 2 X 4's with driver screws or 1" nails. The arborist shall oversee the installation of the trunk protection.
- Storage of equipment shall be on asphalt or ground protected by mulch / plywood in an area specified by the arborist in conjunction with the contractor or responsible party prior to the initiation of any demolition or construction activity.
- Heavy equipment use should be limited around trees and the roots. No equipment may be transported or used on bare ground within the root zone. A 6" layer of mulch and plywood must be placed under the path for access and egress. The protective "bridge' shall be maintained by the contractor and regularly inspected by the arborist.
- Any damage to trees due to demolition or construction activities shall be reported to the arborist within 6° hours, so that remedial action can be taken. Any damage done to the trees in violation of the contract agreement shall be appraised as a casualty loss by the arborist and provided to the tree owner.
- All trenching within the critical root zone shall be done pneumatically or by hand.
- An arborist shall over-see all grading, trenching, tunneling or other excavation within the root zones of trees.
- No chemicals or other waste materials shall be dumped in the root zone of this tree. There shall be no material storage in the.
- Pier and at-grade beam foundation construction should be used around the tree to avoid root damage.
   The soils shall be probed by the Arborist prior to drilling for piers to avoid major roots. Any minor roots (<3.5") encountered should be cut cleanly with a saw after excavation.</li>
- Patios and walks shall be constructed out of permeable materials on a well-aerated base, such as "Cornell Mix". Radiating, horizontal perforated pipes shall be placed at the pavement base/native soil interface, with vertical air outlets, if the above mix cannot be used.
- Chimneys and other heat vents shall be screened and terminated or provided a trimmed clearance at least
   10 feet from branches and foliage (See local fire codes).
- Any tree pruning will be done in accordance with ISA standards.
- The soil and drainage shall be rehabilitated and all debris removed after construction.
- The arborist must perform a final inspection to ensure that no unmitigated damage has occurred and to

specify any pest, disease or other health care. The arborist shall specify and oversee any necessary restorative actions.

- A supplementary irrigation system designed by the Arborist shall be installed where necessary.
- The arborist shall advise the homeowner on landscaping. Landscaping shall conform to arboricultural guidelines.
- Any suspected omissions or conflict between various elements of the plan shall be brought to the attention of the arborist and resolved before proceeding with the work.

Benjamin Anderson, Urban Forester ISA Certified Arborist & TRAQ

WE:10160A

## **SOURCES**

- Field Inspection performed by Ben Anderson of Urban Forestry Associates on July 10, 2017.
- Little Residence Plan set dated 5/23/2017 containing Sheets A0.0, 1.1, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 3.4, 4.1, 5.1, 5.2, 5.3 & 5.4.
- The Town of Ross Code, Chapter 12.24, Planting, Alteration, Removal, or maintenance of trees (2002).

