



**B. PUBLIC COMMENTS – None**

**C. STAFF BRIEFING**

Planning Manager Watrous stated that the hearing for 526 Comstock Drive has been continued to July 2, 2009. He noted that the Board’s ruling on the application for 604 Ridge Road was appealed to the Town Council. The hearing is scheduled for July 15<sup>th</sup> and the Board will be asked to appoint a representative at its July 3<sup>rd</sup> meeting.

**D. CONSENT CALENDAR**

**1. 1535 TIBURON BOULEVARD MET. LIFE INSURANCE, SIGNS**

The applicant is requesting the approval of seven signs for the purpose of advertising a business located at 1535 Tiburon Boulevard. The proposed signage would replace the existing Washington Mutual signs as well as add two additional wall mounted signs. Three existing directional signs would be eliminated in the process. The wall signs would be comprised of acrylic and metal with vinyl film lettering spelling “CHASE”. The color of the signs would be white letters on a light gray background with blue accents. The building has 101 feet of frontage on Tiburon Boulevard and 101 feet of frontage on the adjacent parking lot, therefore 50.5 square feet of sign area is allowed for this business. The total area of the proposed seven signs is 66.5 square feet in size, which exceeds the requirement for sign area. A major exception is requested for the additional sign area.

Alan Ford, Chase Bank, clarified information contained in the staff report that was based on his misunderstanding of certain parts of the ordinance. Mr. Ford said that the wall signs would be individual flat letters placed on the existing blue Chase logo. He explained that the 3 proposed wall signs cover 7.1 square feet each for a total of 21.9 square feet. The amended total sign coverage would equal 46.2 square feet which would be within the 50.5 square feet allowed by the ordinance, and therefore requires no exception. He said that 7 signs are requested because the existing signs need to be replaced and the applicant believed 2 other building elevations would benefit from signage and that additional signs were necessary facing the two public parking lots and rear lot of the building..

There was no public comment.

Boardmember Kricensky noted that the description of sign EO1 says, “Relocate closer to street where possible.” Mr. Ford explained that the sign is partially obscured by a shrub on the side. The shrub is not easily trimmed back; they do not wish to remove it and would like to move the sign roughly 1 foot closer to the street, if possible.

Mr. Watrous confirmed the language of the new sign code and that the amended measurements for the signs are as follows: E01 - 13.7 square feet; and E02, AN06, and AN07 – 7.1 square feet each.

Boardmember Wilson asked how the frontages for the bank were determined. Planning Manager Watrous said that the space in between Town Hall and the bank is a publicly available parking lot and counts as the other frontage besides Tiburon Boulevard.

Boardmember Wilson confirmed that if someone built a structure on that lot, the Town would have to grant them signage there, as well. Mr. Watrous clarified that in that instance, Chase's signage total would become non-conforming, but given the long-term history of that parking lot and the existing leases, it is rather unlikely that would happen.

Chair Doyle questioned the amount of amended coverage. Mr. Watrous said that the correct total was 46.2 square feet and 50.5 square feet is allowed for this lot.

Boardmember Kricensky questioned and confirmed that the existing monument sign is illuminated externally with direct lighting from ground level. Mr. Ford added that they plan to use the same lights, although perhaps moved slightly.

Boardmember Wilson questioned whether or not the Board has the ability to request signage not be illuminated outside of the bank's scheduled operating hours. Mr. Watrous said this can be difficult to enforce but previous requests have been satisfied by regulating the lights with a timer, which can be added as a condition of approval.

Boardmember Wilson suggested it be appropriate to eliminate that source altogether and questioned whether other downtown businesses are illuminated at night when not open. Mr. Watrous cited Bank of America and the Lodge of Tiburon as possible examples, and Mr. Ford said he would be happy to work with the Town on incorporating timers.

Boardmember Wilson said that he is hard-pressed to grant the request, adding that 7 signs seemed excessive and far beyond what is common elsewhere in Tiburon. He said that other banks in Town have fewer signs, and he felt that granting this request would give Chase an unfair advantage. He questioned the efficacy of sign AN07, noting that the area to the side of the building is densely vegetated with trees that may obscure the sign to the point of being useless. He said that illumination is not needed when the bank is closed, but he was inclined to approve the monument sign (E01), the front building sign (E02), and whatever directional signs are required.

Vice-Chair Chong said the building would be a bit over signed and he concurred with staff's recommendation to decrease the size of the monument sign and eliminate one wall-mounted sign. He said that the monument sign out front meant that the other side signs were not necessary to guide someone to the bank's door.

Boardmember Kricensky said that this is a fairly large stand-alone building and that the regulatory signs are all modest and necessary. He thought that sign AN06 was redundant to the monument sign for anyone traveling south down Tiburon Boulevard. He said that eliminating that one sign would be enough for him to support the application.

Boardmember Tollini concurred with Boardmember Kricensky on the need for the directional and informational signage. He said he would like to see the total number of signs reduced by one, eliminating whichever side sign is the most redundant.

Chair Doyle said that the signs to the rear of the building present no problem for him but that AN06 seems like a massive billboard he would like to see it eliminated. He also agreed with Boardmember Wilson that AN07 on the other side of the building is proposed in an area dense with trees that may obscure the sign.

**ACTION:** It was M/S (Kricensky/Chong) that the request for 1535 Tiburon Boulevard is exempt from the California Environmental Quality Act, and approved the project subject to the attached conditions of approval and the elimination of sign AN06. Vote: 3-2 (Doyle and Wilson opposed).

**E. OLD BUSINESS BEFORE THE BOARD**

**2. 526 COMSTOCK DRIVE SINGH, NEW DWELLING/VARIANCES –  
CONTINUED TO 7/2/09**

**F. NEW BUSINESS BEFORE THE BOARD**

**3. 13 MARAVISTA COURT RANKIN, GARAGE/VARIANCE**

The applicant is requesting Design Review approval for conversion of an existing attached carport into an expanded garage at an existing single-family home located at 13 Maravista Court. The new garage would be faced with board and batten siding matching the existing siding on the home. Windows would be added to the new garage door. The existing exterior lights would be relocated to the side of the garage doors. The proposed garage would extend to within 12 feet of the front yard property line, in lieu of the 15-foot front yard setback required in the R-1 zone. Therefore, a variance is requested for a reduced front yard setback.

Hank Bruce, Architect, said the staff report was very clear and he offered to answer any questions.

There was no public comment on the item.

Vice-Chair Chong said he visited the site, found the addition to very reasonable, and agree with the staff report and findings.

Boardmember Wilson said he visited the site as well and concurred with Vice-Chair Chong.

Boardmember Tollini said he also visited the site. He noted that the proposed addition does not allow enough depth to park a second car in front of the garage, but said that a bulge in the cul-de-sac could accommodate that.

Boardmember Kricensky felt the project would be a significant improvement for the house. He asked about the cricket over the entryway that was shown on the roof plan but not the elevation drawings. Mr. Bruce said that the entire roof slopes and the cricket are to divert water.

Boardmember Kricensky said his only concern was the lack of two off-street spaces but staff has indicated that the current parking situation is nonconforming.

Chair Doyle agreed with staff's recommendation.

**ACTION:** It was M/S (Chong/Wilson) that the request for 13 Maravista Court is exempt from the California Environmental Quality Act, and approved the project subject to the attached conditions of approval. Vote: 5-0.

#### **4. 22 MERCURY AVENUE DIBBLE, NEW DWELLING**

The applicant is requesting Design Review approval for the construction of a new, two-story single-family dwelling on property located at 22 Mercury Avenue. The subject property is currently developed with a one-story residence that would be demolished as part of this project. The floor area of the proposed house would be 2,777 square feet, which is 11 square feet less than the maximum floor area permitted for a lot of this size. The proposed house would cover 2,118 square feet (26.9%) of the site, which is less than the 30.0% maximum lot coverage permitted in the R-1 zone. The plans submitted with the subject application are identical to those reviewed by the Design Review Board at the December 18, 2008 meeting. No changes have been made to the project design in response to the direction given by the Board at that meeting. The applicants have submitted additional written materials attempting to justify the previously reviewed design of the house

Sam Dibble, owner, reviewed the project's history and objectives and reported on the modifications had made over time to ensure the privacy and views of the surrounding neighbors. He stressed that he and his wife have worked very hard to increase setbacks wherever possible as well as make other specific changes requested by their neighbors and the Board. He said the ceiling height has been significantly lowered since the original plans were submitted, decreasing the home's overall height to 21 feet, which is similar to a single-story home.

Mr. Dibble acknowledged the Board's request that they consider alternatives to a two-story design. He said that the conceptual one-story house design that they prepared would have a 45% lot coverage, require setback variances on all sides, eliminate a large portion of the home's outdoor space, and create a home that they would not want to build and could not live with. Mr. Dibble believed the house as proposed would fit in with the Belveron East neighborhood even though it is two stories. He said that the decreased footprint, increased setbacks, energy efficiency, and accommodation of a 5+-member family are very much in line with what is set forth in the General Plan. He cautioned the Board to be cognizant of the difference between character and monotony when making decisions about what neighborhood character ought to be.

Jennifer Dibble, owner, said she and her husband spent considerable time meeting with their neighbors at the beginning of the project with the specific intent of avoiding this position. She

said they have acquiesced wherever possible and increased side setbacks over what their original idea for the house. She said that this is the only design that would allow the entire family to sleep on one level, which she felt was something important for safety and family dynamics. She reiterated that they have made countless compromises, both before and after hearings by the Board, but she will not compromise the safety of her family.

The public hearing was opened.

Jeff Boris said the project is on a corner lot and surrounded by 12 houses, with 7 of them that would be directly affected by the proposed house. He stated that the adjacent homes are not parallel with each other and the proposed house would be 8 feet away from his property line and would block sunlight to his home. He voiced concerns for loss of enjoyment of his property as well as the potential for mold. He shared a photo taken from his front door, noting that the applicant's house would be all he would see whenever he left his home. He would like the applicant to have the home they desire but not at the expense of the enjoyment of his own home.

Moira O'Neal said her home abuts the applicant's rear yard. She voiced concern that the apple tree currently screening the two homes from one another would be removed. She shared photos showing the visual impact that a recently-installed play structure has on her privacy. She said that neighbor's properties are situated 3 to 4 feet higher than her own, and said that the 4 large windows proposed would provide the applicant with a direct view of the entirety of her yard. She said she has added value to the neighborhood by remodeling her own home and does not wish to lose that value simply because she remodeled before everyone else.

Jennifer Barnes said her own Belveron remodel project required a significant lot coverage variance due to one neighbor's opposition to a second story. She recalled that one Boardmember suggested that homeowners consider second story buildings as a measure against variances. She voiced support for the project and the value it would add to all homes in the neighborhood.

Danny Gallagher said he reviewed the plans and considers them to be a tasteful improvement to the neighborhood. He said most single-story homes stand 18 feet high, not much below the height of the proposed house. He concurred with Ms. Dibble's desire to keep her children's rooms on the same level as her own and supported the project.

Satoko Boris said those neighbors who support the project would not be directly affected by it, but she would be affected. She said she does not object to remodels in the area but she felt that the locations and proportions of these lots make a two-story home unsuitable.

Clark Jorgensen said the neighborhood's housing stock is quite old and homogenous and he believed that there was nothing about the applicants' proposal that would not significantly improve the entire neighborhood.

Ben Elliot said that the applicants have already made numerous concessions to their original design and dropping the roofline by 6 feet seems like an acceptable solution. He agreed that having children on the same level of the home as parents adds an important level of security and he voiced support for the project.

Ms. Dibble acknowledged the O'Neal's position and noted that as a result of conversations with them, they have relocated the children's bedrooms to the front of the house and eliminated the master bedroom balcony. She explained that the window overlooking the O'Neal's yard is situated over her own bathtub and at a height that would prevent either party from seeing the other. With respect to the Boris family, she said her current home allows her look directly at their TV and she intentionally avoided any windows in this area of the proposed home. Ms. Dibble reiterated that they worked very hard to address neighbors' concerns and have made many compromises. She believed that the neighborhood's character should not be determined by just 3 neighbors.

Mr. Dibble said they have made all the changes requested of them and are happy to make any other specific changes requested, but this comes down to the character of the neighborhood. He felt that the house is modest for Tiburon, a normal home for the Belveron area, and one that would work for his family.

Boardmember Wilson questioned if the proposal is the same as the first or second design brought before the Board. Mr. Dibble noted it was the same as the second design reviewed by the Board in December, 2008.

Chair Doyle questioned and confirmed that the master bathroom window on the second floor would be set back approximately 4 feet from the bottom floor. He asked how far the front bedroom was set back from the garage roofline. Boardmember Kricensky used a scale to determine that the second story setback would be approximately 11 feet at the front of the home.

Chair Doyle questioned the number of proposed skylights. Mr. Dibble said that 9 skylights are proposed and explained that the pitch of the roof is such that neighbors should not be affected by them.

Vice-Chair Chong asked whether any thought was given to shortening the full-length windows on the south elevation of the second story. Mr. Dibble said the windows were positioned for light purposes.

Vice-Chair Chong confirmed that the height of the northern elevation bathroom windows would be approximately 6 feet. Mr. Dibble noted that those windows have been placed to let in light and would be situated over sinks.

The public hearing was closed.

Vice-Chair Chong explained that he has tried to compartmentalize the issues with this project into those associated with a two-story home in Belveron, the design of this particular two-story home, and the direct impact on the immediately surrounding three lots. He visited each site, spent time viewing the entire neighborhood, and he did not believe that the other two-story homes in Belveron ruin the charm of the neighborhood. He found this particular project to be modest, with a neighborhood feel that would not be as much of a problem on almost any other lot. He noted that the house had been reduced in height from its original design. He said that

although there would be some impact on all three surrounding homes, the privacy impacts would only be a concern for the home at 3 Apollo Road. He stated that it is hard to value the impacts of a house on outdoor living space, but he would like to try to minimize the impacts where the subject home and the house at 3 Apollo Road back up to each other. He said that he was much more comfortable with the application than when it first came forward.

Boardmember Tollini said his feelings have not changed since the project was last reviewed. He noted that the staff report states that the second story would be 2.5 times the size of any other second story in the area, and combined with the significant impact on the surrounding neighbors, this is unacceptable. He said that the house would have a substantial impact on the neighbors and he could not support that much floor area on the second story. He acknowledged the applicant's desire to keep all four bedrooms on the same level, but he felt that this does not work at this location. He suggested that the applicant consider moving at least one bedroom downstairs.

Boardmember Wilson said he visited the site and he said that the Board was clear during its last review that the mass of the second story needed to be scaled back. He agreed with Vice-Chair Chong that the three surrounding lots would be the most impacted and that their concerns are more important than those of neighbors further away. He acknowledged the applicant's efforts and pleasing design, but said if the decision is all or nothing, he could not support the application. He reiterated that the Board was very clear since the beginning in its wish to see a reduced second story mass. He was inclined to deny the application as it had not been altered from the previous design.

Boardmember Kricensky said he also visited the site. He found the project's overall design to be very well done in an architectural style that suits the surrounding area. He said that the program for the house was enviable, but he was unsure that this was the appropriate site for such a house. He said that the story poles were deceiving in that they are placed at the maximum height of the roof at all points. He said that the lots in this area are very tight and he was concerned that similar house built on the other lots would give the area more of an urban feeling.

Chair Doyle said he has visited and travelled past the site numerous times and found himself in agreement with Vice-Chair Chong. He understood the applicant's desire to keep all bedrooms upstairs, acknowledged the concessions already made to lower the roof and move windows, and agreed that other homes in the area have higher elevations than what is proposed. He noted that the other two-story house on Mercury Avenue was also very tall. He voiced concern for the impacts to the home at 5 Apollo Road, but noted that the proposed house would be well set back from the property line. He doubted that relocating one bedroom downstairs would alleviate any impacts on the neighbors, but perhaps moving one bedroom to the front downstairs might help. He said that there are all types of house designs in Belveron East. He felt that the adjustments made to the house address the neighbors' issues and allow the applicants to have some space on their lot. He said that the house would not feel as close to the neighbors as their photos show.

Boardmember Kricensky cautioned that the term "neighborhood character" is often misused and that two stories are appropriate when creating a livable home. He reiterated his concern that the project's width and the size of the second story would create an urban feel and mass that would be inappropriate.

Boardmember Wilson said Chair Doyle expressed it best in that this is not a question of the home's merits, but rather of the suitability of this home on this lot. He felt that this was the right house on the wrong lot.

Mr. Watrous advised the Board of the following options: (1) approve the application; (2) provide direction for changes and continue the application to a future hearing; or (3) direct staff to prepare a resolution denying the application. He suggested that if the Board wishes to continue the item, it should first ensure that the applicant is willing to make the requested changes.

Chair Doyle asked if the applicant has any interest in making further changes. Mr. Dibble said while there is room for increased setbacks and he is more than willing to reposition the home on the lot, they have been through each iteration of the home's layout, and at this point, are not willing to change anything in terms of program or floor plan.

<p><b>ACTION:</b> It was M/S (Wilson/Tollini) direct staff to prepare a resolution denying the application for 22 Mercury Avenue. Vote: 3-2 (Doyle and Chong opposed).</p>
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## **5. 166 ROCK HILL ROAD ROBBERTS, NEW DWELLING**

Boardmember Tollini reported that he had discussed with staff the potential for conflict of interest, but confirmed he could participate in the matter.

The applicant has submitted a request for construction of a new single-family dwelling on the property located at 166 Rock Hill Road. Currently a one-story single-family dwelling occupies the property which would be demolished as part of this application. The project proposes the construction of a two-level home. The new home would include one bedroom, a three-car garage, laundry room, storage room, office/library, dining room, living room, kitchen, and family room on the main level. A master bedroom suite and two additional bedrooms would be located on the upper level.

Michael Heckmann, architect, reviewed the evolution of the project and proposed plans. He described the home as a contemporary style house with a concrete slab lower level with horizontal shapes and roof forms, eliminating the need for attics or vaulted ceilings and keeping the overall height to a minimum. He said the owners have designed something that is as close to their dream home on this lot, given any concerns that surrounding neighbors will allow. He said that several modifications have already been made with that in mind, including relocation of the garage, connected driveway, and pool/entertainment area. He shared photos taken from the master bedroom of the neighboring home owned by the Lacey's. He noted the views of Richardson Bay and the surrounding area are still visible from this and adjacent properties. He said the Design Review Guidelines do not consider a master bedroom to be a primary living area and that minor view blockages to the side are considered suitable. He said that the applicant will prune several existing plum trees along the property line that currently obstruct a portion of the neighbor's panoramic view. He said that the project would increase building setbacks and decreased its height, both of which significantly improve the primary view of neighbors in a much greater proportion than anything that might be obscured. He said that he met the Lacey's

and their consultant last week to agree to two modifications: (1) a window located in the corner bedroom closest to the Lacey property will be eliminated; and (2) landscaping enhancements will be used between the 2 properties. He explained that the existing circumstances are, in part, due to the project's proximity to the Pelfini and Lacey residences, the latter of which extends well into the required setback.

Pete Pedersen, landscape architect, reviewed the proposed grading. He said rather than truck away the material excavated from the pool site, the soil would stay on site to maximize flat areas. He acknowledged that the infill has created some concerns for neighbors, primarily arising from an issue with the existing property line fence, and the applicant would like to move the neighbor's fence back to the actual property line and in turn add landscaping to provide additional screening.

Chair Doyle opened the public hearing.

Jim Malott thanked the Robberts for working so graciously with neighbors, but said there are still major issues to be resolved. He reviewed the Hillside Design Guidelines and noted certain aspects of the project that conflict with those guidelines. He said that the project would move 357 cubic yards of dirt behind 2 retaining walls with a total height of 13.5 feet and place a swimming pool directly above the Pelfini residence, effectively adding another story to the home. He said the Lacey's would lose a chunk of their view of Sausalito and gain a view of a large, blocky home. Mr. Malott said that the applicant has been repeatedly asked to move the second story back, but to no avail.

Ian Pearson said he lives 2 doors uphill from the applicant and was concerned that due to the flat nature of the roof, skylights and potential solar panels would reflect a large amount of light in his direction. He was also concerned that the proposed skylights and picture windows would emit a significant amount of uphill light at night and that the new structure would intrude into his view toward the hills and Golden Gate Bridge. He asked that the plans be changed to reduce the appearance of mass. He believed that the retaining walls would achieve the applicants' goals at inordinate cost to the Pelfini's.

Jean Pelfini said the applicants' plans call for placing a retaining wall in an area that is currently well-sloped and heavy with natural foliage. She voiced concern that the wall would sit nearly 11 feet over the top of their home and be visible from the length of their driveway as well as from every window. She was also concerned that the location and height of the pool area would create spill-over noise onto her property and that the proposed picture windows would reflect light into her home.

Tad Lacey said that he lives directly uphill from the applicant and is concerned about the mass of the home, invasion of privacy, and substantial loss of views. He stated that the history of remodel projects on upper Rock Hill Road are all clear examples of projects done with the utmost care and respect for the neighborhood. He noted that the Board denied a second story addition application for 155 Rock Hill Road due to view impacts. He felt that the contemporary style of this home would be inconsistent with its surroundings, which consist primarily of gabled homes with wide, unfenced yards. Mr. Lacey said the Robberts' had assured him at the time of purchase

that they would uphold the previous owner's efforts to trim the plum trees, but the trees have not been pruned once and he is surprised to hear the same trees being used as evidence that his view is already blocked.

John Kern stated that his primary concern was to preserve the architectural character of a long-standing neighborhood. He said that all other remodels in the area have left that character intact, using sloping and gabled rooflines and this would be the first total demolition on upper Rock Hill Road. He said that the importance of design review is to preserve a neighborhood's innate character – something that this home would not do. He said that the home seemed well-designed and beautiful, but he did not believe it was properly sited.

Will Robberts, applicant, said that he and his wife are simply trying to accommodate a growing family. He said that he had worked on the plans for the last two years, scaled them back tremendously per neighbors' requests and has tried to follow the Hillside Guidelines wherever possible. He felt that he and the Pelfini's have identified issues and made significant efforts to resolve them. He also felt that he has taken the concerns of the Lacey's very seriously and managed to improve their view from every room except for the master bedroom. He noted that to do so, he moved the home as far back on the hill as possible, thus sacrificing his own primary views. He clarified that there are no plans to install solar panels. He denied any issue with the plum trees, stating that the previous seller did not inform him of any agreement with the Lacey's. He noted that the project requires no variances, and he respectfully requested the Board to approve the project expeditiously.

Vice-Chair Chong questioned the landscaping to be used along the retaining wall and whether anything could be done to break up the look of a single straight line of walls. Mr. Pedersen said that they were considering swapping the two walls so that the shorter wall would sit lower and create a stepped effect. He said that they would like to plant the area prior to the home's construction to expedite the softening effect. He explained that they have proposed to keep the excavated material on site in an effort to reduce the number of trucks through the neighborhood and noted there are much taller walls throughout Town that have received no complaint.

Boardmember Tollini acknowledged the applicant's desire to site the home on the western side of the property to maximize views. He questioned whether or not any consideration was given to shifting the house further east to minimize the impacts on neighbors. Mr. Heckmann said that moving the home further into the hillside would exponentially increase the amount of material offloaded from the site. He said that they have made numerous efforts to situate the rooms so that they would not impact neighbors, and he thought it was clear that they have made generous attempts to preserve the lion's share of the views from the Lacey's upstairs bedroom while also improving them from the lower level of the home. He acknowledged comments about the home's character but said that a contemporary home is always appropriate, if done correctly.

Chair Doyle asked if any portion of the home was dug into the hillside. Mr. Heckmann explained that the site already has a large, flat surface and that they would essentially remove the existing home and replace it with a different home. He said that they have already stepped the home itself to eliminate any boxy effect.

Chair Doyle said the southern facing picture windows would catch direct sun and he questioned how the applicant would mitigate this impact on neighbors. Mr. Heckmann said there are existing trees in addition to the proposed landscaping that should alleviate any privacy or reflection issues. He noted that the Pelfini's home is situated within the setback and the applicants have already sacrificed the best pool location to preserve the privacy of neighbors.

Chair Doyle questioned if another wall tier would be possible. Mr. Pedersen said this had been considered but said the flat space is at a premium and they would prefer not to give it up. Chair Doyle questioned and confirmed that the length of the lawn would be roughly 25 feet.

Boardmember Kricensky noted that the location of the Pelfini home, regardless of setback conflicts, is an existing situation that seems to have been completely ignored. Mr. Pedersen said that the retaining wall would be 5 feet onto the Robbert's property. He said they are trying to be as sensible as possible but should not be penalized for what is really an intrusion by the Pelfinis' house.

Boardmember Kricensky noted that the dimensions listed do not allow for the proposed drainage. Mr. Peterson said these are schematics only and water currently flows straight down the property. He said that no matter what landscaping is installed, that flow would be lessened.

The public hearing was closed.

Boardmember Tollini said he visited the site as well as the Lacey's home. He believed that the proposed project is large and close with major view impacts although not to any area that is technically considered primary living space. He said the applicant has designed a beautiful home, but one that would be very different from the surrounding area and very imposing when viewed from the street. He suggested that issues be addressed, including the impacts on the Pelfinis' house created by the large expanse of windows.

Boardmember Wilson visited the site and also witnessed the views from the Lacey's deck. He felt that the architecture was fine, but dramatically different from other homes along this street. He took issue with taking a view that is currently obstructed by a red Maple tree and completely replacing it with a permanent structure. He disliked the placement of the pool and entertainment area in general and suggested the applicant move the house to this location, pushing the pool to the south or west.

Vice-Chair Chong said that he lives in a modern home that was built in 1971 and he imagined there were similar objections to that home, as well. He appreciated the project's design and choice of materials. He felt that the retaining walls were well thought out and landscaped. He suggested that the pool, which would be mostly used during the day, may not significantly intrude upon the Pelfini's bedroom, which is primarily used at night. He said the project was well-sited and considerable attempts have been made to open up the views for neighbors by placing the second story where it would have less impact. He said that he could easily support the project.

Boardmember Kricensky concurred and suggested that the proposed materials may tone down the modern feel of the design. He agreed that the amount of glass on the home's southern side was significant and seemed excessive, and suggested that a header be used to tone this down. He believed that the home is well-placed and while the pool's location is a concern, there may not be a more suitable location. He acknowledged the Lacey's concerns but said they have a fairly large panoramic view from a secondary living space, of which they would be losing only a small portion. He said that his biggest concern was the length and straight line of the retaining walls size and their proximity to the Pelfini's house. He noted that the applicants would be replacing existing vegetation and the walls would feel like a 10 foot tall wall when looking up from next door. He suggested that the applicants need to show more sensitivity to the existing situation, regardless of whose property it is.

Chair Doyle also appreciated the home's modern design but shared concerns that the glass would be an issue. He noted that there are many different building styles and masses in the area. He thought that the use of wood, glass, stone, and stucco would make the house melt into the hillside beautifully and voiced no issue with the design. He said that everyone would like to keep all of their views, but what would be gained exceeds that which would be lost. He concurred with Boardmember Kricensky on the retaining walls and asked for something that would better respect the Pelfinis' home. He agreed that the design of the house needs to show more sensitivity on the south side, possibly with better landscaping.

Mr. Heckmann agreed to install a header on the picture windows and asked the Board to provide direction on the percentage it would like the glass reduced. He asked the Board to consider approving the project with those amendments, and continuing the issue of landscaping to a later date.

Boardmember Wilson questioned if the applicant would consider eliminating the pool. Mr. Heckmann said they could move it a bit to the north, but not eliminate it.

Mr. Watrous advised that the specifications for the glass could be easily provided for as a condition of approval, but staff would be uncomfortable with a condition of approval describing changes to be made to the retaining walls.

**ACTION:** It was M/S (Wilson/Tollini) to continue the application for 166 Rock Hill Road to the July 16, 2009 Design Review Board meeting. Vote: 5-0.

#### **G. APPROVAL OF MINUTES #9 OF THE 6/4/09 DESIGN REVIEW BOARD MEETING**

**ACTION:** It was M/S (Chong/Wilson) to approve the minutes of the June 4, 2009 meeting, as written. Vote: 5-0.

#### **H. ADJOURNMENT**

The meeting was adjourned at 10:00 p.m.