



AGENDA

Regular Meeting of the Ross Town Council

Thursday, August 24, 2023

Town Hall

31 Sir Francis Drake Boulevard

Ross, CA 94957

The meeting will be held in person. Additionally, the Open Session beginning at 6:00 p.m. will be televised live on Zoom. Members of the public have the option of participating in-person or remotely via Zoom.

Zoom Webinar: <https://us02web.zoom.us/j/86977621743>

Webinar ID: 869 7762 1743# or Call-in Number: +1 (669) 900-9128

Submit public comment by:

1. Emailing cmartel@townofross.org prior to 4:00 P.M. the day before the meeting.
2. Attend the meeting in person and provide public comment.
3. If participating remotely, during the public comment portion of the Open Session select the "Raise Hand" icon in the Zoom meeting or press *9 if calling into the meeting.

-
1. **5:15 p.m. Call to Order.**
 2. **Posting of agenda/changes to agenda.**
 3. **Closed Session.**
CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:
(one potential case)
 4. **6:00 p.m. Open Session. Council will return to open session and announce actions taken, if any.**
 5. **Open Time for Public Expression.**
Limited to three minutes per speaker on items not on agenda.
 6. **Recognition for 20-year anniversary of Paul Stromoski, Police Officer. (Pata)**
 7. **Mayor's Report.**



Full agenda available online by clicking [here](#).

8. Council Committee & Liaison Reports.

9. Staff & Community Reports.

a. Town Manager

b. Ross Property Owners Association

10. Consent Agenda.

The following items will be considered in a single motion, unless removed from the consent agenda:

a. Minutes: 7/13/23 Regular Meeting [📄](#); 7/13/23 Special Meeting [📄](#)

b. Demands. (Johnson) [📄](#)

c. Town Council consideration of second reading and adoption of Ordinance No. 722 amending Title 15 of the Ross Municipal Code regarding Gate Safety, which was introduced at the June 15, 2023, Town Council meeting. (Woltering) [📄](#)

d. Town Council acceptance of the Investment Report for the year ended June 30, 2023. (Johnson) [📄](#)

e. Town Council consideration and adoption of Resolution 2332 appointing the Town Manager and Town Clerk/Administrative Manager as Administrators for the Town of Ross Wells Fargo credit card accounts. (Johnson) [📄](#)

f. Town Council consideration to award the construction contract for the Shady Lane and El Camino Bueno Drainage Project and authorize the Town Manager to enter into a construction contract with LVI Engineering Inc. in the amount of \$263,900. (Simonitch) [📄](#)

g. Town Council review and approval of the Town of Ross response to Marin County Civil Grand Jury Report entitled *Build More ADUs – An Rx to Increase Marin's Housing Supply*. (Woltering) [📄](#)

h. Town Council review and approval of an adjustment to the Fiscal Year 2022-23 budget adjusting the transfer from the Operating Fund to the Facilities & Equipment Fund from a previously approved amount of \$1,000,000 to \$1,700,000, a \$700,000 increase. It is also recommended that this \$700,000 be transferred into the newly established Capital Projects Fund in Fiscal Year 2023-24. (Johnson) [📄](#)

End of Consent Agenda.

11. Public Hearings on Planning Projects – Part 1.

Public hearings are required for the following planning applications. Staff anticipates that these items may be acted upon quickly with no oral staff report, Council discussion, or public comment. If discussion or public comment is requested, the Council may consider the item later in the agenda.

There are no Part 1 Planning Projects.

End of Public Hearings on Planning Projects – Part 1.

Administrative Agenda.

- 12. Town Council to receive a presentation by Marin Municipal Water District (MMWD) staff regarding the District’s upcoming “Pine Mountain Tunnel Tanks” project that includes hauling excavation materials through Ross and provide direction to Town staff as needed. (Simonitch) [!\[\]\(e492b5d52ab457a7a3c2826c4091dfee_img.jpg\)](#)**
- 13. Town Council to provide staff direction regarding the implementation of a Pilot *Ross Recreation Fee Assistance Program*; consider acceptance of a \$31,000 donation from the Coates Family for the purpose of initiating funding for the pilot program; and appropriate \$31,000 as both revenue and expenses in the Recreation budget account 5352-05. (Borthwick) [!\[\]\(1d9440fab1f214291ce1c26a75f9c2cd_img.jpg\)](#)**
- 14. Town Council to provide direction to staff regarding the concept for a Pilot *Ross History Walk* Project submitted by the Ross Property Owners’ Association (RPOA) and Ross Historical Society (RHS). (Borthwick) [!\[\]\(6be2e1cb461308cfbb51376f893366b1_img.jpg\)](#)**

End of Administrative Agenda.

- 15. Public Hearing on an Order to Show why the Town should not order the repair work regarding a sinkhole at 61 Shady Lane be completed. In conducting such consideration, Town Council is recommended to consider the Staff Report, supporting documents in the record, Public Comments, and any objections or protests from the Property Owner or other interested party, and upon deliberation, adopt Resolution No. 2333 to order the repair of the sinkhole at 61 Shady Lane. (Simonitch) [!\[\]\(d27edc55493507da2f9b8c7a52b3b96f_img.jpg\)](#)**

End of Public Hearing

Public Hearings on Planning Projects – Part II.

- 16. Town Council consideration of the request for approval of an Amendment to the Use Permit by resolution for the Lagunitas Country Club to allow a fourth platform paddle (tennis) court and include the Lagunitas Country Club’s representation that the Club’s facilities will be solely for the use of its members and members’ invited guests, both**

now and in the future, and the facilities will not be available to the public under any circumstances, and, according to this representation the Club is not subject to accessibility requirements. (Woltering) [📄](#)

Lagunitas Country Club, 205 Lagunitas Road, A.P. No. 073-211-40, Zone R-1:B-A, General Plan: VL (Very Low Density), X (Moderate Risk)

Project Description:

The applicant requests approval of amendment of the Use Permit for the Lagunitas Country Club (LCC) to allow a fourth platform tennis court and include its representation that the Lagunitas Country Club's facilities will solely be for the use of its members and members' invited guests, both now and in the future, and the facilities will not be available to the public under any circumstances. Based on this representation, they claim the Club is not subject to accessibility requirements.

17. 2 Crest Road, Design Review, Hillside Lot Permit, Nonconformity Permit, and a Variance, and Town Council consideration of Resolution 2329. (Lopez-Vega) [📄](#)

Benjamin and Laura Dewar, 2 Crest Road, A.P. No. 072-023-27, Zone: R-1:B-5A, General Plan: VL (Very Low Density), Flood Zone: X (Moderate Risk)

Project Description:

The applicant requests approval of Design Review, a Hillside Lot Permit, a Nonconformity Permit, and a Variance. The project includes new landscape structures including a new pool/spa, pool equipment, bathroom, wood deck, outdoor kitchen, concrete retaining walls, new fencing and gates. The new pool will be 14' by 36' with encroachment into the side yard setback. The height of the existing fence near the proposed pool will be increased to a 6-foot-tall fence to create additional privacy and safety for the homeowners and neighbors. The project is requesting to modify three closets by lowering the ceiling height to less than seven feet, the minimum to meet the building code requirements for habitable space; therefore, 42.5 square feet would no longer be counted as habitable space and floor area. The applicant proposes to transfer the square footage of the existing three closets (42.5 SF) to a new bathroom within the buildable envelope. The Nonconformity Permit is required to exchange floor area for new floor area, with no increase to the total floor area. A Variance is requested to allow for the construction of new landscape structures including a pool/spa and BBQ, within the side yard setback, and to exceed the allowable lot coverage.


18. 10 Shady Lane, Design Review and Variances, and Town Council consideration of Resolution 2330. (Lopez-Vega) [📄](#)

Courtney Kronenthal, 10 Shady Lane, A.P. No. 073-191-25, Zone: R-1:B-A, General Plan: L (Low Density), Flood Zone: AE (Floodway)

Project Description:

The applicant requests approval of Design Review and Variances. The project includes demolishing existing storage sheds in the rear yard totaling 130 square feet and transferring the 130 square feet to the main house. The project also includes modifying four closets by lowering the ceiling height to less than seven feet, the minimum to meet the building code requirements

for habitable space; therefore, the closets would no longer be counted as habitable space and floor area. Additionally, the project involves some minor additions and alterations to include enlarging the kitchen area to provide a family sitting room by 94 square feet and expanding the entryway, which is flanked by two wings facing the front parking area facing Shady Lane by, 71 square feet for a total of 165 square feet. A Variance is required to exceed the allowable lot coverage by 22 square feet. A Variance is also required to allow for the expansion of the kitchen area to encroach into the side yard setback.

- 19. 39 Allen Avenue, Design Review, a Nonconformity Permit, Hillside Lot Permit and a Variance, and Town Council consideration of Resolution 2331. (Lopez-Vega)** 
Matthew and Lauren Barshied, 39 Allen Avenue, A.P. No. 073-261-05, Zone: R-1:B-10,
General Plan: ML (Medium Low Density), Flood Zone: X (Moderate Risk)

Project Description:

The applicant requests approval of Design Review, a Nonconformity Permit, a Hillside Lot Permit, and a Variance. The project includes an extensive interior and exterior renovation to modernize the existing two-story home to include white shingle siding, a grey veneer ledgerstone accent and new windows, and a new composition roof with grey shingles matching the existing roof. Also, the proposed project involves updating the front facade by removing the existing front entrance and stairs and relocating the front entrance to the lower level and adding a porch; a balcony is also being proposed above the new porch. The project will also add a total of 70 square feet of new floor area: the proposed addition of 67 square feet to the lower level consists of enlarging the garage, and the construction of a new entryway with stairs leading to the upper level, and an additional three (3) additional square feet on the upper level on the landing of the stairs. A Variance is required to exceed the allowable floor area by 70 square feet.

End of Public Hearings on Planning Projects – Part II.

- 20. No Action Items: (Mayor)**
a. Council correspondence
b. Future Council items

- 21. Adjournment.**

If any of the matters discussed above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this notice or in written correspondence delivered at, or prior to, the Council meeting at which this matter will be heard. (Government Code Section 65009). In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager at (415) 453-1453, extension 107 or (415) 453-1950 (Fax). Notification at least 48 hours prior to the meeting will enable the town to make reasonable accommodation to help insure accessibility to this meeting.