

**MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)**  
**MEETING OF FEBRUARY 25, 2008**  
(Approved as amended by ERB on April 21, 2008)

**PERSONS IN ATTENDANCE:**

**ERB MEMBERS**

Rosi Dagit  
David Magney  
Dr. Noel Davis  
Dr. Margot Griswold  
John Todd, Chief, Forestry  
Richard Ibarra

**REGIONAL PLANNING STAFF**

Jim Hulbert  
Jeff Juarez  
Maral Tashjian  
Emma Howard

**Plot Plan RPPT 200700378**

John Anthony Lewis (818) 526-9876

**Plot Plan RPPT 200700380**

John Anthony Lewis (818) 526-9876

**Plot Plan RPPT 200800066**

Fariba Tiffany (310) 455-5228  
Cary Gepner (818) 591-7172

**Plot Plan RPPT 200702078**

No one present

**Plot Plan RVAR 200703239, RENVT 200700186, ROAK 200700059**

No one present

**ERB MINUTES**  
**FEBRUARY 25, 2008**

**AGENDA ITEMS**

1. Richard Ibarra made a motion to approve and adopt the ERB minutes of January 28, 2007 as amended, seconded by Dr. Margot Griswold. All ERB members concurred, minutes are approved and adopted.

**OLD BUSINESS**

2. **Final Review of Plot Plan RPPT 200700378** – See ERB Minutes, Page 3.
3. **Final Review of Plot Plan RPPT 200700380** – See ERB Minutes, Page 3.

**NEW BUSINESS**

3. **Plot Plan RPPT 200800066** – See ERB Minutes, Page 4.
4. **Plot Plan RPPT 200702078** – See ERB Minutes, Page 6.
5. **Plot Plan RVAR 200703239, RENVT 200700186, ROAK 200700059** – See ERB Minutes, Page 8.

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**NOTE: ERB MEETINGS ARE INFORMAL WORKING SESSIONS. MEMBERS ARE APPOINTED AS VOLUNTEERS TO SERVE IN AN ADVISORY CAPACITY. MINUTES ARE PREPARED BY PLANNING STAFF PRIMARILY FROM NOTES. MEETINGS ARE ALSO RECORDED ON TAPE WHICH IS USED PRIMARILY AS A BACK-UP FOR STAFF. VISITORS ARE ADVISED TO TAKE PROPER NOTES AND/OR RECORD THE MEETING. NEW OR CLARIFIED INFORMATION PRESENTED IN BIOTA REVISIONS MAY RAISE NEW ISSUES AND REQUIRE FURTHER ANALYSIS. MINUTES ARE GENERALLY APPROVED AT THE FOLLOWING MEETING. DRAFT MINUTES MAY BE REQUESTED BUT ARE SUBJECT TO REVISION.**

## ENVIRONMENTAL REVIEW BOARD

**Case No.** Plot Plan RPPT 2007000378 and RPPT 200700380  
**Location:** 25066 Mulholland Highway, Calabasas  
**Applicant:** John Anthony Lewis  
**Request:** Construction of a two story, 6,599 square foot single family residence with attached 619 square foot three car garage, with septic system, and 580 cubic yard cut/2,200 cubic yard of fill on a vacant 2.75 acre lot at 25066 Mulholland Highway; and construction on an abutting 1.75 acre lot of a 4,919 square foot single family residence with attached 638 square foot three car garage, with septic system and 4,290 cubic yard of cut/700 cubic yard of fill located at 250800 Mulholland Highway. Both lots are located in Calabasas.  
**Resource Category** Malibu/Cold Creek Resource Management Area  
**Note:** Final review of landscape plan/fuel modification plan. Each property will have separate owners.

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**ERB Meeting Date:** February 25, 2008  
**ERB Evaluation:** \_\_\_ Consistent    X Consistent after Modifications  
                          \_\_\_ Inconsistent

### ERB Comments and Recommendations:

Per ERB - The plant list that was submitted was commendable. There was a great mix of native species that were largely drought tolerant and fire safe.

Per ERB – The fuel modification zones were as now recommended for the Santa Monica Mountains: 20 feet for Zone A, 30 feet for Zone B, and 150 feet for Zone C.

Per ERB - The applicant shall install a silt fence backed up with hay bales at the toe of the slopes on RPPT 200700380 to catch sediments and dislodged rocks.

**Staff Recommendation:** \_\_\_ Consistent    X Consistent after Modifications  
                                  \_\_\_ Inconsistent

**Suggested Modifications:** Plans approved contingent on the applicants installing an adequate erosion control fence with hay bales.

## ENVIRONMENTAL REVIEW BOARD

**Case No.** Plot Plan RPPT 200800066  
**Location:** 22072 Topanga School Road, Topanga  
**Applicant:** Fariba Tiffany and Cary Gepner  
**Request:** A proposed new 24 by 40 foot guest house over a three car garage, a 32 by 16 foot swimming pool, and a 17 by 27 foot louvered outdoor dining area. A total of 110 cubic yards of fill will be cut and then replaced onsite. The proposed guesthouse will be served by a public water supply and will be connected to an existing sanitary sewer. The lot is 1.12 acres in size. A preliminary landscape/fuel modification plan was included in the submittals. There are oak trees on the property, but none will apparently be impacted by the project.

**Resource Category** Malibu Zoning District, Significant Oak Woodland, Topanga Canyon ESHA.

**Note:** First review of building plans and fuel modification zones.

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**ERB Meeting Date:** February 25, 2008

**ERB Evaluation:**  Consistent  Consistent after Modifications  
 Inconsistent

### ERB Comments and Recommendations:

Per ERB – There is no concern about the several California pepper trees (*Schinus molle*) that will be removed. In fact, their removal will be desirable as these are invasive species. An oak tree is close to the proposed project, but apparently not impacted. Fencing must be installed around all oak trees at the protected zone (five feet beyond the drip line or 15 feet from the trunk, whichever is greater) to prevent damage to the trees during construction.

Per ERB - The fuel modification plan is correct and includes the desired widths, although the A and B Zones are indicated as one zone in the drawings. ERB wants to ensure that the irrigated zone does not extend more than 50 feet from the structure. The C Zone extends outwards another 150 feet.

Per ERB –The applicant now proposes to realign the structure so that most cutting and filling and the construction of retaining walls are eliminated. This new site orientation will also increase the distances to oak trees. ERB commended the applicants for modifying the plans to reduce impacts.

Per ERB – Interlocking pavers or other similar means to ensure the permeability of the driveway shall be installed.

Per ERB - Runoff from the roof surfaces of the new structures and the patio must be controlled so that it does not cause erosion and sedimentation, and be directed away from the trees. ERB suggests using cisterns to capture the runoff for later use in irrigation.

Per ERB – lighting must be used sparingly at night, and directed downwards to reduce impacts on nocturnal wildlife.

Per ERB – The oak tree near the covered patio should be trimmed now if necessary so that it does not touch the roof after construction, or grow towards the roof.

Per ERB – The numbers of structures was questioned in regards to what is permitted by zoning codes. ERB wishes to ensure that appropriate authorities do not permit more structures than allowed.

**Staff Recommendation:**     Consistent     Consistent after Modifications  
    Inconsistent

**Suggested Modifications:** Return revised plans to the Staff Biologist for review and approval. Revised plans to include oak tree protection, runoff control, night time lighting details, and the use of a permeable surface for the driveway.

## ENVIRONMENTAL REVIEW BOARD

**Case No.** Plot Plan RPPT 200702078  
**Location:** 2525 Hawks Nest Trail, Topanga  
**Applicant:** Rui Cunha, James and Mark Rydings  
**Request:** A proposed new 7,070 square foot single family residence with a pool, spa, and a detached 688 square foot three car garage on land that is currently vacant. The lot size is approximately 2.8 acres. Approximately 800 cubic yards of soil will be cut, and 500 cubic yards will be fill. The residence will be constructed on an existing pad served by an existing gravel driveway. There are oak trees on the property, but none will apparently be impacted by the proposed project.

**Resource Category** Malibu Zoning District, Tuna Canyon SEA, Topanga Canyon ESHA.

**Note:** First review of building plans and fuel modification zones.

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**ERB Meeting Date:** February 25, 2008

**ERB Evaluation:**      Consistent      Consistent after Modifications  
  X   Inconsistent

### ERB Comments and Recommendations:

Per ERB– The site is extremely difficult to work with as it is narrow and steep. The pad is the only location for any structure on the site. There are numerous concerns regarding this project. The lots in this area were created and then homes built upon them without going through the subdivision process. Where and how will water be obtained? The building site is atop an adjacent 2,000 acre chaparral-covered parkland which creates fire safety issues. There are only two roads in this area, and they are both surrounded by vegetative fuel. The size of the proposed structure is too large, would violate the community hillside standards district. The length of the driveway greatly exceeds the 300 foot maximum length as expressed in the local coastal plan policy. The establishment of fuel modification zones will depend on clearing on adjoining parcels.

Per ERB – A great deal of grading is apparently being proposed, yet there is no grading plan. An adequate fuel modification and landscaping plan must also be prepared.

Per ERB – The policy regarding driveway lengths applies to existing driveways. ERB has concerns about when the driveway and the building pad were constructed and/or upgraded to a significant extent, as the grading looks fairly fresh with an

absence of vegetation, and also if proper permits were obtained. Was construction of the driveway and building pad after plan adoption in 1972?

**Staff Recommendation:**     Consistent     Consistent after Modifications  
    Inconsistent

**Suggested Modifications:** The concept for the house and driveway must be checked against the provisions of the local coastal plan and community standards district. The size of the house should be scaled back. There must be documentation regarding when the driveway and building pad were constructed and improved and if proper permits were obtained. Grading plans must be developed and submitted. Fuel modification and landscape plans must be developed and submitted. ERB will schedule a second review when the requested information is submitted.

## ENVIRONMENTAL REVIEW BOARD

**Case No.** Plot Plan RPPT 200702078, RENVT 200700186, ROAK 200700059

**Location:** 579 North Creek Trail, Topanga

**Applicant:** Kevin Crey and James Perry

**Request :** A proposed new two story, 2 car detached garage of 1,546 square feet in front of an existing single family residence. The lot is 5,930 square feet. The construction of the garage requires a variance. The proposed project also includes a new fire apparatus turnaround, which is apparently 392 square feet. Approximately 339 cubic yards of soil will be excavated and exported offsite. There are 16 regulatory sized oak trees on the property (over 8 inches DBH as per county oak tree ordinance). The applicant states that one oak tree will be removed, five would be heavily impacted to a degree such that survival is doubtful, and two would have limited encroachment. Mitigation proposed is one fifteen gallon tree, presumably onsite. The owner has applied for an oak tree permit.

**Resource Category:** Malibu Zoning District, Topanga Canyon ESHA

**Note:** First review of submitted plans.

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**ERB Meeting Date:** January 28, 2008

**ERB Evaluation:**    Consistent    Consistent after Modifications  
  X   Inconsistent

### ERB Comments and Recommendations:

Per ERB – This is a large size for a garage along North Creek Trail. Can it be scaled back in size? North Creek Trail apparently lies in a floodplain as the road has been inundated in the past. Amphibians in this section of the creek have been extensively studied.

Per ERB – What will be the surface of the new section of North Creek Trail to be constructed? How will runoff and drainage be handled? Is an NPDES permit necessary and has it been obtained? Will there be impacts on the adjacent creek by construction of the widened road, turnaround area, and garage, as well as from runoff once the roadway and structures have been built?

Per ERB – There are oak trees on the other side of North Creek Trail. How will they be impacted?

Per ERB – there are inconsistencies in the oak tree report. Are there five, six, or one oak tree to be removed? Mitigation needs to be defined better, especially when the

actual number of oak trees to be removed has been identified. Where will mitigation occur? What will mitigation consist of?

Per ERB – Where will the 339 cubic yards of fill be placed?

**Staff Recommendation:**     Consistent     Consistent after Modifications  
    Inconsistent

**Suggested Modifications:** Prepare a report that better details oak trees and oak tree impacts onsite and across North Creek Trail. Inconsistencies in the oak tree report must be corrected. Prepare a report that details drainage, runoff, and impacts on the creek. Details on the disposal of the fill need to be provided. This information will be discussed at a subsequent ERB meeting after submittal.