

Contentious Construction Consumes Commission & Council Clocks

By Steve Angelides

A contentious construction project on Draeger Drive consumed four hours of time of the Moraga Planning Commission and Town Council last week.

Last Monday the Planning Commission spent almost two hours before deciding that the guest unit constructed on that property included a deck. The Town's Design Review Board had specifically prohibited a deck when it approved the project. Commission Chair Bruce Whitley summed up the views of the commissioners when he said, "If it looks like a deck, and quacks like a deck, then it's a deck."

The applicant, Mike Raff, claimed that the disputed surface was only the roof of a pool equipment shed. However, because the surface was accessible from the guest unit through a sliding glass door, and bordered by a three foot parapet wall (which Raff claimed was only a fence) the commission decided it was a deck.

The commissioners gave Raff some advice on how to eliminate the deck, namely to replace the sliding glass door with a window, and remove the parapet wall. Raff will have the opportunity to submit a

compliance plan before the matter comes back on the Commission agenda.

Last Wednesday the Town Council took over two hours to decide that the construction of a concrete retaining wall on the Draeger Drive property had materially altered the grade and therefore required administrative design review. The question originally on the agenda, whether the wall was a nuisance, became moot because the contractor removed the backfill from behind the wall before the meeting.



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