



## Moraga Civic News

### Public Meetings

#### Town Council

Wednesday, August 8, 7:00 pm  
Joaquin Moraga Intermediate School,  
1010 Camino Pablo

#### Planning Commission

Monday, August 6, 7:00 pm  
Moraga Library, 1500 Saint Marys Rd

#### Design Review

Monday, August 13, 7:00 pm  
Moraga Library, 1500 Saint Marys Rd

Check online for agendas, meeting notes and announcements

#### Town of Moraga:

www.moraga.ca.us

Phone: (925) 888-7022

#### Chamber of Commerce:

www.moragachamber.org

#### Moraga Citizens' Network:

www.moragacitizensnetwork.org



## Police Report

**Car burglary, 7/26/12** Apparently the Beatles tribute band at the Moraga Commons was not enough to keep bad guys at bay for a fellow who parked his car near the Commons for the weekly Thursday music fest. The car was parked near the skatepark on Moraga Road from 6 p.m. to 9 p.m. A smashed passenger side window greeted the car owner; unfortunately his laptop, iPad and iPad keyboard did not greet him, since they were stolen.

**Extortion, 7/26/12** An unknown male caller contacted an employee of Saint Mary's College and told her that he had abducted her brother and sister-in-law and was holding them hostage, and that he'd release them in exchange for \$2,000 sent via Western Union. Turns out both brother and sister-in-law were safe – one was at home and one at work. Police are investigating.

**Parked with pot, 7/17/12** At the end of Donald Drive at Mulholland Ridge, police were on patrol just after 11 p.m. and found a car parked in this secluded locale. Three 18-year-old males were in the car, along with visible bottles of beer, and the lingering cologne of burnt marijuana. A bit of the evil weed was left in the center console. Driver and passengers were cited for possession of less than one ounce of marijuana and open container. Note: cops are well aware of all the "party" spots in town.

**Slow learner, 7/22/12** A pick-up truck was stopped on Woodminster Drive for a broken brake light. Astute officer notices the smell of alcoholic beverage on the driver. He "fessed up" that he had enjoyed two beers approximately four hours prior to getting behind the wheel. The fellow was on probation for a prior DUI. He took a breathalyzer test and scored .044 – less than half of the threshold for impaired driving; he was cited and released.

**Backpack with bong found at golf course, 7/18/12** Moraga Security personnel found three backpacks and a black plastic bag while looking for an errant golf ball. Surprise, surprise – the backpacks contained a glass bong, lighters, sunscreen, bug spray, plastic containers and candy. The goods were booked into evidence as found property. If you happen to have lost your backpack bong on the golf course, feel free to contact police to get it back.

**Stolen or just rollin'? 7/18/12** A gentleman parked his car at the Orchard Supply Hardware store, and stepped inside for approximately 10 minutes. When the driver came back to the car, it had been moved about fifty feet south of the original parking place, stopping against a tree. Thankfully, no noticeable damage to people, other drivers, the errant vehicle, or the tree. After the reporting person notified an OSH manager, he put the car into park from drive. Driver insisted his car was stolen and could not have been left in gear...

## Peralta Construction

CUSTOM HOMES | ADDITIONS | REMODELING

owned and operated by Moraga resident  
Pat Geoghegan



Lic #624045

BUILDING THE BAY AREA FOR MORE THAN 20 YEARS

925.273.7692

www.peraltaconstruction.com

## Get Clean.

**Total Clean 376-1004**  
For your home.

## Planning Commission Approves Hetfield Subdivision

By Sophie Braccini

It took only six and a half years for The Wyro Company to get the conceptual design of the subdivision of the Hetfield Estate past the Moraga Planning Commission. The seven-lot plan that the Commission approved in mid-July is quite different than the original— the overall footprint and lot sizes are smaller, the impact on existing slides has been diminished and the size of the homes should not exceed 4,000 square feet. Early opponents of the project, the non-profit Preserve Lamorinda Open Space and some of the neighbors along Sanders Drive, said at the meeting that they could work with the plan. One of the participants described this project as a good example of give and take, leading to a compromise.

Staff opened the discussion at the July 16 meeting with a new conceptual plan for the 58.20-acre property located off Sanders Drive, along a creek. The property, which includes six large slides, offers a scenic landscape and is zoned MOSO, the Moraga Open Space Ordinance, which limits development on undevel-

oped lots and hill sides.

At an April meeting John Wyro, representing the owners, proposed six large lots that would have been able to accommodate large homes, under a Moraga rule that sizes a home in proportion to the land it occupies. Town staff offered up an alternative plan for eight smaller lots with smaller homes. The purpose of reducing the global footprint of the development was to avoid disturbing three slides that will need to be excavated and stabilized, a serious endeavor that will move tens of thousands of cubic yards of dirt. The new 7-lot plan proposed by staff should leave one of the remaining 3 impacted slides undisturbed.

"We will not oppose staff's plan," said Suzanne Jones on behalf of Preserve Lamorinda Open Space, a group that had been against the development of the Hetfield property.

Some of the neighbors expressed deep concern over having homes built across from their back yards. Others moved closer to a compromise solution. Bob Hellerbeck indicated that he

could support what he called a well thought-out, 7-home plan. "It would be my hope that the neighbors can work with Mr. Wyro to insure the least impact on the environment and a positive outcome for everybody," he said.

Wyro adopted a more conciliatory position as well. "I, too, appreciate the process," he said. "The comments that are made affect our thinking... In the spirit of moving this plan forward and making things happen, we are willing to accept staff's recommendation for 7 lots with a maximum house size, including garage, of 4,000 square feet."

The commissioners debated the opportunity to further limit the size of the homes, since one of the major concerns of the neighbors was that the new homes would be out of character with the rest of the neighborhood in which homes average 2,100 square feet. "What is the maximum size allowed for the homes on Sanders Dr. if the owners wanted to remodel?" asked Commissioner Jim Kline. Planning Director Shawna Brekke-Read did a quick calculation using the

average size of the lots along that street and answered, "About 4,200 square feet." Kline responded, "Then I don't see why we should limit the size of the new homes below what the neighborhood is authorized to build."

This reasoning persuaded his colleagues. The Commission also limited the number of adjacent two-story homes in the development, and required the planting of native evergreen trees to provide winter screening of the new structures.

The last concern was that the site might suffer the same fate as the Vista Encinos project. That property was approved for subdivision for the Wyro Company, resold to a new developer that carved home pads and has since left the site disfigured and unattended. Staff proposed to add a yearly review of the project and obligation to take care of the landscaping until homes are built.

Next steps for the project include approval of the general development plan and precise development plan.

## It's Hard to Get a New Commercial Sign in Moraga

By Sophie Braccini

According to Nick Ghassem, the Town of Moraga has delayed for months the approval of his application for a new sign for the Valero gas station that sits at the southeast corner of the intersection of Moraga Road and Rheem Boulevard. The Planning Commission approved the plans for the gas station renovation in February. The Design Review Board subsequently decided to allow him to display only one sign bearing his gas prices—one that is significantly smaller than that of any other gas station in town: 30 square feet, compared to an average of 37.50 square feet for existing signs. Ghassem appealed to the Planning Commission, which denied the ap-

peal July 16.

Moraga's previous Planning Director tried fruitlessly to amend the sign ordinance a few years ago. The Planning Commission decided nonetheless to rely on the only existing text in Moraga that defines how businesses can advertise their services.

"We are not a policy-making body," said Planning Commission Chair Stacia Levenfeld. "We are here to interpret the code."

"This process has taken four months, during which I could not do any business," said Ghassem, who planned to open the new gas station, complete with mini-mart and car wash, in late June.

Ghassem indicated that he was ready to do everything else that the Design Review Board demanded of him. "We will paint the canopy and building trim in a dark gray color rather than the standard Valero bright teal, to be in keeping with the semi-rural character of the town," he said. He also agreed to have his sign lit with an exterior light rather than an interior one for esthetics. But requiring him to build a new smaller sign was, in his view, a lot for the Board to ask.

Resident Gordon Nathan spoke in favor of the applicant. "If everybody else has multiple signs, it seems to me that it would be only fair to give him the same opportu-

nity to advertise in a very competitive market," he said. "In the name of fairness I hope that you would find it in your heart to cut him some slack."

Assistant Planner Kelly Suronen explained that the existing stations have signs that predate the sign ordinance and will have to follow the rules when they update their signs, but "this is an opportunity to bring signs into compliance and make them more semi-rural in character as the General Plan calls for," she said.

The Commissioners agreed and denied the appeal of the DRB decision. Decisions of the Planning Commission can be appealed to the Town Council.

## Town Okays Sales Tax Measure for November Ballot

... continued from page A1

She points out benefits of a \$0.01 sales tax – giving Moraga local control of local revenue raised to fund road and storm drain repair and maintain other town services; money raised cannot be taken away by the State. The additional sales tax doesn't apply to groceries, prescription drugs, professional services or rent, so it shouldn't be a burden for those on a fixed income. The statewide sales tax is currently 8.25 percent; if passed, the new rate in Moraga will be 9.25 percent.

In addition, there are a number of stores in town that draw people from outside of the community, shoppers that drive on Moraga's roads – providing a way to share the cost. The ballot measure includes independent audits by a Citizen's Oversight Committee and the Audit and Finance Committee.

Neighborhood streets in this

bedroom community would be the lucky recipients of repair. Moraga Way and Moraga Road are classified as arterials – so they can receive State or Federal funds for repair. For example when 3.2 miles of Moraga Way was resurfaced in 2008, it was mostly paid for by a Surface Transportation grant of over \$1 million along with a grant from the California Integrated Waste Management Board – which incorporated bits of tires that would have gone to landfill in the rubberized asphalt.

Throughout the auditorium at Joaquin Moraga Middle School, audience members were entirely in favor of placing the measure on the ballot. "Our roads are falling apart now – we need to do something or we will end up like Orinda," said Richard Olsen. "Streets and storm drains desperately need an on-going source of revenue," said Dale Walwark.

Bill Snider, a Moraga resident and owner of two local stores, supports the measure wholeheartedly, he spoke of the importance, not only of maintaining the roads, but shopping Moraga first.

All the Town Council members in attendance eagerly chimed in with their support. "It's up to us – we're not going to get help from the County or Sacramento,"

said Mayor Mike Metcalf. "I think we should go for it with everything we've got."

(Editor's note: Reporter Sophie Braccini, who was unable to attend this meeting of the Town Council, was lauded by council members for her outstanding coverage of Moraga's infrastructure issues.)

### Tentative language for the measure reads:

To keep local streets from falling into disrepair and maintain Town services, including: fixing potholes and cracks; maintaining neighborhood police patrols and response times; repairing neighborhood streets; maintaining recreation programs for youth and seniors; other general Town services, shall the Town of Moraga enact a one-cent sales tax for 20 years with authority to incur debt to accelerate infrastructure projects, with annual audits, citizens' oversight, no funds for Sacramento and all funds spent only for Moraga?