

Plot lines redrawn, but what of the crosses memorial?

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Google Maps satellite image with overlaid lot plan

Happy Valley Improvement Association President Peter Clark does not see how the plots can be addressed without further discussion of the crosses. "Given the obvious physical presence of the crosses, and the depth of emotion surrounding them, it was surprising that the planning commission didn't include them in the discussion," he said after the meeting.

"After thinking about it," Clark continues, "I've come to the conclusion that the commissioners made a mistake. Currently, part of both lots have a non-conforming use - 'War Memorial with Too Many Signs.' The Lafayette municipal code requires that the lots resulting from a lot line adjustment be in conformance, which was not done."

Munnely would like to see the lot preserved for open space.

"I believe these disputably

historic and rural lots ... with stunningly close proximity to our city center, have great potential to our city and residents," Munnely says. "Personally, I think this land would make a beautiful 'Deer Hill' city nature park. I'm aware other residents have different opinions or ideas for its uses and benefits to the community, but the city would serve its residents better by taking pause on this action and scheduling an open-forum discussion of ideas."

The Lafayette resident is critical of the 300-foot radius notification to residents saying that informing just a few residents concerning a property of such magnitude and notoriety is deceit. "A hearing room filled to capacity would have been reality had planning served our community as one would expect in a democracy."

Munnely wrote a detailed

letter to the commission that was received too late to be included in the staff report. "I feel disenfranchised that my comments were not referenced," he said. "Transparency; that's what the people of Lafayette expect and demand!"

Munnely also questions the negative finding of the environmental report saying that the lot line adjustment will facilitate rapid development of the hillside properties, wildlife will be severely impacted as a result and that development and hardscape will result in more erosions and storm water runoff.

"If the lot line revision is granted," adds Munnely, "the opportunity to benefit our community will be more costly to implement at best, or at worst, lost forever."

Winery regulation falters

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The commission wants to create a new study group to look into these options, but consultant Ben Noble warned that this could take several months of additional meetings and add costs in terms of staff and consultant time.

There were two opposing factions at the meeting: Captain Vineyards owners and others who support the idea of winemaking in Lamorinda as an element of economic vitality and character ask for less regulation, and some of the Captains' neighbors, mainly of the Alalusi family, who oppose a commercial activity in their neighborhood, and are concerned about pesticide contamination.

The commissioners were simply asked to discuss and possibly agree with staff recommendations to finalize the text. The recommendations were the logical consequence of the previous process: requirements from the council to draft a text that would support commercial winemaking in Moraga, but would protect neighbors from adverse effects; demands made by a former plan-

ning commission subcommittee that worked with property owners, opponents and the consultant; and the prior planning commission meeting's requests made in October.

Noble addressed the question about zoning by explaining that agriculture is a permitted use in open space, but the wineries were first built as homes and the winemaking came later and was therefore a secondary use that the town could regulate. Commissioner Steve Woehleke asked if a ranch would be subject to the same rules and if the consideration of what came first, the home or the cows, should be looked into. He also noted that if future wineries would open in residential neighborhoods, the impact could be quite different.

Some commissioners wondered if it was fair to ask winemakers to add 25-foot setbacks to protect the neighbors from potential pesticide contamination when they are already regulated by the county and state. They also noted that homeowners can use whatever chemicals they want

in their homes and no one looks into this. The regulation controls only winemakers, so if someone plants a vineyard of any size but does not make wine, no setback or buffer would be required.

Whether or not the planning commission will ever look at this again will be decided by the town council. The proposed date to review the text is Feb. 14.

Public Places program praised

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Currently the APP program has 39 art installations on public display, 22 of which are on loan and 17 of which are owned by the city. The original costs of the owned pieces exceeded \$177,000, and the total liability for the pieces on loan is \$295,500.

The APP program has been funded by donations to the Orinda Parks and Recreation Founda-

tion. Annual operating expenses have been kept low, typically \$1,500 to \$2,500, by an abundance of volunteer labor. The APPC believes that it would be desirable to update the ArtSpace Orinda website, and expects that the cost will be between \$500 and \$1,000, which will come from the Orinda Parks and Recreation Foundation.

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