

**TOWN OF MORAGA PLANNING COMMISSION**  
**MEETING AGENDA**  
**Monday, March 2, 2009**  
**7:30 p.m.**

La Sala Building, Hacienda de las Flores  
2100 Donald Drive, Moraga, California 94556

*All documents relating to the following agenda items are available for public review in the Planning Department of the Town of Moraga at 329 Rheem Blvd. between the hours of 9 to 12, Monday, Tuesday and Thursday (other times by appointment). Staff reports will normally be available on the Monday afternoon one week preceding the meeting. It is recommended that you contact the Planning Department at 925-888-7040 for availability.*

**I. CALL TO ORDER AND ROLL CALL**

- A.** Daniels, Driver, Goglia, Levenfeld, Obsitnik, Socolich, Whitley
- B.** Conflict of Interest
- C.** Oath of office – Obsitnik and Socolich

**II. ADOPTION OF MEETING AGENDA**

**III. ANNOUNCEMENTS**

**IV. PUBLIC COMMENTS**

*This part of the agenda is to receive public comments on matters that are not on this agenda. Comments received will not be acted upon at this meeting and may be referred to a subcommittee for response. Comments should not exceed three minutes.*

**V. ADOPTION OF THE CONSENT CALENDAR**

*Items on the Consent Calendar are believed by staff to be non-controversial. Staff believes that the proposed action is consistent with the commission's instructions. A single motion may adopt all items on the Consent Calendar. If any commissioner or member of the public questions any item, it should be removed from the Consent Calendar and placed in part IX of the Regular Agenda.*

**A. Approval of the February 17, 2009 meeting minutes.**

**VI. CONTINUED PUBLIC HEARINGS – None**

**VII. NEW PUBLIC HEARINGS - None**

*Opening remarks by an applicant shall not exceed ten minutes. Comments by others shall not exceed three minutes. The purpose of a public hearing is to supply the Planning Commission with information that it cannot otherwise obtain. Because of the length of time that the Planning Commission meetings frequently consume, please limit testimony and presentation to the supplying of factual information. In fairness to the Commission and others in attendance, please avoid redundant, superfluous or otherwise inappropriate questions or testimony. Thank you. Moraga Planning Commission.*

**VIII. PUBLIC MEETING**

**Hetfield Estates Environmental Impact Report Scoping Session.**

The 58.2-acre property is located in the southeast portion of the Town of Moraga, California, directly south of Sanders Drive. Access to the project site will be via Hetfield Place. Residential development and open space surrounds the property.

The applicant is proposing a 7-lot subdivision with lots ranging in size from 41,826 square feet (.96 acre) to 51.45 acres. The largest parcel will be retained as permanent open space. A trail will be provided to allow public access into the open space and onto existing trails. Single-family houses will be constructed on the remaining six lots.

A creek borders the northern property line, separating an existing residential neighborhood from the property. Hetfield Place will be extended across the creek to serve the six residences. This crossing will require a bridge.

Grading will be required to create building pads, debris benches and to repair existing slides. Subdrains will be installed along the drainage benches to intercept runoff from upslope. A detention basin will be constructed to detain flows during a storm.

The project site is currently vacant and was previously used for cattle grazing. It is designated as open space and must meet the criteria of the Moraga Open Space Ordinance (MOSO).

An Initial Study/Mitigated Negative Declaration of the project was prepared and heard by the Planning Commission and subsequently appealed to the Town Council. Based upon comments raised by the public and new information provided by neighbors, the Town Council felt that substantial information had been presented to deny the Mitigated Negative Declaration, thereby requiring an Environmental Impact Report.

Future development of the project site could have a significant effect on a range of environmental issues. Consequently an Environmental Impact Report (EIR) will be prepared to analyze these effects, as well as to explore alternatives to the Project and possible mitigation measures to avoid or lessen identified effects. The Town of Moraga will prepare an EIR for the project under the terms and requirements of the California Environmental Quality Act (CAL.PUB.RES.CODE §§ 21000, et seq.) (CEAQ) and the implementing CEQA guidelines (14 CAL. PUB. RES. CODE §§ 15000, et seq.) (CEQA Guidelines). The purpose of the EIR is to provide decision-makers, public agencies, the general public and other interested parties with an analysis of potential environmental impacts associated with the project, and feasible alternatives to the project.

The purpose of this agenda item is: (1) to serve as the NOP to potential "Responsible Agencies" as required by Section 15082 of the CEQA Guidelines; and (2) to advise and solicit comments and suggestions regarding the preparation of the EIR, environmental issues to be addressed in the EIR, and any related issues from interested parties other than potential "Responsible Agencies", including interested or affected members of the public.

#### **IX. ROUTINE & OTHER MATTERS – None**

*The following items do not require a public hearing, although the Chair or staff will indicate why each item is on the agenda. Public participation will be limited and the Commission may decide to reschedule the item as a public hearing. Discussion of administrative matters, such as adoption of findings, may be limited to the Planning Commission.*

#### **X. COMMUNICATIONS – None**

#### **XI. REPORTS**

##### **A. Commission**

1. Margaret Goglia, Chair
2. Bruce Whitley, Vice Chair
3. Allison Daniels
4. Russell Driver
5. Stacia Levenfeld
6. Jim Obsitnik
7. Dick Socolich

##### **B. Staff**

1. Update on Town Council actions and future agenda items.

#### **XII. ADJOURNMENT**

To a regular meeting of the Planning Commission on **Monday, March 16, 2009** at 7:30 P.M. in the La Sala Building at the Hacienda de las Flores, 2100 Donald Drive, Moraga, California. Notices of Planning Commission meetings are posted at 2100 Donald Drive, the Moraga Commons, and the Moraga Public Library.

**NOTICE: If you challenge a town's zoning, planning or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior, to the public hearing. Judging review of any town administrative decision may be had only if petition is filed with the court not later than the 90<sup>th</sup> day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.**

The Town of Moraga will provide special assistance for disabled citizens upon at least 24 hours advance notice to the Planning Department (888-7040). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to disabled.

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection the 5<sup>th</sup> day before each regularly scheduled Planning Commission meeting at the Planning Department, located at 329 Rheem Boulevard, Moraga, CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Town Council regarding any item on this agenda after the agenda has been distributed will also be made available for inspection at 329 Rheem Boulevard, Moraga, CA during regular business hours.