

DRAFT FAIRFAX PLANNING COMMISSION MEETING MINUTES  
WOMEN'S CLUB, 46 PARK ROAD  
AND VIA TELECONFERENCE  
THURSDAY, FEBRUARY 15, 2024

Call to Order/Roll Call:

Chair Jansen called the Regular Meeting to order at 7:00 p.m.

Commissioners Present: Philip Feffer (attending remotely)  
Robert Jansen (Chair)  
Brett Kelly  
Mimi Newton (attending remotely)  
Cindy Swift

Commissioners Absent: John Bela

Staff Present: Jeffrey Beiswenger, Planning Director  
Linda Neal, Principal Planner  
Kara Spencer, Assistant Planner

**APPROVAL OF AGENDA**

Assistant Planner Spencer stated item #3 should be removed from the agenda since the property owner withdrew the application.

M/s, Feffer/Swift, motion to approve the agenda with the removal of item #3.

AYES: Feffer, Kelly, Newton, Swift, Chair Jansen

ABSENT: Bela

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Kristy expressed concern about the safety and welfare of the residents at Victory Village.

**CONSENT CALENDAR**

There were no Consent Calendar items.

**PUBLIC HEARING ITEMS**

- 1. 339 Cypress Drive; Application #23-35  
Request for a Conditional Use Permit for two detached decks providing approximately 257 square feet of deck area under construction adjacent to an existing single-family Residence; APN #003-131-49; RS-6 Single Family Zone; Bruce McCurdy, applicant, Tess and Jesse Posner, owners. CEQA Categorically Exempt per Section 15303(e)**

Commissioner Swift stated she needed to recuse herself from this item.

Principal Planner Neal presented the staff report. Staff answered a question from the Commission regarding whether staff thought this could be a ministerial approval.

Chair Jansen opened the Public Hearing.

There were no comments.

Chair Jansen closed the Public Hearing.

Commissioner Newton provided the following comment:

- She had a question about Condition of Approval #14. Principle Planner Neal stated that could be eliminated.

M/s, Feffer/Newton, motion to approve Resolution No. 2023-36 with the deletion of Condition of Approval #14.

AYES: Feffer, Kelly, Newton, Chair Jansen

ABSENT: Bela

RECUSED: Swift

Chair Jansen stated there is a 10-day appeal period.

Commissioner Swift returned to the dais.

Commissioner Newton left the meeting.

**2. 290 Cascade Drive; Application #24-01**

**Request for a Conditional Use Permit and Variance for the enclosure of an approximately 161 square foot covered entry porch and the conversion of a half bathroom to a full bathroom; APN #003-121-06; RS-6 Single Family Residential Zone; Jody Timms and Silver Clark, applicants/owners. CEQA Categorically Exempt per Section 15301(e)(1)**

Assistant Planner Spencer presented the staff report. Staff answered questions from the Commission regarding the Northern Spotted Owl; if this would improve fire safety; if a Variance for a Side Setback would be required.

Chair Jansen opened the Public Hearing.

Dr. Jody Timms, owner, made the following comments:

- She thanked the staff for their assistance.
- The southwest side of the house gets very hot and a roof and two walls would help.
- They plan to install solar panels at some point.
- Having a walk-in shower will be helpful and safer.

Chair Jansen closed the Public Hearing.

There were no comments from the Commission.

M/s, Swift/Kelly, motion to approve Resolution No. 2024-04.

AYES: Feffer, Kelly, Swift, Chair Jansen

ABSENT: Bela, Newton

Chair Jansen stated there is a 10-day appeal period.

**3. 31 Maple Avenue; Application #24-02**

**Request for a Conditional Use Permit and Variances to construct an approximately 144 square foot wooden, second story deck on an attached accessory dwelling unit (ADU) located above a garage; APN #001-204-92; Rd 5.5-7 Residential Zone; Bridgit**

## **Fees, Applicant/Owners. CEQA Categorically Exempt per Section 15301(a)**

Chair Jansen stated this item has been continued.

### **Discussion Items**

#### 4. Study Session: General Plan Annual Progress Report

Planning Director Beiswenger presented a staff report and a PowerPoint presentation. He answered questions from the Commission regarding budgeting for implementation; time lime for the Safety Element; what is considered “infrastructure”; funding sources for road repairs; the Town Center Plan, Town Center Element, and public engagement; if consideration has been given to declaring the town center “historic”; when the Conservation Element would be updated; the Commission’s role in encouraging climate conscious development; the requirement for emergency evacuation routes; if General Plan Progress Reports have been done in the past; how a greater number of units in a particular income category affects the RHNA compliance; if the focus is on the lower income units; the timeline for HCD submission and review.

Chair Jansen opened the meeting to public comments.

Mr. Todd Greenberg, downtown Fairfax, made the following comments:

- He had a number of questions.
- He asked how much the Town would pay for a Housing Planner.
- He asked how many ADUs were applied for in 2023. He was sure there was a dramatic decline.

Chair Jansen closed the meeting to public comments.

Commissioner Swift provided the following comment:

- She wants to make sure the Commission is aware of the previous concerns about the Safety Element.

Commissioner Feffer provided the following comment:

- Historic registry constrains what a property owner can do to the building.

Chair Janson provided the following comments:

- There is a strong correlation between the Circulation, Safety, and Noise Elements with respect to roads. This requires a comprehensive review.
- Some of the downtown buildings might qualify to be on an Historic Registry.

### **Minutes**

#### 5. Minutes from the December 14, 2024 meeting

Chair Jansen opened the meeting to public comments.

Mr. Todd Greenberg, downtown Fairfax, made the following comment:

- He would like detail included in the minutes- he opposed the idea of Action Minutes.

Chair Jansen closed the meeting to public comments.

M/s, Swift/Kelly, motion to approve the December 14, 2023 minutes as corrected.

AYES: Feffer, Kelly, Swift, Chair Jansen

ABSENT: Bela, Newton

### **Commissioner Comments and Requests**

Commissioner Swift asked staff to come up with a better way to convey code changes.

Commissioner Swift asked staff to prepare a calendar that indicates upcoming discussion topics including the Safety Element

Commissioner Swift stated she attended the recent Planning Commissioners' Conference and asked staff to post the PowerPoint presentations.

### **Planning Director's Report**

There was no report.

### **ADJOURNMENT**

A motion was made, seconded and unanimously approved to adjourn the meeting at 8:44 p.m. .

Respectfully submitted,

Toni DeFrancis,  
Recording Secretary