



CITY OF CAMPBELL
Community Development Department

March 15, 2019

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Campbell has set the time of 7:30 p.m., or shortly thereafter, on Tuesday, **March 26, 2019**, in the City Hall Council Chambers, 70 North First Street, Campbell, California, for a Public Hearing to consider the Appeal of Elise Sias of the Community Development Director's denial of a Tree Removal Permit (PLN2018-399) to allow the removal of one (1) redwood tree on property located at **31 Hardy Avenue**. Staff is recommending that this item be deemed Statutorily Exempt under CEQA.

Interested persons may appear and be heard at this hearing. Please be advised that if you challenge the nature of the above project 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 City of Campbell Planning Commission at, or prior to, the Public Hearing. Questions may be addressed to the Community Development Department at (408) 866-2140.

Plans and architectural drawings may be viewed at the Planning Division office during normal business hours (8:00 a.m. – 5:00 p.m.) and on the City's 'Public Notices' web page (<http://www.cityofcampbell.com/501/Public-Notices>) under 'Planning Commission'.

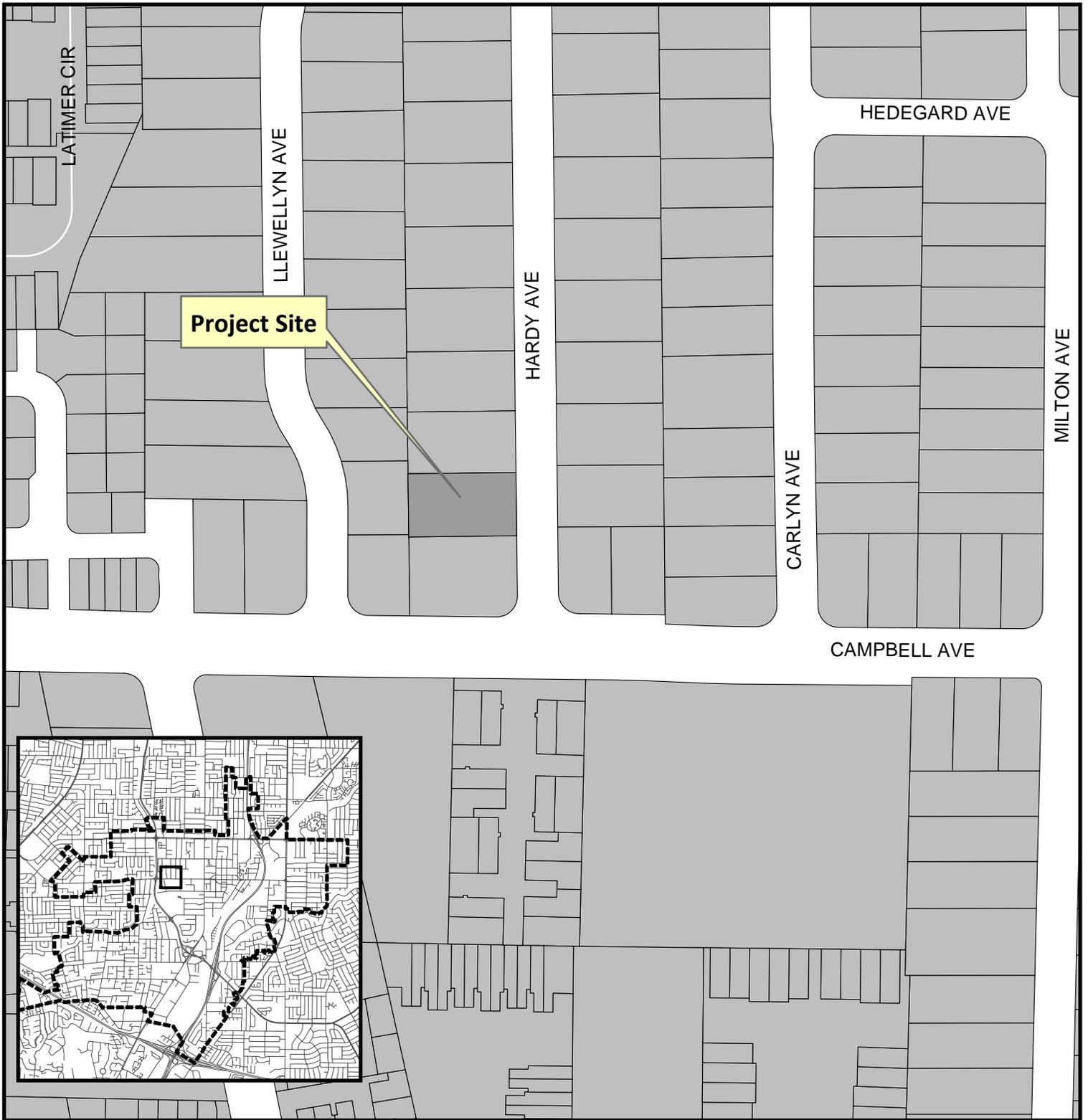
Decisions of the Planning Commission may be appealed to the City Council. Appeals must be submitted to the City Clerk in writing within 10 calendar days of an action by the Commission.

In compliance with the Americans with Disabilities Act, listening assistive devices are available for all meetings held in the Council Chambers. If you require accommodation, please contact the Community Development Department at (408) 866-2140, at least one week in advance of the meeting.

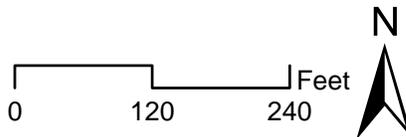
PLANNING COMMISSION
CITY OF CAMPBELL
PAUL KERMOYAN
SECRETARY

PLEASE NOTE: When calling about this Notice,
please refer to: **31 Hardy Avenue**

Project Location Map



Project Location: 31 Hardy Ave
Application Type: Appeal
Planning File No.: PLN2019-024
Description: Appeal of a Tree Removal Permit Denial for (1) redwood tree in the rear yard



Community Development Department
Planning Division

Tree Removal Permit – Justification Letter

31 Hardy Ave.,

Campbell, CA

February 4, 2019

RECEIVED

FEB 04 2019

CITY OF CAMPBELL
PLANNING DEPT.

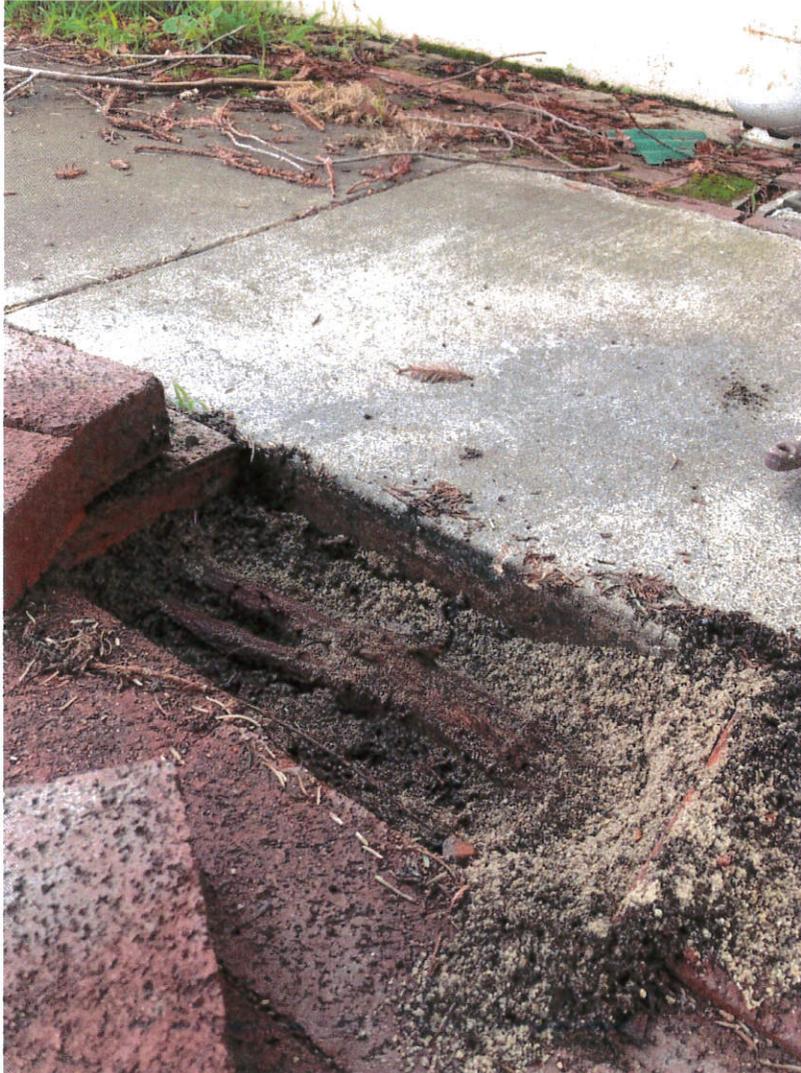
We are appealing the denial of our tree removal permit based on the following findings.

First this tree removal request was processed as part of a building addition permit application. Back in 2015 we originally came in to get the tree removed and they told us that it would have a better chance of being approved if there was proposed construction and funding for an addition of some kind. At that time, it was not in our budget so last year we decided we could financially take on a small addition and would also allow us to have this tree removed. While trying to have some trimming done to the tree we decided to consult with an arborist, and it was brought to our attention that this tree was very close to the existing house and confirmed that it should be removed.

Over the years we have had to remove several different walkways, planters, gardens, etc. due to the massive root system eventually destroying them. We have also had to have a plumbing company out a couple different times, because the roots have gotten into the sewer lines and backed up our sewer. We feel that these nuisances are unusual and causing a hardship on us that we feel would justify this tree being removed even if we do not proceed with an addition to our current home.

Attached are just a few pictures that show how close the roots of this tree are to the existing house. We were told by a professional that we should be very close when trying to expose the trees root system and should expect to see them approx. 2'-3' below grade. As you will see as soon as we removed the brick pavers you could see the roots already at the ground surface and this is right by the house and we would have to tear up our sidewalk to show the continuation of them. We also started to expose the root system in another location right next to the house and before digging 2" down exposed the roots already at the surface.

We hope this helps justify that we have had to deal with potential structure damage, utility interference, and economic enjoyment and hardship not allowing us to enjoy the yard space around this tree due to it's destructive nature of it's roots being so close to the ground surface. We have a big fear of this tree and/or its branches coming down on my son's adjacent bedroom or God forbid the liability we would be exposed to if it came down on a neighbors house, especially since we have already been informed that it should be removed due to it's close proximity to the existing house. A friend of ours informed us of a 100 year old redwood that they just had come down in a storm and with the recent storms we've had this is a huge fear for us.



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Kielty Arborist Services LLC

Certified Arborist WE#0476A

P.O. Box 6187

San Mateo, CA 94403

650-515-9783

March 11, 2019

Warren Design

Attn: Daniel Warren

579 E. Campbell Ave.

Campbell, CA 95008

Site: 31 Hardy Avenue, Campbell, CA

Dear Mr. Warren,

As requested on Friday, July 6, 2018, I visited the above site to inspect and comment on a large Redwood tree in close proximity to the existing home foundation. The tree has also repeatedly caused damages to the sewer line. Your concerns as to the future health and safety of this tree has prompted this visit.

Method:

All inspections were made from the ground; the tree was not climbed for this inspection. The tree in question was located on a Google Earth image provided by me. The tree was then measured for diameter at 48 inches above ground level (DBH or diameter at breast height). The tree was given a condition rating for form and vitality. The trees condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

1	-	29	Very Poor
30	-	49	Poor
50	-	69	Fair
70	-	89	Good
90	-	100	Excellent

The height of the tree was measured using a Nikon Forestry 550 Hypsometer. The spread was paced off. Comments and recommendations for future maintenance are provided.

31 Hardy 3/11/19

(2)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1	Redwood (<i>Sequoia sempervirens</i>)	49.1	80	75/20	Good vigor, good form, poor location, damaging surrounding hardscapes, 11 feet from corner of home foundation.



Summary:

The tree in question is a large redwood tree with a diameter of 49.1 inches. The height of the tree is 75 feet with a total crown spread of 20 feet. The tree is in good condition with no form flaws. The tree is poorly located on the lot at 11 feet from the home foundation and significantly reduces the buildable area on the lot. The roots of the tree have significantly damaged the surrounding brick hardscape near the tree, as well as the underground sewer line.

Showing distance from tree to home foundation

Discussion of Species:

Redwood trees are native in mountain areas where precipitation from the incoming moisture off the ocean is high. In their natural habitat they get 50-100 inches of rain annually, including fog, which cools the tree tops. A mature redwood tree is capable of using up to 500 gallons of water in one day. Here in Campbell(oak woodland habitat) the annual rainfall is significantly lower than the native range of the species, so supplemental irrigation is a must for the species to survive. The recent water cutbacks by the governor reducing water use by 25% in urban areas has pushed redwood trees in the area to extreme drought stress. This tree is showing no signs of drought stress, however the tree's water needs will continue to grow as the tree grows larger. Drought stressed redwood trees usually end up looking poor, and will lose apical dominance. The tops of redwood trees often die in this area due to drought stress related issues, resulting in new epicormic growth that eventually creates multiple new trunks(or tops) that can become hazardous. Redwood trees also have large surface roots than can generate a lot of force. Their insatiable appetite for water, particularly from fog drip, has resulted in redwoods developing a shallow and very extensive lateral root system which can extend 100 feet from the trunk of a mature specimen. The root system often causes problems with foundations of nearby building and underground utilities. For this reason redwood trees are generally recommended to be planted at least 50 feet from any existing structure where their roots will eventually cause problems. The Soil Science and Management book by Edward J. Plaster states that roots can exert up to 150 pounds per square inch of pressure when growing into a crack in rock. In this same fashion roots can exert their pressure into home foundations and surrounding hardscapes causing significant damage to any home or hardscape in close proximity to large tree roots.



Showing tree from street

Discussion:

The large redwood tree is in good condition at this time. The tree is too close to the existing home foundation, making for a high risk of foundation damage. This tree has a critical root zone of 12.2' from the tree. The tree's critical root zone is an area where no excavation/root cutting should take place, as this would likely impact the tree's structural stability and health. Critical root zones are measured at 3 times the tree's diameter. Generally roots should not be cut at this distance, especially on a tree of this size. The critical root zone makes it impossible to protect the home's foundation with a root barrier, or to fix any of the damage to the surrounding hardscapes caused by the tree's roots, as root cutting at a distance of 11 feet (distance from tree to home) from the tree could potentially cause a tree failure, due to the tree's structural stability being compromised. The tree has repeatedly caused damage to the home's sewer line in the past.



Some of the surrounding hardscapes have been removed to show the large surface roots damaging the surrounding hardscapes. Roots within this area are needed for health and stability, cutting these roots would have a high impact for the tree's health.

Showing encountered root

Recommendations:

Remove the tree, as it is the only viable option to eliminate the risk of the tree damaging the home foundation. Roots that are currently in contact with the home's foundation cannot be cut without impacting the tree's stability and health. Removing the tree would also stop the tree from damaging the underground sewer line as it has done so in the past. Replace the tree as required by the city of Campbell's tree ordinance

TREE REPLACEMENT REQUIREMENTS — Number and Size: The number and size of replacement trees is based on the number and size of trees approved for removal, as indicated in the table below. If you are replacing a tree that was required as a part of an approved Landscaping Plan, the replacement species must be consistent with the Landscaping Plan. Otherwise, the replacement tree may be of any species that continues the diversity of trees found in the community (i.e., not a fruit bearing tree or any variety of Eucalyptus).

REPLACEMENT TREE REQUIREMENTS

Trees to be removed with a diameter of 12-24 inches must be replaced by one 24inch box tree per each tree removed.

Trees to be removed with a diameter greater than 24 inches must be replaced by one 36 inch box tree per each tree removed.

In Lieu Fee: If the site layout cannot reasonably accommodate the number of trees required in compliance with the above table, at the discretion of the Community Development Director, payment of an in-lieu fee equal to fair market value of a standard City street tree, delivered and installed, may be accepted (currently \$500 per tree).

Other Requirements: The following requirements and standards apply to all Tree Removal Permit applications:

- a. Cost of Replacement Trees: Replacement trees shall be obtained and planted at the expense of the applicant.
- b. Replanting Period: Replacement trees shall be installed within thirty days from the date the tree removal permit is issued unless accepted arboricultural practices dictate a preferential planting period for the species chosen as the replacement tree.
- c. Inspection: City staff shall be permitted to enter the property to verify the installation of the replacement trees.
- d. Maintenance of Replacement Trees: Any person who is required to plant replacement trees as a condition of a tree removal permit shall maintain such trees in a healthy condition to ensure their long term survival.
- e. Maintenance Bond. A faithful performance bond, maintenance bond or other security deposit may be required to be paid to the City prior to the issuance of the Tree Removal Permit. The bond shall be in an amount of money and for a period of time determined by the Community Development Director to ensure acquisition and proper planting and maintenance of the replacement trees.

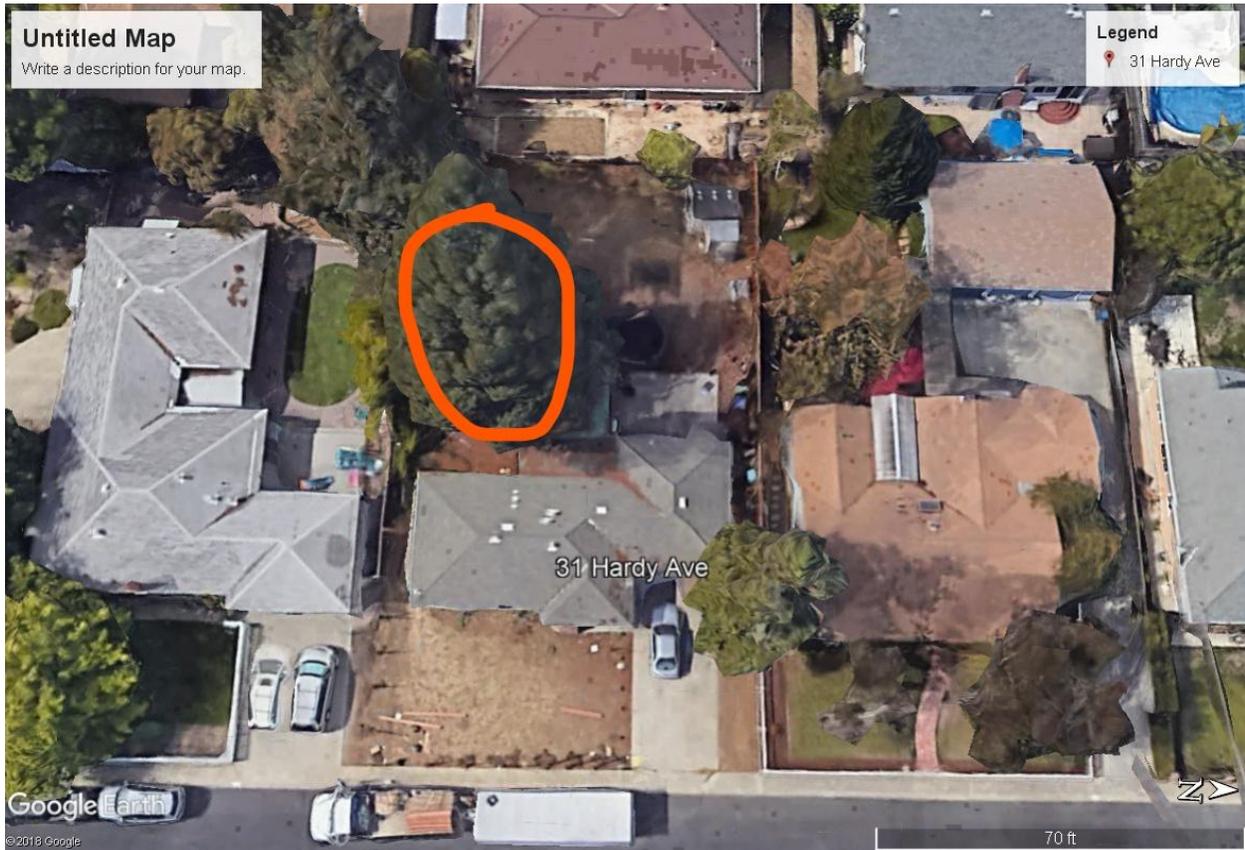
The information included in this report is believed to be true and based on sound arboricultural principles and practices

Sincerely,
Kevin R. Kielty
Certified Arborist WE#0476A

David P. Beckham
Certified Arborist WE#10724A

31 Hardy 3/11/19

(5)



Showing tree location

Kielty Arborist Services

P.O. Box 6187
San Mateo, CA 94403
650-515-9783

ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like a medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, landlord-tenant matters, etc. Arborists cannot take such issues into account unless complete and accurate information is given to the arborist. The person hiring the arborist accepts full responsibility for authorizing the recommended treatment or remedial measures.

Trees can be managed, but they cannot be controlled. To live near a tree is to accept some degree of risk. The only way to eliminate all risks is to eliminate all trees.

Arborist: _____
Kevin R. Kielty

Date: March 11, 2019

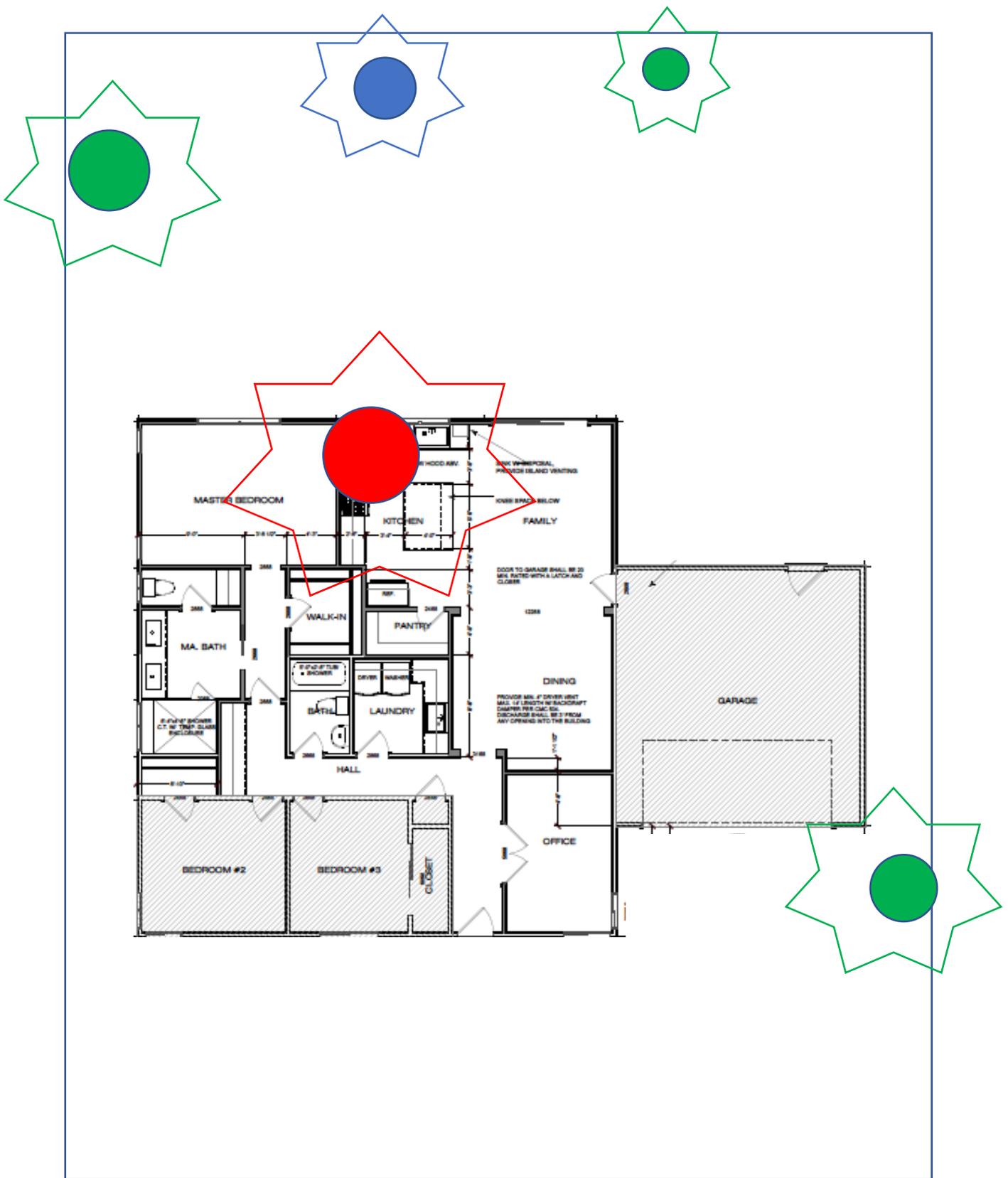


Image not to scale.

House layout based off of proposed modest addition.

31 Hardy Ave.

Green=existing trees

Red=tree with permit request/appeal for removal

Blue=new 48" box tree (We are open to recommendations from the City on species of replacement tree.

Owner would likely select a fruitless olive tree.)