City of Alameda

Staff Report

File Number:2017-3803

Planning Board

Agenda Date: 1/23/2017

File Type: Regular Agenda Item

Agenda Number: 7-A

PLN15-0232 - 1208 St. Charles Street - Applicant: Paula Mathis and Tom Ellerbe. The Planning Board will hold a Public Hearing to consider Design Review for a project consisting of the demolition of a two car garage and the construction of an accessory structure that will have a three car garage and an artist studio. The proposed accessory structure is approximately 880 square feet which is less than 40% of the required rear yard allowed for accessory structures per Alameda Municipal Code (AMC) Section 30-4.1(d).7. This project is categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303 - New Construction of Small Structures. (Continued from January 9, 2017)

To: Honorable President and
Members of the Planning Board

From: David Sablan
Planner II

BACKGROUND

On November 14, 2016 staff approved Design Review to construct a new 920 square foot three-car garage with attached artist studio at the rear of a large 22,000-square-foot single-family residential property at 1208 Saint Charles Street. The same day, the Planning Board called for review the Design Review approval per Alameda Municipal Code (AMC) Section 30-25.3(c) after hearing concerns from adjacent neighbors over possible impacts of the construction to three large Coast Live Oak trees on the project site. The Planning Board requested the applicant provide more detail on the foundation plans to demonstrate protection of the trees consistent with recommendations in the arborist report. The applicants have since worked with their certified arborist, architect and engineer to address the Planning Board and neighbors' concerns.

ANALYSIS

Existing Conditions

The project site is approximately 22,000 square feet and consists of two legal developable 11,000 square foot parcels entirely owned by the applicants. Adjacent to the project site are two parcels that consist of a community pool and pool house, both jointly owned between the applicants and three

other parties. The rear property line is 144.14' long, and therefore the required rear yard is 2,882 square feet. The existing garage is approximately 556 square feet and located 2'-10" from rear property line and currently between three Coast Live Oak trees.

Approved Plans

The applicants have proposed several different versions of the project since its original application. The revisions to the project plans included modifications to roof design, building size, orientation, setbacks, primarily to minimize impacts to the oak trees and to address the concerns of the neighbors behind the property.

The approved plans ultimately presented a new structure five feet (5') from the rear property line to address the neighbor's concerns over proximity to the shared property line. This resulted in both the reduction of the depth of the structure, and the structure being moved forward and closer to one of the protected oak trees. Staff issued Design Review approval after reviewing the plans for consistency the City's Zoning Ordinance, Design Review Manual, and with the recommendations of the arborist.

Arborist Reports

The original arborist report dated October 10, 2016 was prepared by Certified Arborist Judith L. Thomas, ISA (Exhibit 2). The report noted that all three nearby oak trees are in good condition and provided the critical drip line for each tree. The arborist report recommends a pier and grade beam foundation instead of a slab on grade foundation to minimize disturbances within the critical drip line of each tree. A pier and grade beam foundation would require exposing the major roots within the critical drip line, defined as roots with a diameter greater than three inches (3"). Piers would be installed at a depth of thirty-six inches (36") between these major roots, beams supporting the foundation are installed at or just below grade. If a slab on grade foundation were to be utilized the load for the structure would be evenly distributed over the critical drip lines for all three trees, resulting in the compaction of soil and injury to major roots.

After the November 14, 2016 Planning Board meeting, the arborist submitted a supplemental arborist report based on an inspection of the site using the latest project plans (Exhibit 3). Excavation of the critical drip line of the trees was performed using an Airspade to confirm that that the location of the proposed foundation will not conflict with major roots of two of the nearby trees. The excavation also confirmed that there were no major roots located above a depth of eighteen inches (18") within the critical drip line of the third oak tree. The arborist concluded that the recommended construction and preservation techniques, along with careful construction monitoring are sufficient to ensure that the project can be completed without injury to the trees. The arborist's recommendations are printed on the first sheet of the plans and are included in the recommended conditions of approval.

Civil Engineer Report

For further reassurance of the protection of the trees, a licensed civil engineer was hired by the applicants to inspect the site on December 1, 2016 after the arborist had conducted exploratory

excavation. The engineer found that a pier and beam foundation is appropriate for the specific circumstances at the project site. He also supplemented the arborist's recommendations for a pier and beam foundation so that the new structure will not increase the load within the drip line of the trees already caused by the existing garage (Exhibit 4).

Latest Proposal

After further consultation with the arborist, architect, and engineer, the applicant is now proposing to build the proposed structure one foot and nine inches (1'9") from the rear property line, rather than the five feet (5') as approved by staff. The applicant has further altered the plans approved by staff by switching the locations of the third garage bay and the attached artist studio space, and has eliminated the attached trellis. Previously the third garage bay was located on the North side of the building, which resulted in the driveway's close proximity to one of the Oak trees. These changes will add greater separation between the building and the trees while maintaining compliance with all development standards for accessory structures (Table 1).

Table 1: Zoning Compliance R-1 - Accessory Structures

	Standard Regulations:	Proposed:	Compliance:
Maximum Building Height	10 ft - top of wall 15 ft. - ridge of roof	8 ft. 8 in. - top of wall 14 ft. 6 in. - ridge of roof	Complies
Maximum Building Covera	40% of required rear yard	30.5%	Complies
Minimum Rear Yard Setba	0 ft.	1 ft. 9 in.	Complies
Minimum Side Yard Setba	0 ft.	13 ft.	Complies
Minimum Side Yard Setba	0 ft.	89 ft.	Complies

Lot Merger

As previously discussed, the project site is a large property that is made up of four (4) separate legal parcels. The existing house and garage are located on two separate parcels owned entirely by the applicants. Staff's approval conditioned the applicant to record a lot merger so that the proposed accessory structure would become appurtenant to the existing main residence on the same parcel. The applicants have already filed a lot merger application to start that process. To ensure the lot merger is successfully completed, staff recommends that any Design Review approval for a new accessory building include a condition of approval that requires recordation of the lot merger prior to issuance of Building Permits.

Conclusion

The applicants have expanded their investigation into the potential to develop the project site without harm to the existing oak trees. An arborist has proposed several protective measures to be

implemented during construction, as well as a pier and grade beam foundation. A civil engineer has performed a preliminary analysis of site conditions and has found the recommended pier and grade foundation will be suitable for the site and will not increase load on the soil above existing conditions. Staff has found the proposal to be compliant with the City's Zoning Ordinance and Design Review Manual.

ENVIRONMENTAL REVIEW

This project is determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15303(e) - New Construction of Accessory Structures.

PUBLIC NOTICE AND COMMENTS

Property owners and residents within 300 feet of the project's boundaries were notified of the public hearing and given the opportunity to review and comment on the proposal. A binder of materials compiled by adjacent property owners was submitted to the City on November 28, 2016 and distributed to the Planning Board at the November 28, 2016 meeting.

RECOMMENDATION

Hold a public hearing and approve Design Review application no. PLN16-0232 with conditions set forth in the draft resolution (Exhibit 5).

Respectfully submitted,
David Sablan
Planner II

Exhibits:

1. Project Plans
2. August 10, 2016 Arborist Report
3. November 28, 2016 Supplemental Arborist Report
4. December 20, 2016 Civil Engineer Report
5. Draft Resolution

TREE PRESERVATION NOTES:

The following precautions should be taken within the CRITICAL ROOT AREAS (CRA) of the 3 protected trees labeled as Tree #1, #2 and #3 on these plans. The CRA is one foot of radius per inch of trunk diameter (DBH) measured at 54" above the ground. For example, if a tree's DBH is 10", then its CRA is 10'.

- Any future digging shall be done by hand.
- Roots greater than 3" in diameter shall not be cut.
- Roots smaller than 3" in diameter may be removed, by cutting cleanly with appropriate equipment, such as a rock saw. Equipment that pulls or shatters roots, such as a backhoe or trencher, may not be used to cut tree roots, (Matheny, N.P. and J.R. Clark, 1998, p. 96).
- Soil and roots beneath the trees shall be protected from compaction due to trampling by construction workers and equipment. Protective temporary chain link fencing or 4"-6" of mulch covered with metal plates on top of the mulch shall be installed. This fencing or mulching/plating should be done prior to any grading or construction and are to remain until all grading and construction is complete. The fencing shall enclose low branches, and shall protect the trunks. The steel plates covering the mulch should be anchored into the ground where possible.
- Trenching for underground services, including utilities, sub-drains, water, or sewer lines, shall be beneath tree roots and shall be done by hand. Extreme care shall be taken beneath tree roots to avoid damage to the root structures. Use of backhoes or trencher shall not be permitted.
- Excess soil, chemicals, oil, gasoline, debris, equipment or other materials shall not be dumped or stored within the CRA or in drainage channels, swales, or in areas that may lead to the CRA. Any herbicides placed under paving materials, or used in drainage channels, swales, or areas that may lead to the CRA, must be labeled as safe for use around trees. Accidental spills shall be cleaned up immediately.
- Wires, signs and ropes shall not be attached to any protected tree.
- Fill soil shall not be added to the CRA.
- If injury should occur to any protected tree during construction, the consulting arborist shall evaluate the injury right away, so that appropriate treatments can be applied. Any tree wounds should be cleaned up as soon as possible.
- Root-injured trees have a limited capacity to absorb water. Therefore it is important to insure adequate soil moisture in the area of active roots. One to several irrigations may be needed for trees that are at risk. The consulting arborist should specify the irrigation schedule.
- Where surface grades are to be modified, water should always flow away from tree trunks, so that trunk bases are not at the lowest point. If the base of a tree's trunk is at a low point, a drain system should be designed with the least impact to the roots.
- Any tree pruning needed for thinning, heading or clearance during construction must be performed by a certified arborist and not by construction personnel.
- The consulting arborist should periodically monitor the project site, to assure that the health of trees to be preserved is maintained. The arborist should also be present whenever activities occur which pose a potential threat to the health of a tree to be preserved.

LOT SUMMARY TABLE

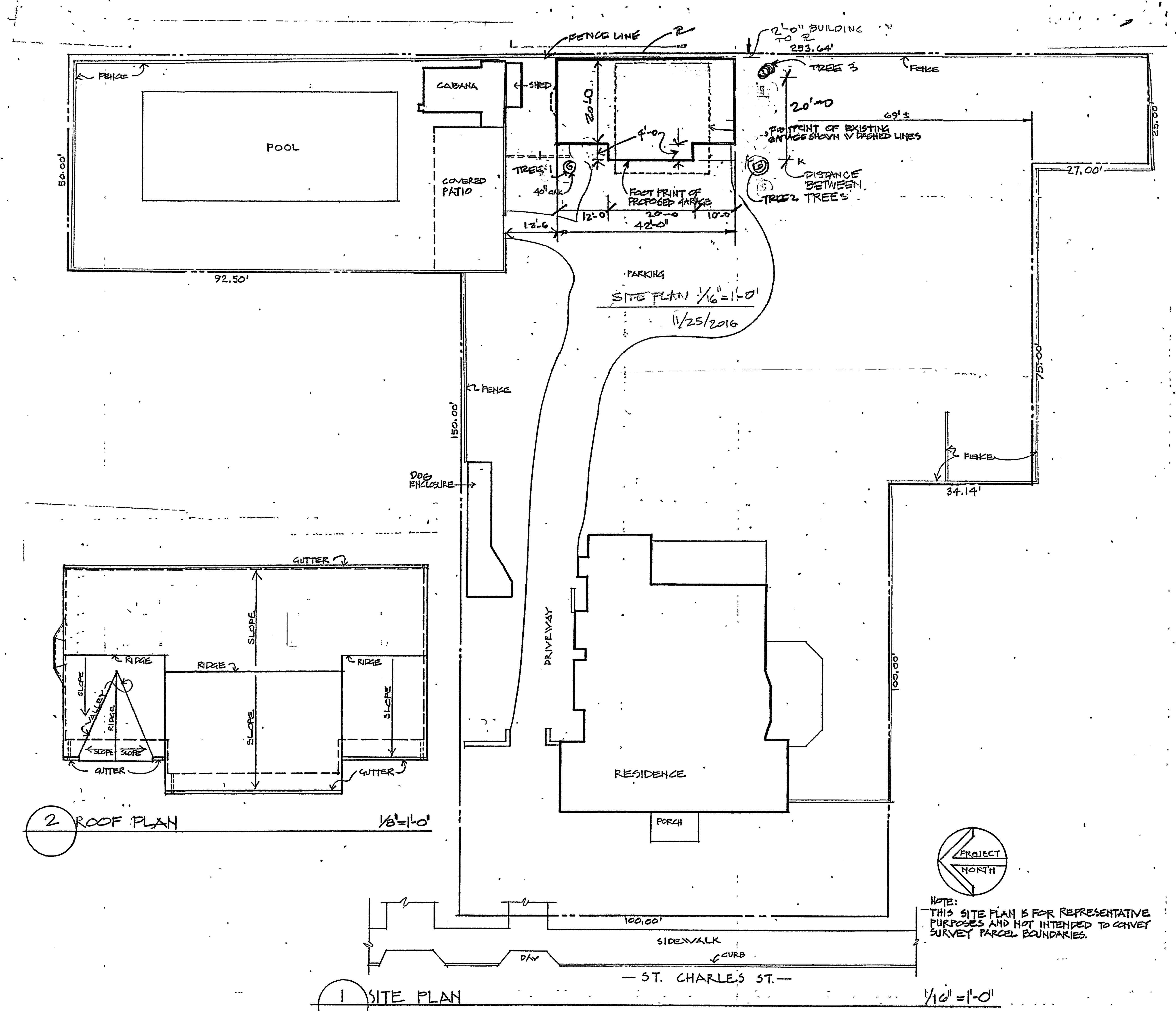
Project Address: 1208 ST. CHARLES ALAMEDA CA

To be submitted with all Residential Planning Applications

ZONING COMPLIANCE FOR RESIDENTIAL DISTRICT ________

Categories	Standard	Existing	Proposed	✓
Total lot area	5,000	28,714 ⌀	NO CHANGE	
Lot depth	100'	VARIES SEE SITE PLAN	NO CHANGE	
Lot width	50'	"	"	
Building floor area	—	2,760 ⌀	"	
Main building lot coverage including attached garage (%)		9.6 %	"	
Front yard setback		24'		
Rear yard setback		112'		
Left side yard setback	5'	24'		
Right side yard setback	5'	24'		
Street side yard setback	10'			
Maximum building height		30'		
Separation between main buildings	20'			
Accessory building size	—	530 ⌀	920 ⌀	
Separation between main/accessory building	Min. 6'	84' ±	87' ±	
Height of accessory building			13'-8"	
Number of off-street parking spaces	Min. 2	3 +	3 +	
Driveway width		11'	NO CHANGE	
Total usable open Space*				
Common open space				
Private open space (ground floor)	Min. 60 sf			
Private open space (upper floor)	Min 120 sf			

*Detached single-family dwellings are exempt.



2 ROOF PLAN 1/8"=1'-0"

1 SITE PLAN 1/16"=1'-0"

GENERAL NOTES

1. ALL WORK SHALL CONFORM TO ALL APPLICABLE STATE, LOCAL, REGIONAL AND FEDERAL CODES, ORDINANCES, AND REGULATIONS AS PRESCRIBED BY THIS CITY.
2. IT IS THE INTENT OF THESE DRAWINGS TO SHOW THE GENERAL ARRANGEMENT OF THE EXISTING BUILDING. ASSUMPTIONS HAVE BEEN MADE REGARDING THE EXISTING STRUCTURE AND CONDITIONS OF WALLS, FLOORS, CEILING AND BUILDING COMPONENTS. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AS BUILDING STRUCTURE IS UNCOVERED. CONTRACTOR SHALL NOTIFY OWNER IMMEDIATELY OF CONDITIONS DIFFERENT FROM DRAWINGS. ARCHITECT DOES NOT ASSUME RESPONSIBILITY FOR EXISTING STRUCTURE.
3. VERIFY LOCATION AND CONDITION OF ALL PLUMBING, MECHANIC AL, ELECTRICAL AND STRUCTURAL ELEMENTS AND OTHER APPLICABLE ITEMS PRIOR TO COMMENCEMENT OF WORK. CONTRACTOR SHALL REMOVE, RELOCATE, OR MODIFY EXISTING NON-STRUCTURAL COMPONENTS AS REQUIRED TO ACCOMMODATE NEW WORK. NOTIFY THE OWNER AND/OR ARCHITECT IF MODIFICATIONS TO STRUCTURAL COMPONENTS ARE REQUIRED TO COMPLETE THE WORK AND ARE NOT DESCRIBED IN THE CONTRACT DOCUMENTS.
4. WHERE NEW WORK JOINS EXISTING WORK, CONTRACTOR SHALL PROVIDE AND INSTALL MATERIAL TO MATCH EXISTING PATTERN, COLOR, FINISH, TEXTURE AND DESIGN. PATCH AND REPAIR ALL MATERIALS AND SURFACES THAT ARE AFFECTED BY THE NEW WORK. THERE SHALL BE NO VISUAL DISCREPANCIES BETWEEN NEW AND EXISTING WORK. NOTIFY OWNER AND ARCHITECT PRIOR TO COMMENCEMENT OF CONSTRUCTION IF MATCHING MATERIALS, DETAILS OR COLORS ARE NOT AVAILABLE.
5. FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD SHALL BE HOT DIP GALVANIZED OR STAINLESS STEEL.
6. WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED OR FOUNDATION GRADE REDWOOD.

2013 CALGREEN COMPLIANT NOTES:

7. ADHESIVES, SEALANTS AND CAULKS SHALL BE COMPLIANT WITH VOC AND OTHER TOXIC COMPOUND LIMITS.
8. PAINTS, STAINS AND OTHER COATINGS SHALL BE COMPLIANT WITH VOC LIMITS.
9. AEROSOL PAINTS AND COATINGS SHALL BE COMPLIANT WITH PRODUCT WEIGHTED MIR LIMITS FOR ROC AND OTHER TOXIC COMPOUNDS. VERIFICATION OF COMPLIANCE SHALL BE PROVIDED.
10. CARPET AND CARPET SYSTEMS SHALL BE COMPLIANT WITH VOC LIMITS.
11. PARTICLEBOARD, MEDIUM DENSITY FIBERBOARD (MDF) AND HARDWOOD PLYWOOD USED IN INTERIOR FINISH SYSTEMS SHALL COMPLY WITH LOW FORMALDEHYDE EMISSION STANDARDS.
12. INSTALL CAPILAARY BREAK AND VAPOR RETARDER AT SLAB ON GRADE FOUNDATIONS.
13. CHECK MOISTURE CONTENT OF BUILDING MARERIALS USED IN WALL AND FLOOR FRAMING BEFORE ENCLOSURE.

PROJECT DATA

PROJECT ADDRESS:	1208 ST. CHARLES ALAMEDA, CA 94501
ZONING	R-1
CONSTRUCTION TYPE	V-B –SPRINKLERED
OCCUPANCY GROUP:	U - GARAGE
NUMBER OF STORIES	1

PROJECT SCOPE

NEW GARAGE: REPLACE EXISTING GARAGE

CODES

2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA PLUMBING CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA FIRE CODE
2013 CALIFORNIA ADMINISTRATIVE CODE (T-24)
2013 CALIFORNIA ENERGY CODE
2013 CALGREEN MANDATORY REQUIREMENTS
2013 CALIFORNIA RESIDENTIAL BUILDING CODE

DRAWINGS

A1 PROJECT DATA, SCOPE, CODES, GENERAL NOTES, SITE PLAN, ROOF PLAN, ARBORIST NOTES

A2 FOUNDATION PLAN, ROOF FRAMING PLAN, BUILDING SECTION, DETAILS, ELEVATIONS

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KENSINGTON, CA 94708
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PROJECT: GARAGE REPLACEMENT

1208 ST. CHARLES ST.
ALAMEDA CA 94501

FOR:

REVISIONS:
11/18/2016 DIM. ADDED
11/28/2016 TREE NOTES ADDED. TREE # ADDED

Sheet Title: PROPOSED SITE PLAN ROOF PLAN PROJECT DATA NOTES

DATE: 4-22-16

DRAWN BY: V.L.C.

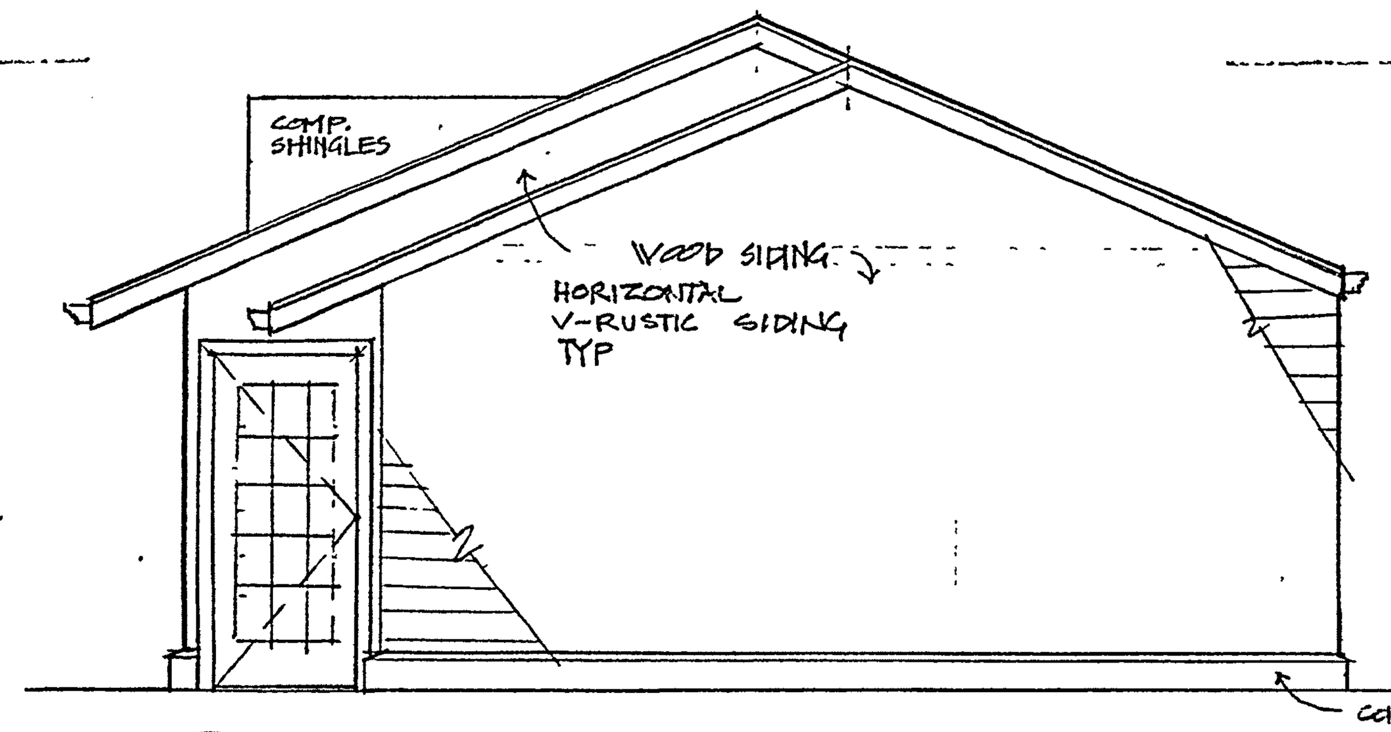
CHECKED BY:

DWG. #:

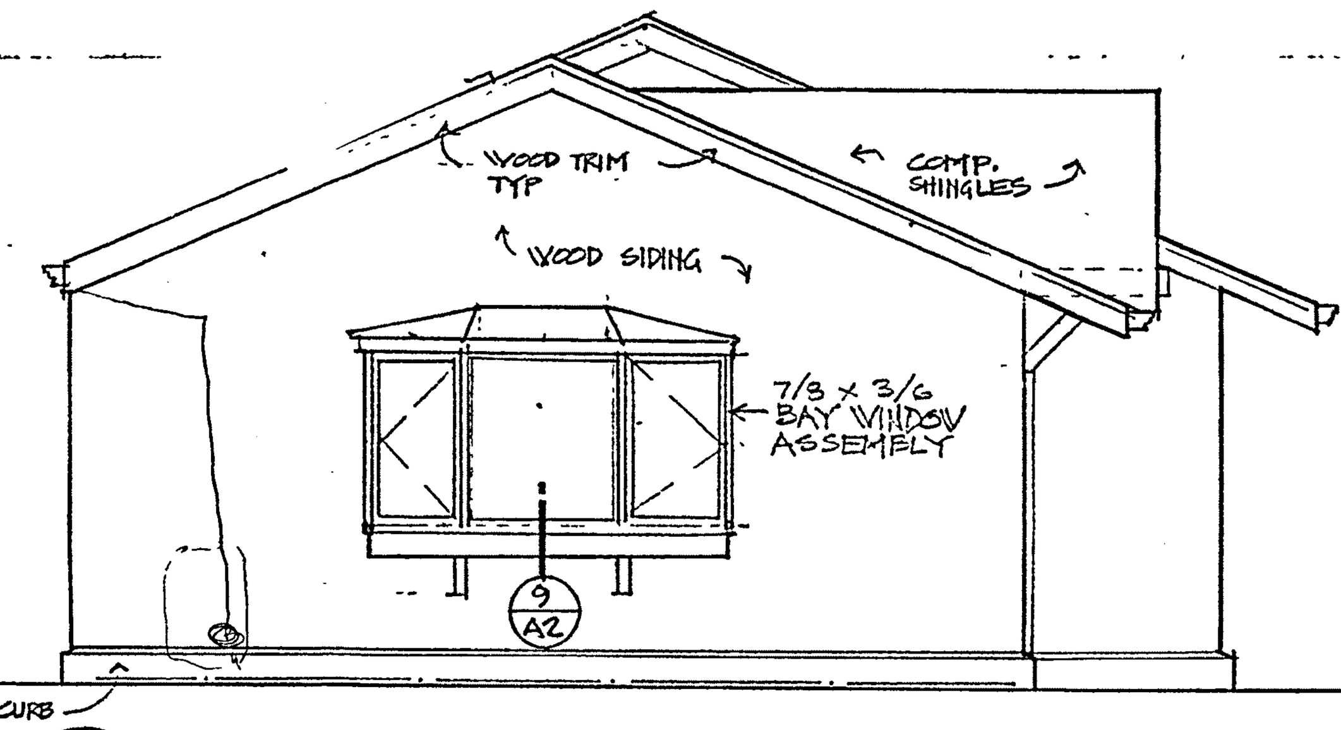
PROJECT NO.:

Sheet: A1

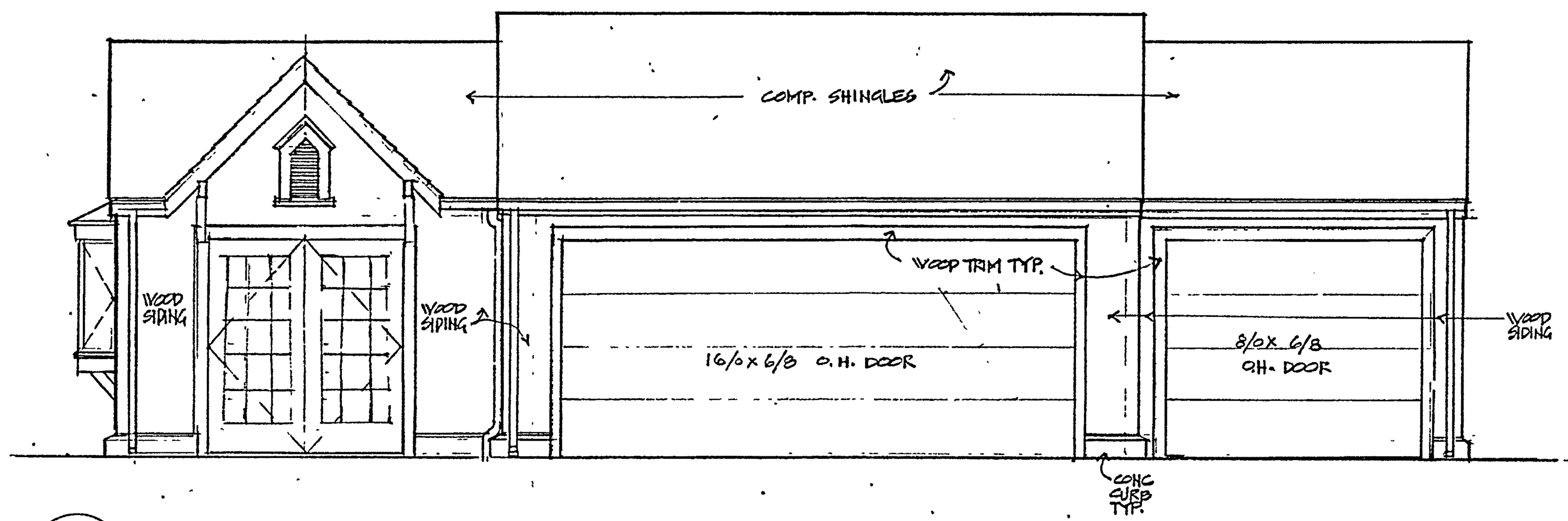
OF



3 A2 SOUTH ELEVATION 1/4"=1'-0"



2 A2 NORTH ELEVATION 1/4"=1'-0"



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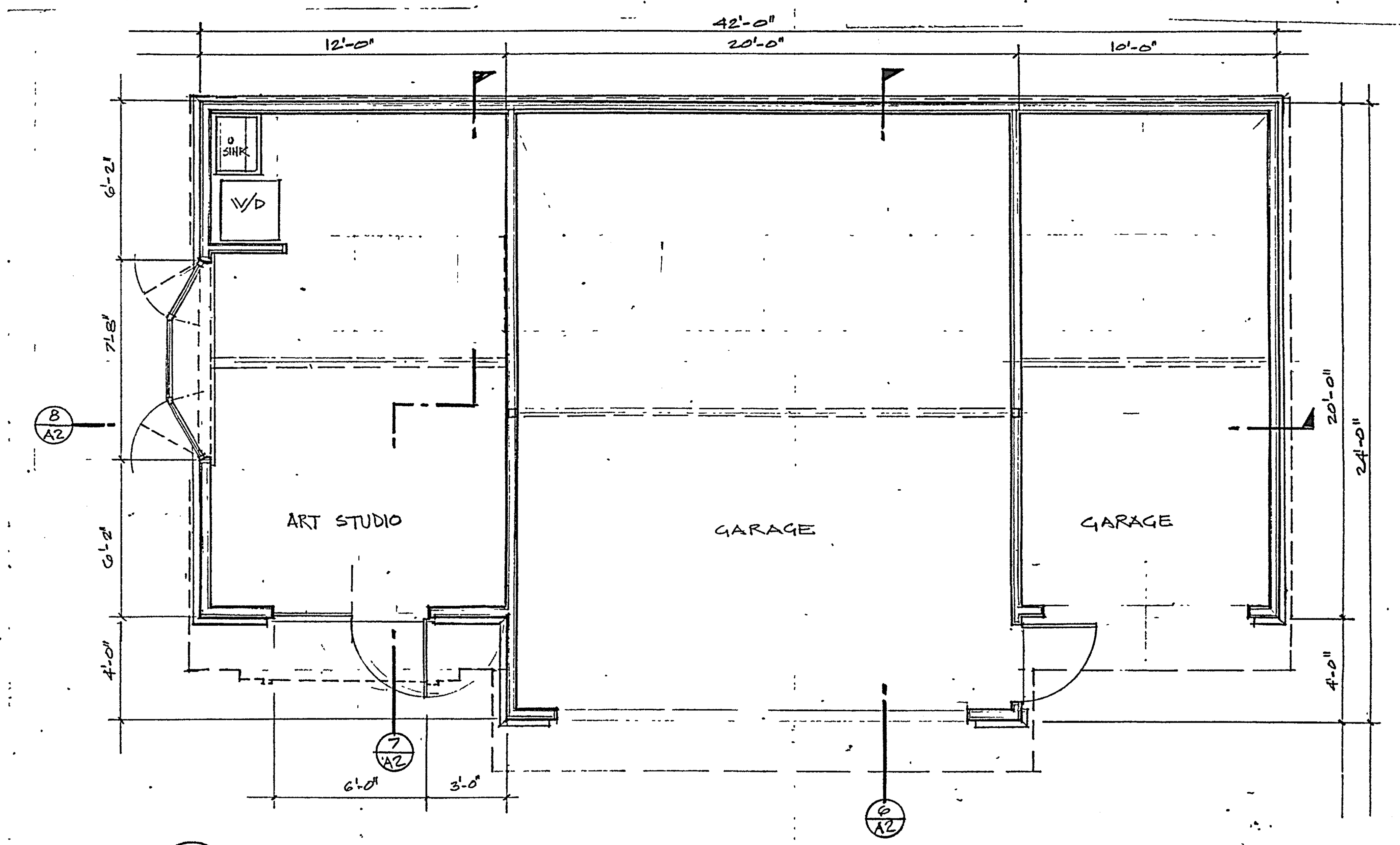
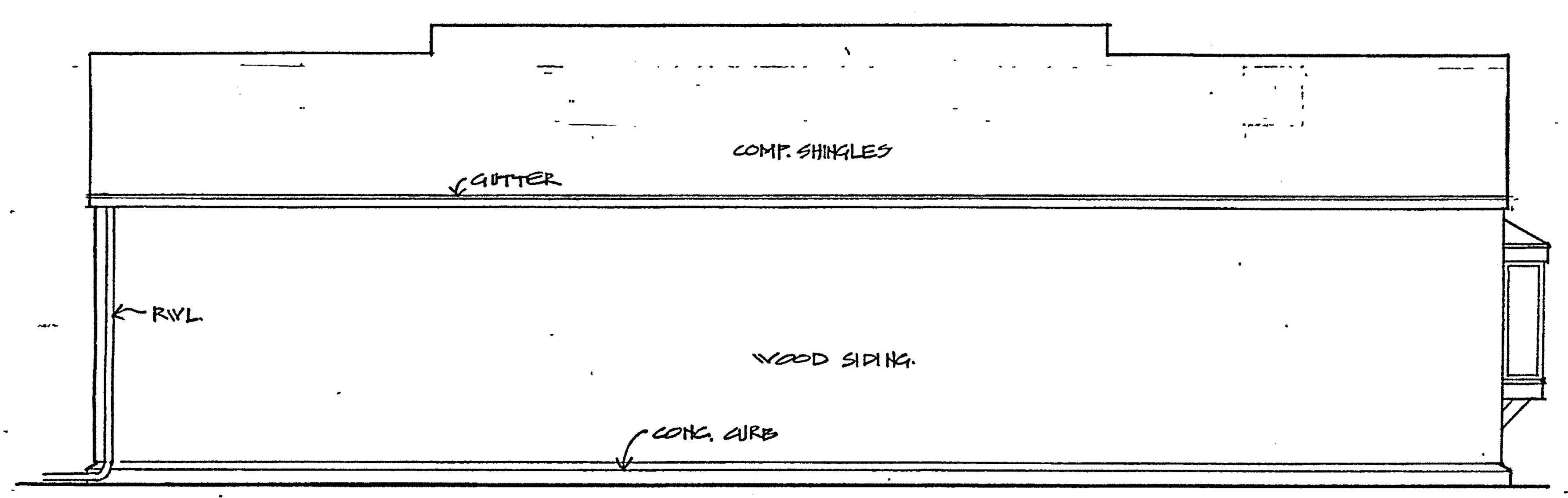


1 A2 FLOOR PLAN 1/4"=1'-0"



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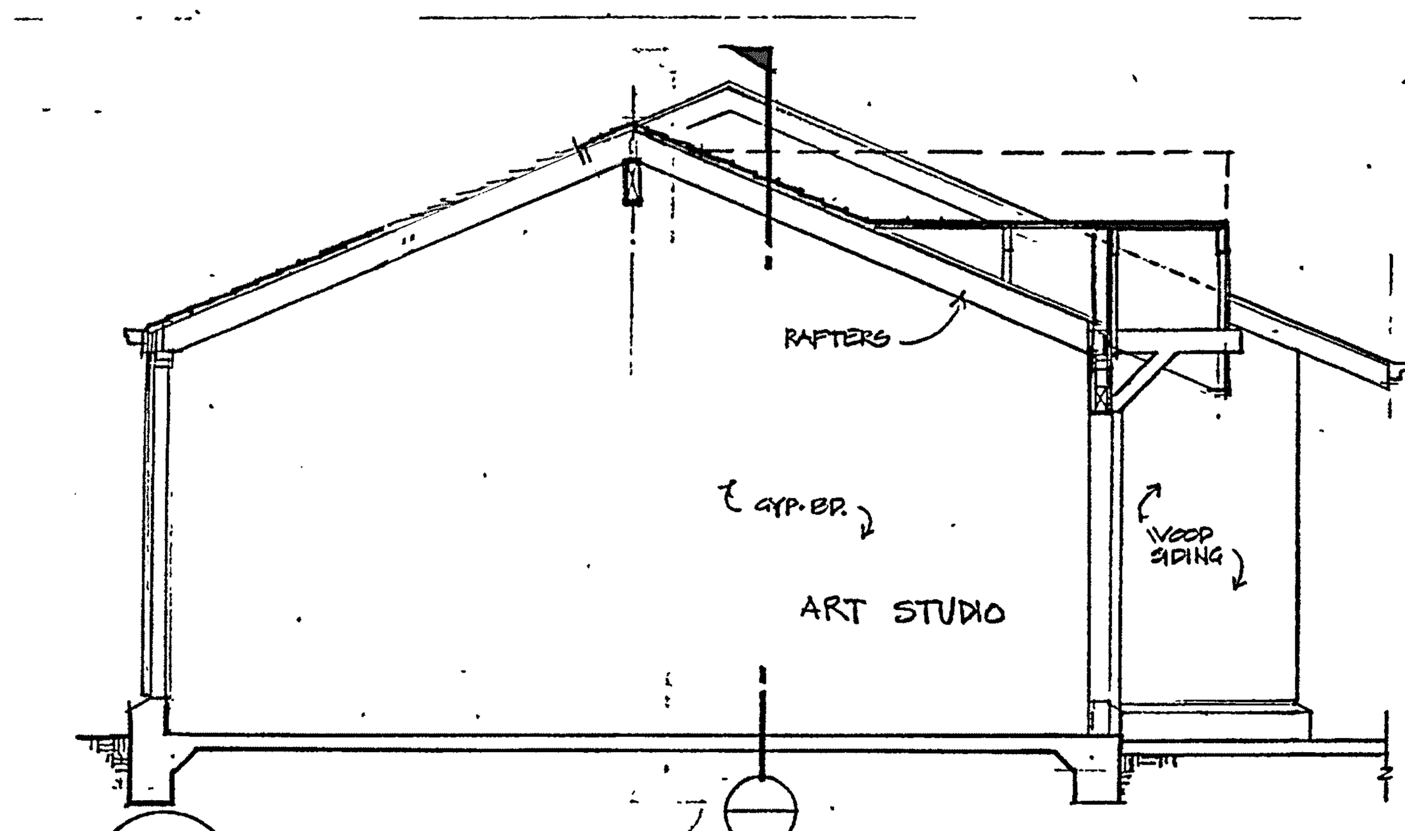
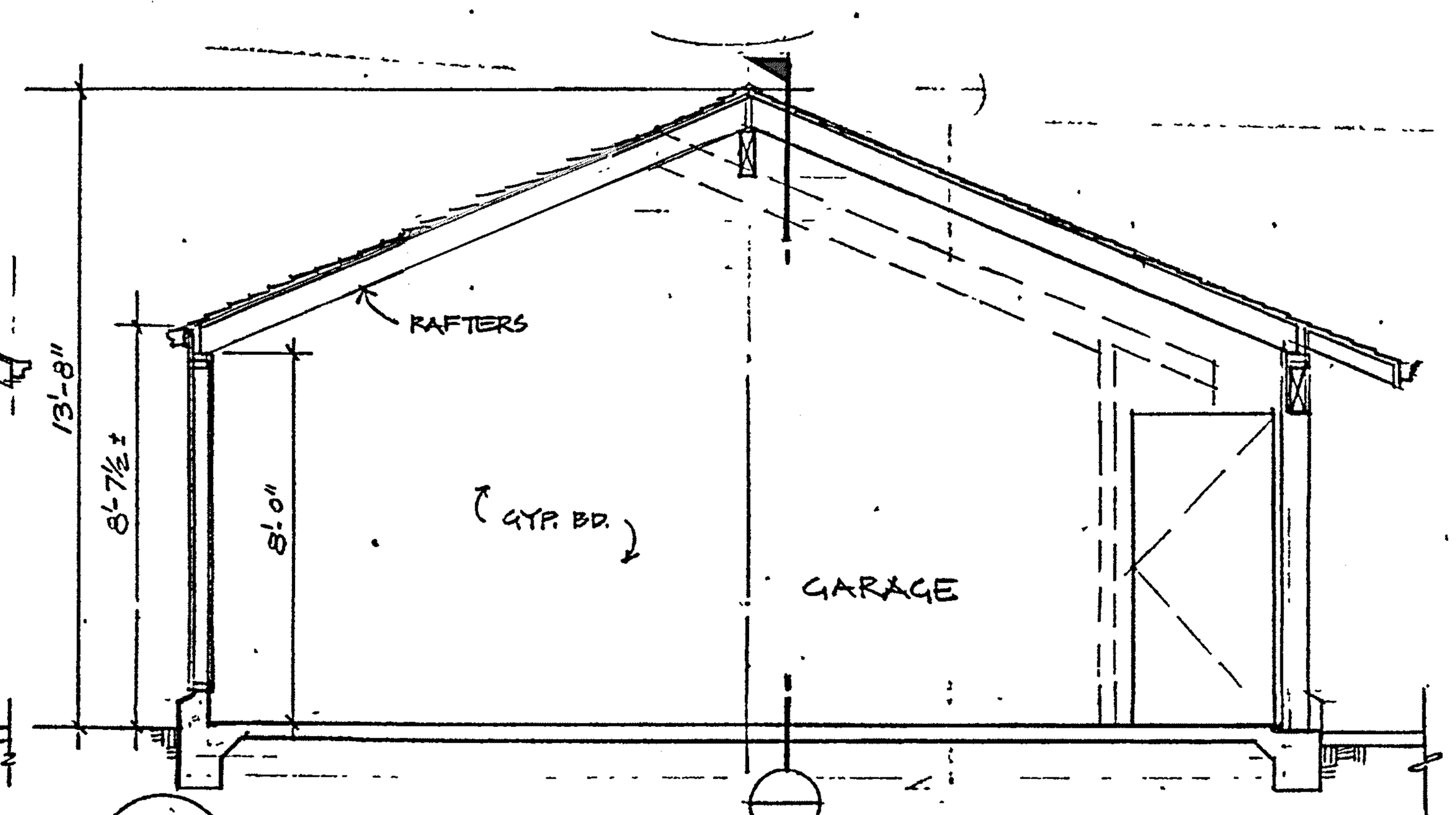


7 A2 SECTION 1/4"=1'-0"



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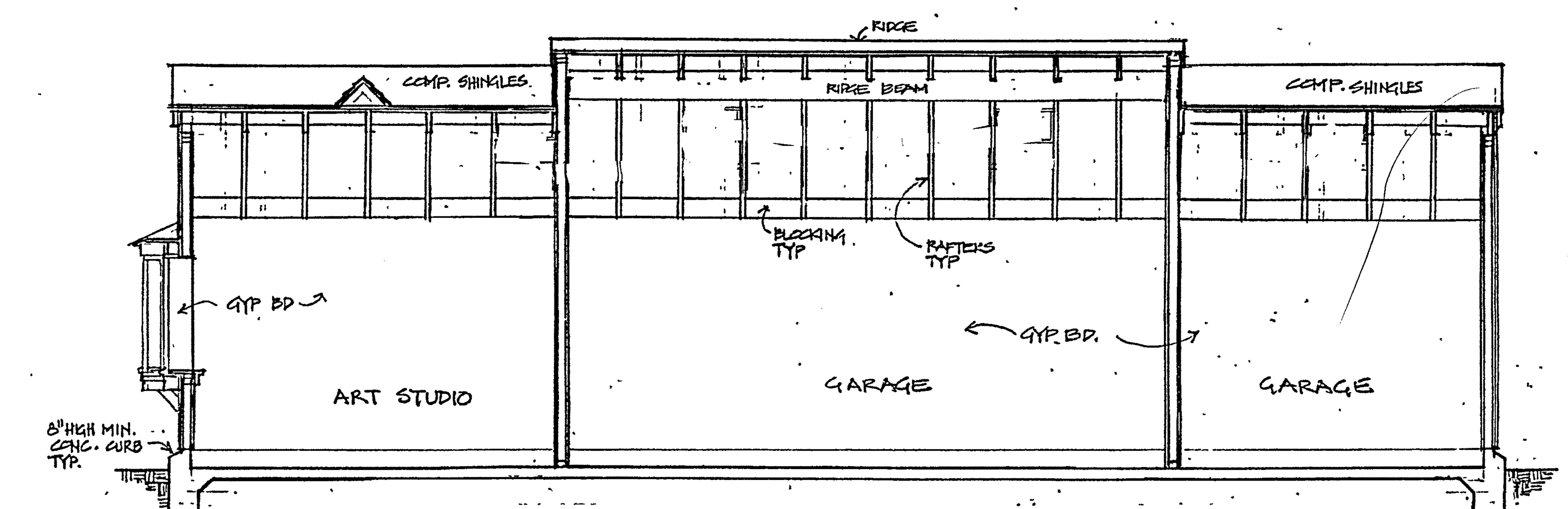

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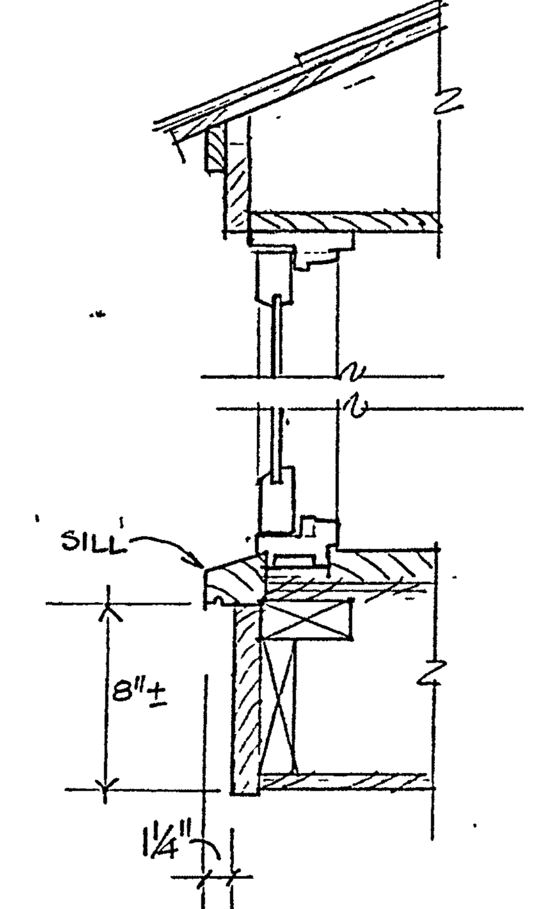

9 A2 WINDOW TRIM DETAIL @ BAY WINDOW 1 1/2"=1'-0"

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PROJECT: GARAGE REPLACEMENT

1208 ST. CHARLES ST
ALAMEDA, CA

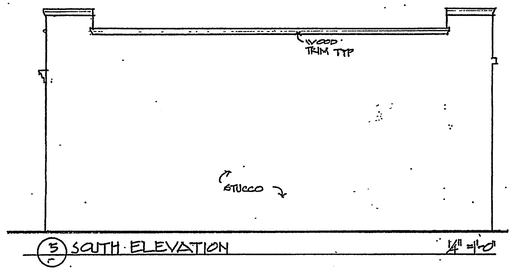
FOR:

REVISIONS:
11/28/16 SKYLIGHTS REMOVED

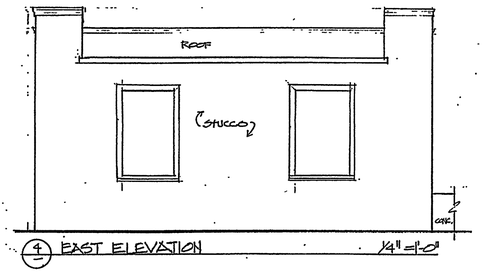
Sheet Title:
FLOOR PLAN
ELEVATIONS
SECTIONS
DETAILS

DATE: 4-28-16
DRAWN BY: V.L.C.
CHECKED BY:
DWG. #:
PROJECT NO.:

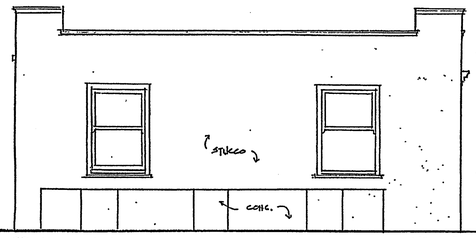
Sheet: A2



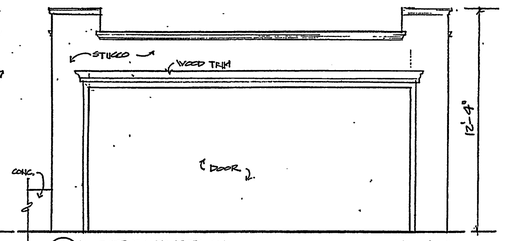
5 SOUTH ELEVATION 1/4" = 1'-0"



4 EAST ELEVATION 1/4" = 1'-0"



7 NORTH ELEVATIONS 1/4" = 1'-0"



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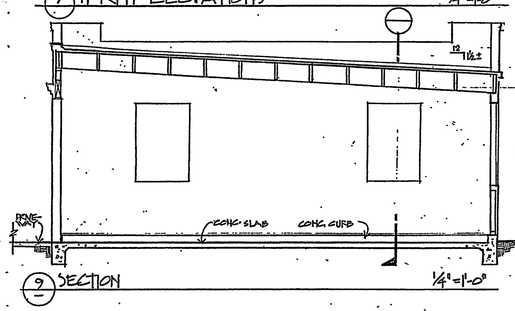

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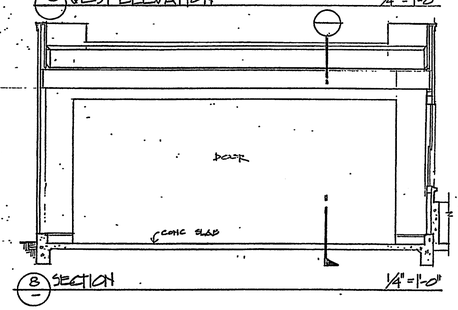

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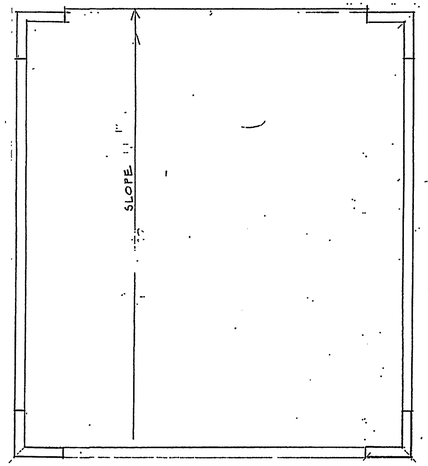
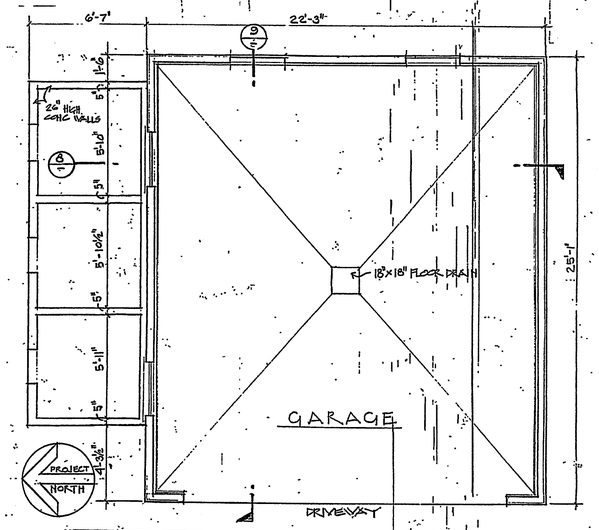
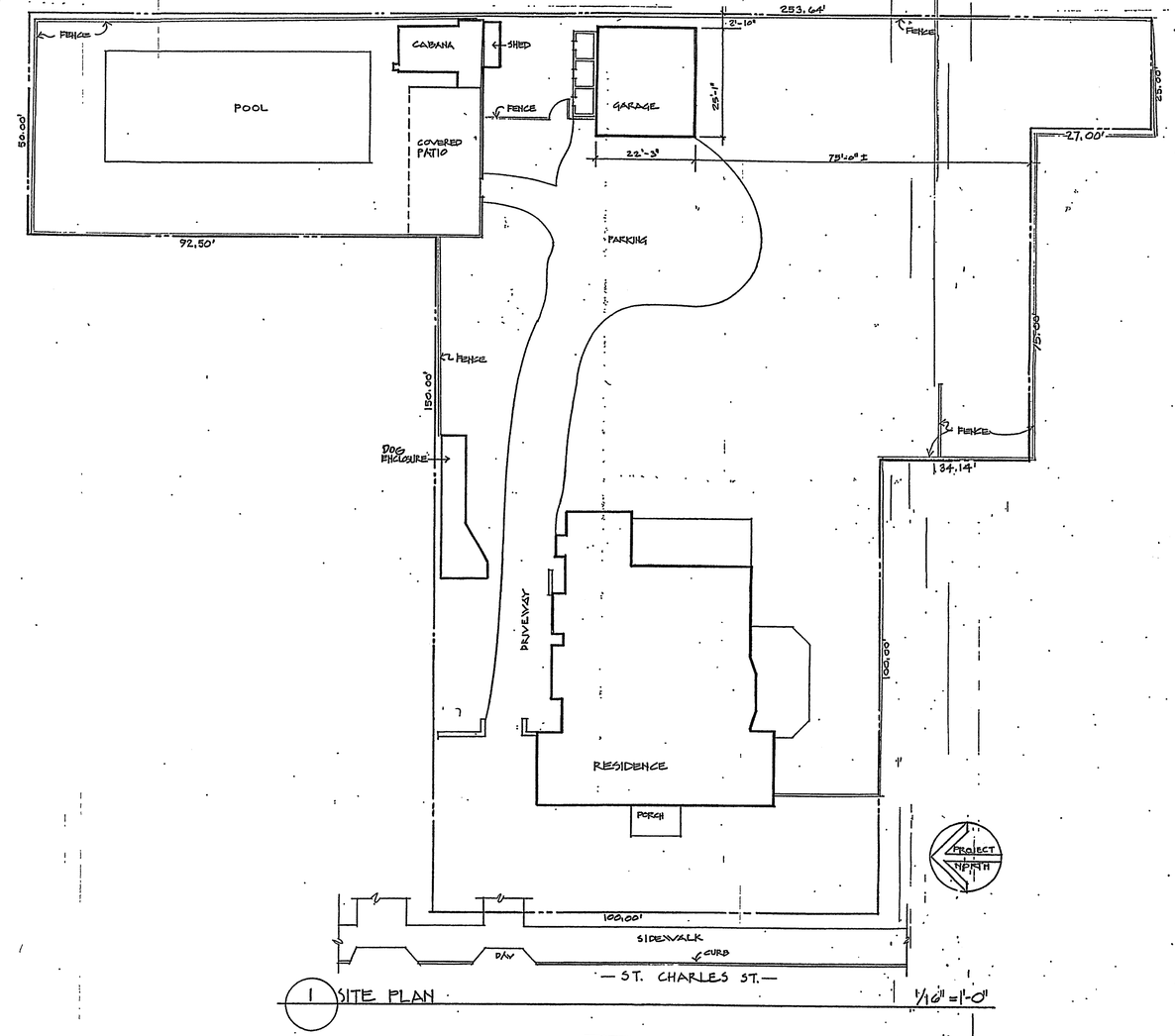


3 ROOF PLAN 1/4" = 1'-0"



2 FLOOR PLAN 1/4" = 1'-0"



1 SITE PLAN 1/16" = 1'-0"

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CELL: (510) 851-2387
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PROJECT

1208 ST. CHARLES ST.
ALAMEDA CA

FOR:

REVISIONS:

Sheet Title: EXISTING GARAGE PLANS ELEVATIONS & SECTIONS SITE PLAN

DATE: 2-23-14
DRAWN BY: N.V.I.C.
CHECKED BY:
SCALE:
PROJECT NO.:

Sheet: RECORD DRAWING

CLIENT

JUDITH L. THOMAS
BAY AREA PLANT CONSULTANTS
Arboricultural Consultant, Horticultural Advisor
83 Mission Hills Street
Oakland CA 94605-4612
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Oakland CA 94619
plantinfolady@me.com

Paula Mathis and Thomas Ellebie Jr. 10/6/16
1208 St. Charles Street
Alameda CA 94501
Cell: 1(949) 466-5162 (Paula), pkmathis@gmail.com
Cell: 1(949) 294-0122 (Tom), t.ellebie@gmail.com

BACKGROUND AND ASSIGNMENT

This report, which you asked me to write, addresses the potential impact of demolition and reconstruction of your garage on three oaks at the address listed here. The footprint of the existing garage, which will be expanded for the future garage, is located within the drip-lines of three mature coast live oaks, *Quercus agrifolia*, shown on the site sketch on page 4.

OBSERVATIONS

Tree #1 is a large *Quercus agrifolia*, (coast live oak.) It is located just outside a lattice fence to the back area that contains the compost bins, and is the one nearest to the swimming pool gate – that leads to a large swimming pool co-owned by four of the nearby homes. The old garage that is to be torn down is just behind the compost bins. This tree has a large central trunk, and is in good condition.

Tree #2 is a is a large *Quercus agrifolia*, (coast live oak.) It is located on the opposite side of the old garage that is to be torn down, next to the paved area and a walkway leading to the third oak tree and the large redwood trees at the back of the property. It has an extremely low large limb extending out toward the house – that is held up by a large prop. However, the tree is in good condition.

Tree #3 is a is also a large *Quercus agrifolia*, (coast live oak.) It is located near the fence at the back of the property, on the same side of the old garage as Tree #2. It has two large trunks, and is growing out over the neighboring property, since it is competing for light with Tree #2 and the redwoods behind it farther along the walkway. However, even though the tree is leaning out toward the light, it is also in good condition.

DIAMETERS OF THE TREES AND THEIR DISTANCES FROM THE EXISTING FOUNDATION

(The trees were measured at the dbh, or 4.5' above the ground.)

Tree #	DBH	Distance From New Proposed Garage	Critical Root Area
1	35.8" (2.93')	25" from the corner of the new proposed garage – as measured diagonally.	35.8'
2	33.6" (2.8')	76" (6.33') from the front corner of the new proposed garage, and 51" (4'3") from the wall of the new proposed studio in the new garage.	33.6'
3	23" (1.92')	48" (4') from the wall of the new proposed studio in new garage	23'

CONCLUSIONS

All three oaks indicated above will require monitoring and protection during the construction of the garage. Coast live oaks are quite tolerant to construction damage, (Matheny, N.P. and J.R. Clark, 1998). But, because this work is being done so close to the trunks, special protection of the roots and soil will be required, since soil compaction, mechanical injury to the roots and soil contamination must not occur. The City of Alameda requires efforts to be made to protect coast live oak trees. This area is defined as the soil within the dripline of each tree. This is equivalent to one foot of radius per inch of trunk diameter at the dbh. For example, if a tree's dbh is 10", then its critical root radius is 10'. Wherever possible, this area should be isolated from construction disturbance. In this case, pier and grade beam construction of the new garage will be required, along with the placing of mulch and steel plates over areas within the drip-lines of the trees where construction equipment will be required.

Since coast live oaks are valuable trees, the tree preservation recommendations listed below should be followed during the pre-construction and construction phases of this project. Care should be made in the placement of the snow fencing and mulch beneath steel plates, so they can't be moved or disturbed during the time that the construction work is done.

RECOMMENDATIONS

Any construction plans affecting your trees should be reviewed by an arborist with regard to tree impacts. These include, but are not limited to, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans. Site and grading plans should be modified to prevent intrusion within the Tree Protection Zone of the trees to be preserved.

Tree Preservation Notes should be included on all plans.

No underground services, including utilities, sub-drains, water, or sewer lines, shall be placed in the Tree Protection Zones. In the event that this is unavoidable, all trenching should be done beneath the tree's roots, taking extreme caution to avoid damage to the root structures. This work shall be done by hand or with an Air Spade^{R}, and not with a backhoe or trencher.

No excess soil, chemicals, oil, gasoline, debris, equipment or other materials shall be dumped or stored within the Tree Protection Zones or in drainage channels, swales, or in areas that may lead to the drip-line of any tree. Accidental spills should be cleaned up immediately. Any herbicides placed under paving materials, or used in drainage channels, swales, or areas that may lead to the drip-line of any tree, must be labeled as safe for use around trees. Accidental spills shall be cleaned up immediately.

Prohibit the attachment of wires, signs and ropes to any protected tree.

For all three trees, protective fencing shall enclose the entire critical root radius areas shown in the chart on page 1 of this letter. Snow fencing and 4-6" of mulch with metal plates on top of the mulch shall be installed within the critical root areas of the trees, shown in the chart on page 1, to protect the soil around the base of the trees from the impacts of the construction work. This fencing should be done prior to any grading or construction. Fences are to remain until all grading and construction is complete, in order to protect the soil and roots beneath the trees from trampling by construction workers. This fencing shall enclose low branches, and shall protect the trunk. No fill soil should be added to this area. Where traffic cannot be diverted in soil areas beneath the trees to be retained, the soil surface shall be protected with thick mulch and steel plates. The steel plates should be anchored into the ground where possible, and placed on top of the mulch.

Within the critical root area for each tree, as described on page 1, care should be made in the excavation of the footings for the foundation of the garage to avoid cutting tree roots greater than 3" in diameter. Use pier

foundations with grade beams above grade instead of a slab foundation; and orient the piers between the major roots to avoid damaging them. This can be accomplished with the use of an Air Spade[R]. The Air Spade[R] will expose the major roots within the protection zones of the trees, so that the piers can be successfully installed between them into the ground where they are needed. The piers should be installed to a depth of 36", and adjusted as needed if roots greater than 3" are encountered. The garage can then be built on the grade beams, which are floated at or above soil level on the piers - to reduce loss of feeder roots. The use of an Air Spade[R] will expose the major buttress roots of the trees where the piers will be installed more quickly than hand digging the soil out from between the roots -- without harming them. Where smaller roots must be removed, they shall be cut cleanly with appropriate equipment, such as a rock saw. Equipment that pulls or shatters roots, such as a backhoe or trencher, may not be used to cut tree roots, (Matheny, N.P. and J.R. Clark, 1998, p. 96).

- The Air Spade[R] work for tree #1 will be needed 25" from the corner of the new proposed garage, in both directions along the new foundation.
- The Air Spade[R] work for tree #2 will be needed 76" (6.33') from the front corner of the new proposed garage, and 51" (4'3") from the wall of the new proposed studio in the new garage, in both directions along the new founation.
- The Air Spade[R] work for tree #3 will be needed 48" (4') from the wall of the new proposed studio in the new garage, in both directions along the new foundation.

If injury should occur to any tree during construction, the consulting arborist or an Alameda city arborist shall evaluate the injury right away, so that appropriate treatments can be applied. Any tree wounds should be cleaned up as soon as possible.

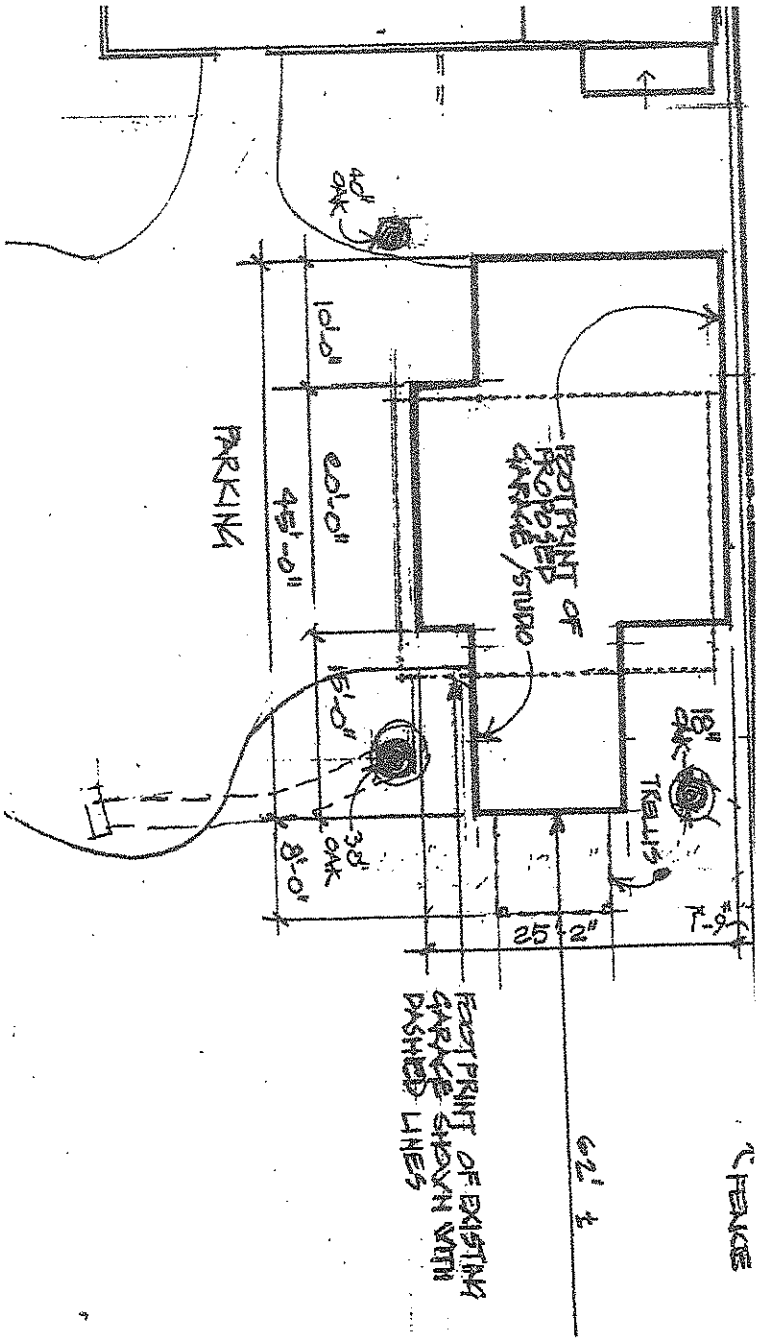
Root-injured trees have a limited capacity to absorb water. Therefore it is important to insure adequate soil moisture in the area of active roots. One to several irrigations may be needed for trees that are at risk. The consulting arborist should specify the irrigation schedule.

Where surface grades are to be modified, water should always flow away from tree trunks, so that trunk bases are not at the lowest point. If the base of a tree's trunk is at a low point, a drain system should be designed with the least impact to the roots.

The consulting arborist should periodically monitor the project site, to assure that the health of trees to be preserved is maintained. The arborist should also be present whenever activities occur which pose a potential threat to the health of a tree to be preserved.

Any additional tree pruning needed for thinning, heading or clearance during construction must be performed by a certified arborist and not by construction personnel.

This site sketch pdf file, blown up from the drawing provided by you on 9/15/16, shows the solid lines of the proposed new garage relative to the three oaks that will require protection. Tree #1 is shown above, near the path to the swimming pool gate. Tree #2 is below on the left, near the paved area. The large lower limb on it, extending toward the house, is indicated with dashed lines. Tree #3 is below on the right, near the fence to the property.



I, Judy Thomas, certify that:

I have personally inspected your plants and property referred to in this report and have stated my findings accurately.

I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.

The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts.

My analysis, opinions and conclusions were developed and this report prepared according to commonly accepted arboricultural practices.

No one provided significant professional assistance to me.

My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the American Society of Consulting Arborists and the International Society of Arboriculture. I have been involved in the field of Arboriculture since 1977.

Respectfully submitted,

Judith Thomas

10/6/16

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Alameda CA 94501
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Cell: 1(949) 294-0122 (Tom), t.ellebie@gmail.com

11/27/2016

SUMMARY

During construction of your proposed garage, the three coastal live oaks indicated below will require monitoring and protection. However; the tree roots encountered during air spading indicate that they will not be a barrier to the construction of your garage.

BACKGROUND AND ASSIGNMENT

This report, which you asked me to write, addresses the potential impact of demolition and reconstruction of your garage on three oaks at the address listed here. The footprint of the existing garage, which will be expanded for the proposed garage, is located within the drip-lines of three mature coast live oaks, *Quercus agrifolia*, shown on the site sketch on page 4.

OBSERVATIONS

Tree #1 is a large *Quercus agrifolia*, (coast live oak.) It is located just outside a lattice fence to the back area that contains the compost bins, and is the one nearest to the swimming pool gate – that leads to a large swimming pool co-owned by four of the nearby homes. The old garage that is to be torn down is just behind the compost bins. This tree has a large central trunk, and is in good condition.

Tree #2 is a is a large *Quercus agrifolia*, (coast live oak.) It is located on the opposite side of the old garage that is to be torn down, next to the paved area and a walkway leading to the third oak tree and the large redwood trees at the back of the property. It has an extremely low large limb extending out toward the house – that is held up by a large prop. However, the tree is in good condition.

Tree #3 is a is also a large *Quercus agrifolia*, (coast live oak.) It is located near the fence at the back of the property, on the same side of the old garage as Tree #2. It has two large trunks, and is growing out over the neighboring property, since it is competing for light with Tree #2 and the redwoods behind it farther along the walkway. However, even though the tree is leaning out toward the light, it is also in good condition.

DIAMETERS OF THE TREES AND THEIR DISTANCES FROM THE PROPOSED FOUNDATION
(The trees were measured at the dbh, or 4.5' above the ground.)

Tree #	DBH	Distance From New Proposed Garage	Critical Root Area
1	35.8" (2.93')	44" (3.67') from the corner of the proposed studio	35.8'
2	33.6" (2.8')	68.5" (5.71') from the front corner of the proposed garage	33.6'
3	23" (1.92')	77.25" (6.44') from the corner of the new-garage	23'

Air spading, with an Air Spade®, and hand excavation has been performed along all the proposed critical foundation areas. The soil has been found to be extremely well drained and sandy. No roots larger than 3" in diameter have been found above a depth of 18" near tree #1 and no large roots were found to impact construction near trees #2 and #3.

DISCUSSION

Coast live oaks are quite tolerant to construction damage, (Matheny, N.P. and J.R. Clark, 1998). But, because this work is being done close to the trunks, special protection of the roots and soil will be required, since soil compaction, mechanical injury to the roots and soil contamination must not occur. This area is defined as the soil within the dripline of each tree. This is equivalent to one foot of radius per inch of trunk diameter at the dbh. For example, if a tree's dbh is 10", then its critical root radius is 10'. Wherever possible, this area should be isolated from construction disturbance. In this case, pier and grade beam construction of the new garage will be required, along with the placing of mulch and steel plates over areas within the drip-lines of the trees where construction equipment will be required.

Since coast live oaks are valuable trees, the tree preservation recommendations listed below should be followed during the pre-construction and construction phases of this project. Care should be made in the placement of the temporary chain link fencing and mulch beneath steel plates, so they can't be moved or disturbed during the time that the construction work is done.

RECOMMENDATIONS

Any construction plans affecting your trees shall be reviewed by an arborist with regard to tree impacts. These include, but are not limited to, improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans. Site and grading plans shall be modified to prevent intrusion within the Tree Protection Zone of the trees to be preserved.

Tree Preservation Notes shall be included on all plans.

In the Critical Root Area, any trenching for underground services, including utilities, sub-drains, water, or sewer lines, shall be done between whatever large roots might be encountered. Extreme caution must be taken to avoid damage to the root structures. This work shall be done by hand and not with a backhoe or trencher.

No excess soil, chemicals, oil, gasoline, debris, equipment or other materials shall be dumped or stored within the Tree Protection Zones or in drainage channels, swales, or in areas that may lead to the drip-line of any tree. Accidental spills shall be cleaned up immediately. Any herbicides placed under paving

materials, or used in drainage channels, swales, or areas that may lead to the drip-line of any tree, must be labeled as safe for use around trees. Accidental spills shall be cleaned up immediately.

No wires, signs and ropes shall be attached to any protected tree.

There are two protective steps that shall be taken to protect the entire critical root area shown on the chart of page 1 of this letter. 1) Protective temporary chain link fencing shall enclose all critical root areas where construction activity will be performed. The fencing shall enclose low branches, and shall protect the trunk. 2) 4-6" of mulch with metal plates on top of the mulch shall be installed within the critical root areas of the trees where construction activity will be performed. The steel plates shall be anchored into the ground where possible, and placed on top of the mulch. Fencing and mulching with steel plates shall be done prior to any grading or construction and shall remain until all grading and construction is complete - in order to protect the soil and roots beneath the trees from trampling by construction workers. No fill soil shall be added to this area.

Within the critical root area for each tree, as described on page 1, care should be made in the excavation of the footings for the foundation of the garage to avoid cutting tree roots greater than 3" in diameter. If piers are needed, orient the piers between the major roots to avoid damaging them. The piers should be installed to an appropriate depth as determined by a structural engineer, and adjusted as needed if roots greater than 3" are encountered. The garage can then be built on grade beams, which are floated at the appropriate level on the piers. Where smaller roots must be removed, they shall be cut cleanly with appropriate equipment, such as a rock saw. Equipment that pulls or shatters roots, such as a backhoe or trencher, may not be used to cut tree roots, (Matheny, N.P. and J.R. Clark, 1998, p. 96).

If injury should occur to any tree during construction, the consulting arborist or an Alameda city arborist shall evaluate the injury right away, so that appropriate treatments can be applied. Any tree wounds should be cleaned up as soon as possible.

Root-injured trees have a limited capacity to absorb water. Therefore it is important to insure adequate soil moisture in the area of active roots. One to several irrigations may be needed for trees that are at risk. The consulting arborist should specify the irrigation schedule.

Where surface grades are to be modified, water should always flow away from tree trunks, so that trunk bases are not at the lowest point. If the base of a tree's trunk is at a low point, a drain system should be designed with the least impact to the roots.

The consulting arborist should periodically monitor the project site, to assure that the health of trees to be preserved is maintained. The arborist should also be present whenever activities occur which pose a potential threat to the health of a tree to be preserved.

Any additional tree pruning needed for thinning, heading or clearance during construction must be performed by a certified arborist and not by construction personnel.

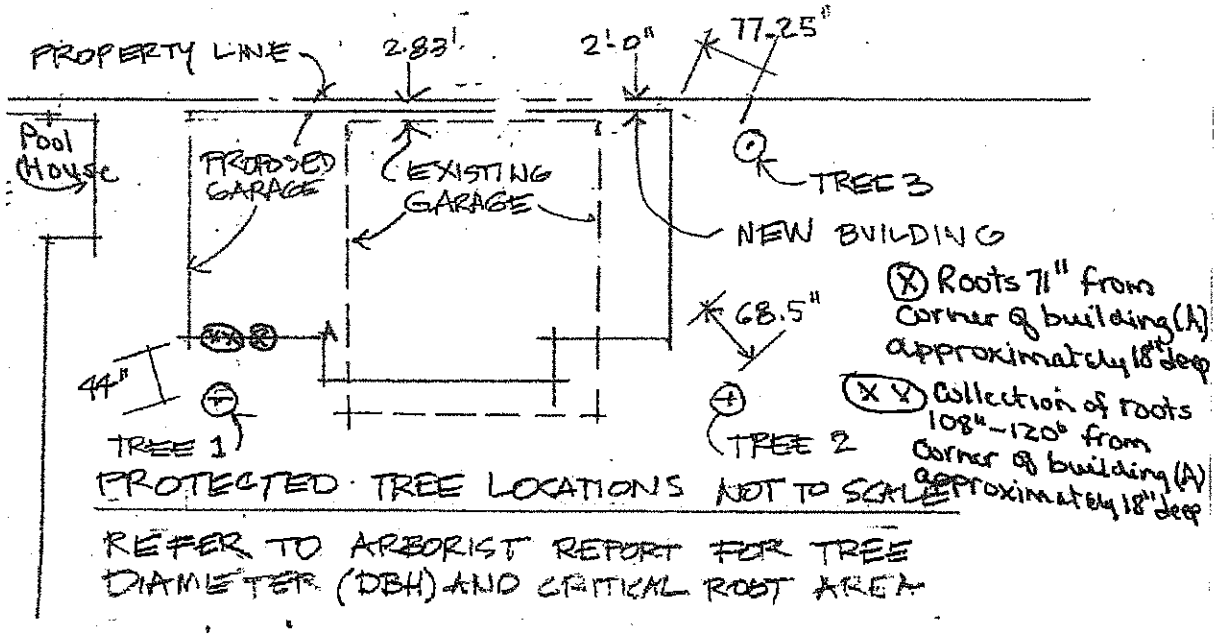
CONCLUSIONS

While all three oaks indicated above will require monitoring and protection during the construction of the garage, the short distances between the foundation and the three oak trees on this project are not a barrier to construction. Using the proper construction and tree preservation techniques outlined above, this project can be completed without damage to the three oak trees.

Air spading and hand excavation has been performed along all the proposed critical foundation areas. The soil has been found to be extremely well drained and sandy. No roots larger than 3" in diameter have been found above a depth of 18" near tree #1 and no large roots above 4' were found to impact construction near trees #2 and #3. Therefore, if using pier and grade beam construction on this site, any large roots can easily have piers installed between them and the grade beams placed on them either at or below grade.

SITE SKETCH

This site sketch pdf file provided by your architect, shows the solid lines of the proposed new garage relative to the three oaks that will require protection. Tree #1 is shown above, near the path to the swimming pool gate. Tree #2 is below on the left, near the paved area. Tree #3 is below on the right near the fence to the property.



I, Judy Thomas, certify that:

I have personally inspected your plants and property referred to in this report and have stated my findings accurately.

I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.

The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts.

My analysis, opinions and conclusions were developed and this report prepared according to commonly accepted arboricultural practices.

No one provided significant professional assistance to me.

My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the American Society of Consulting Arborists and the International Society of Arboriculture. I have been involved in the field of Arboriculture since 1977.

Respectfully submitted,

Judith Thomas

11/27/16

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SERVICES OFFERED

PLANT CONSULTATIONS

- Identification of Trees, Shrubs, Groundcovers, Vines and Turf Types
- Landscape Design and Plant Selection for New Landscapes with Consideration for Drought, Fire, Freeze and Ease of Maintenance
- Modification of Existing Landscape Designs
- Replacement Plant Selection for Established Gardens
- Specifications for Planting, Pruning and Long Term Care
- Specifications for Establishment of New Turf Areas
- Pre- and Post-Construction Site Preservation Measures
- Casualty Loss Assessments for Landscapes Damaged by Fire, Flood, Drought or Negligence
- Value Appraisal of Landscape Plants
- Arbitration of Tree Disputes

LANDSCAPE MANAGEMENT

- Landscape Appraisal, Evaluation and Inventory
- Tree Hazard Evaluation
- Tree and Landscape Problem Identification
- Recommendations for Long Term Care of Plants
- Assessment of Plant Health and Site Restrictions for Plant Growth
- Tree Preservation for Construction Sites
- Tree Care Supervision

RESUMÉ

- Board Certified Master Arborist WE-0113B and Tree Risk Assessment Qualified with the International Society of Arboriculture; Registered Consulting Arborist #484 with The American Society of Consulting Arborists; Aesthetic Pruning Certificate from Merritt College, 1998; Certified Aesthetic Pruner with the Aesthetic Pruners Assoc., 2011.

- Retired 5/26/07 as a Full-time Landscape Horticulture Instructor, Merritt College, Oakland CA (1977-2007); taught courses in Arboriculture, Forestry, Plant Diseases, Turf Management, General Horticulture, Ecology, Plant Terminology and identification courses in Trees, Shrubs, CA Native Plants, Groundcovers & Vines and Herbaceous Plants. Past President of the Northern CA Turf & Landscape Council (NCTLC), and editor of their quarterly online newsletter. Serves on the N CA Advisory and Executive committees of the Mediterranean Garden Society.

- Member of the American Society of Consulting Arborists, the California Arborist's Association, Inc., the International Society of Arboriculture, the Aesthetic Pruners Association, the CA Horticultural Society, the CA Native Plant Society, and the Diablo Firesafe Council.

- Has a Bachelor's degree in Biology from Stanford University. Holds a Master's degree in Biology from San Jose State University and a Master's Degree in Education from Stanford University. Received the 1985 Education Award from the Northern CA Turf and Landscape Council.

- Serves as a featured speaker for the East Bay Master Gardener Program, the International Society of Arboriculture, the NCTLC, the Diablo Firesafe Council, the Nevada Shade Tree Conference, the N CA Landscape Expo. and numerous garden clubs and civic groups. Has been an education chair for the I.S.A., an editor for the Ortho book *Gardening Techniques* and was a 1985 Horticultural Delegate to China. Her garden was photographed for two Sunset books and was one of those featured on the Park Day School tour in 1989. Her new garden has been described in the MGS Journal No. 57 in July 2009.

BASELINE DESIGNS, INC.
Civil & Structural Engineering
Design · Planning · Investigation

1700 Oak Street
Alameda, CA 94501
Tel.(510)865-4623/Fax.(510)865-4704

December 20, 2016 P161259

Ms. Paula Mathis and Thomas Ellebie, Jr.
1208 St. Charles Street
Alameda, Ca 94501

RE: Proposed Residential Garage at 1208 St. Charles Street, Alameda, Ca 94501
Tree Roots and Foundation for New Garage (First Draft)

Dear Ms. Mathis and Mr. Ellebie,

In accordance with your request, the undersigned performed a limited visual review of the trenching and assessment of proposed garage footings at the referenced property in December 2016. In preparing this report, the following tasks were completed:

1. Review the project site with you and your architect on December 1, 2016.
2. Review your arborist's report prepared by Judith L. Thomas dated 11/27/16.
3. Review preliminary architectural drawings prepared by Italo A. Calpestri, III, architect dated 11/28/16.
4. Based on the reviews, provide the following structural assessment and feasibility of the foundation for your proposed garage.
5. Preparation of this summary letter report.

ASSESSMENT

A site review was conducted on December 1, 2016. The corners and outline of the proposed garage were marked on the ground. Several trenches, apparently excavated by your arborist for review of the tree roots, were observed at the site. All trenching was neatly dug and properly covered for safety. Based on the observed conditions and the arborist's report, a pier-and-grade beam system may be used as a foundation for the proposed garage with proper protection of the tree roots and placement of the concrete piers and grade beams. The garage will have a slab-on-grade which will be placed on a prepared subgrade and bear on top of the existing soil.

Based on Chapter 18 of the California Building Code, 2016 edition, pier and grade beams may be designed in accordance with the soil type encountered in the field without an in-depth geotechnical investigation. Therefore, concrete piers may be designed based on 12" diameter or larger pier size, and the pier depth can be estimated in accordance with the allowable soil resistance value as listed in the Building Code. The concrete grade beams may be designed to span between piers, and the grade beams would be supported by the concrete piers without transferring vertical load down the underlying soil or roots. However, the grade beam will not be able to be floated at the piers as described in the arborist's report. Instead, some load will be transferred to the underlying soil, but not to exceed the amount of load has been originally in place. Furthermore, a thin compressible material such as styrofoam board may be used under the grade beams to minimize any surcharge to the soil.

LIMITATION

The results of the structural assessment and this report are based on a partial and limited review of selected areas which were readily accessible for structural observation as well as the available design drawings. Areas not exposed or accessible cannot be reviewed, and subsequently no conclusion can be made about such areas. No other warranty, expressed or implied, is made or intended in any of our written and verbal report(s),

If you have any question, please call me at 510-865-4623 x201.

Respectfully submitted,

BASELINE DESIGNS, INC.

Vincent T. Wu, P.E./Principal Engineer
CA State Licensed Civil Engineer #43749

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CITY OF ALAMEDA PLANNING BOARD

DRAFT RESOLUTION

APPROVING DESIGN REVIEW APPLICATION NO. PLN16-0232 AT 1208 SAINT CHARLES STREET TO CONSTRUCT A 880 SQUARE FOOT ACCESSORY STRUCTURE.

WHEREAS, an application was made on May 2, 2016 by Paula Mathis and Tom Ellerbe for Design Review to construct 920 square foot accessory structure within the required rear yard; and

WHEREAS, the proposal was accepted as complete on October 10, 2016; and

WHEREAS, the subject property is designated as Low Density Residential on the General Plan Diagram; and

WHEREAS, the subject property is located in a R-1, One-Family Residence Zoning District; and

WHEREAS, the subject property is listed on Alameda's Historical Building Study List; and

WHEREAS, the Community Development Department approved this application on November 14, 2016, to allow the construction of a 880 square accessory structure subject to conditions of approval; and

WHEREAS, no November 14, 2016 a member of the Planning Board called the Design Review approval for review per the guidelines in Alameda Municipal Code (AMC) Section 30-25.3(c); and

WHEREAS, on November 28, 2016, the applicant presented a revised arborist report and project plans to address concerns over the preservation of nearby Coast Live Oak trees; and

WHEREAS, the Planning Board held a de novo public hearing on January 23, 2017, on the Design Review application, at which time all materials submitted and all comments made by all parties, including staff, regarding this application were considered; and

NOW, THEREFORE BE IT RESOLVED, on January 23, 2017, the Planning Board held a public hearing and considered the application, the public testimony, and all pertinent plans and reports and made the following findings concerning the project:

1. The proposed design is consistent with the General Plan, Zoning Ordinance, and the City of Alameda Design Review Manual, because the proposed new construction is compatible in design and use of materials with the existing building and surrounding

neighborhood. The footprint of the structure is less than the maximum allowed 40% lot coverage for accessory structures within the required rear yard. Accessory structures more than seventy-five feet (75') from the public right of way do not have a minimum required setback from rear and side property lines, this structure will maintain a one foot and nine inch (1'9") setback from the rear property line.

2. The proposed design is appropriate for the site, is compatible with adjacent or neighboring buildings or surroundings, and promotes harmonious transitions in scale and character in areas between different designated land uses. The proposed structure has been designed and is conditioned to mitigate impacts on the existing nearby oak trees. A certified arborist and licensed civil engineer have inspected the site and recommended protective measures and construction techniques that the project, as conditioned, will implement to protect the health of these nearby oak trees.

3. The proposed design of the structure(s) and exterior materials and landscaping are visually compatible with the surrounding development, and design elements have been incorporated to ensure the compatibility of the structure with the character and uses of adjacent development. The proposed structure will incorporate horizontal wood siding compatible with the architectural style of the existing main residence on the property. Proposed windows are a combination of fixed and single hung windows to match the types of windows on the main structure.

4. The existing garage being demolished, built prior to 1942, was deemed to not have historical or architectural significance by the Secretary of the Historical Advisory Board, Reso. No. HAB-16-19. The project complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties in that the new construction is consistent and compatible with the historic building's architectural style.

BE IT FURTHER RESOLVED, the Planning Board finds this project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(e), which allows new construction of small accessory structures, including garages.

BE IT FURTHER RESOLVED, that the Planning Board of the City of Alameda hereby approves Design Review no. PLN16-0232 subject to the following conditions:

(1) This approval is valid for two years and will expire on January 23, 2019 unless construction has commenced under valid permits.

(2) The plans submitted for building permit and construction shall be in substantial compliance with plans prepared by Italo Calpestri, received on November 29, 2016, except as modified by the conditions listed in this resolution.

(3) This approval is limited to the scope of the project defined in the project description and does not represent a recognition and/or approval of any work completed without required City permits. Any additional exterior changes shall be submitted to the Community Development Department for review and approval prior to construction.

(4) Prior to the issuance of a Building Permit, the applicant/developer shall record with the Alameda County Clerk-Recorder a Lot Line Adjustment that merges the parcels identified as Assessor's Parcel Number (APN) 074-1275-095-00 (Parcel A of Parcel Map No. 691 in Book 80 at Page 44) and APN 074-1275-094-00 (Parcel D of Parcel Map No. 691 in Book 80 at Page 44) into a single legal lot.

(5) The final plans submitted for Building Permit plans shall incorporate the approved window schedule.

(6) The applicant shall provide diligent maintenance and care for the California Coast Live Oak tree(s) on the property during construction on the site:

a. Construction, cutting and filling around the base of trees shall be done only after consultation with a certified arborist.

b. Barricades shall be erected around the trunks of trees as recommended by the certified arborist to prevent injury to the oak trees.

c. No construction equipment, vehicles or materials shall be stored, parked or standing within the tree dripline.

d. Plans submitted for Building Permits shall be reviewed by a certified arborist.

e. Plans submitted for Building Permit approval shall be in compliance with the notes and recommendations of the arborist report prepared by Judith L. Thomas, ISA Certified Master Arborist #WE-0113B, received on October 10, 2016 and on file in the office of the City of Alameda Community Development Department, this includes but is not limited to:

i. The foundation shall be pier and grade beams above grade instead of a slab foundation.

ii. Hand digging or use of an Air Spade shall be used to expose the location of roots, and roots greater than three inches (3") shall not be disturbed.

iii. Drainage systems shall be designed to drain away from property lines and the trunk of each tree.

(7) New exterior lighting fixtures shall be low intensity, directed downward and shielded to minimize offsite glare.

(8) The final plans submitted for Building Permit approval shall conform to all applicable codes and guidelines.

(9) A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify the Community Development Department at least four days prior to the requested Planning Inspection dates.

(10) Indemnification: The applicant, or its successors in interest, shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding against the City of Alameda,

Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, any approval or related decision to this project. This indemnification shall include, but is not limited to, all damages, costs, expenses, attorney fees or expert witness fees arising out of or in connection with the project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

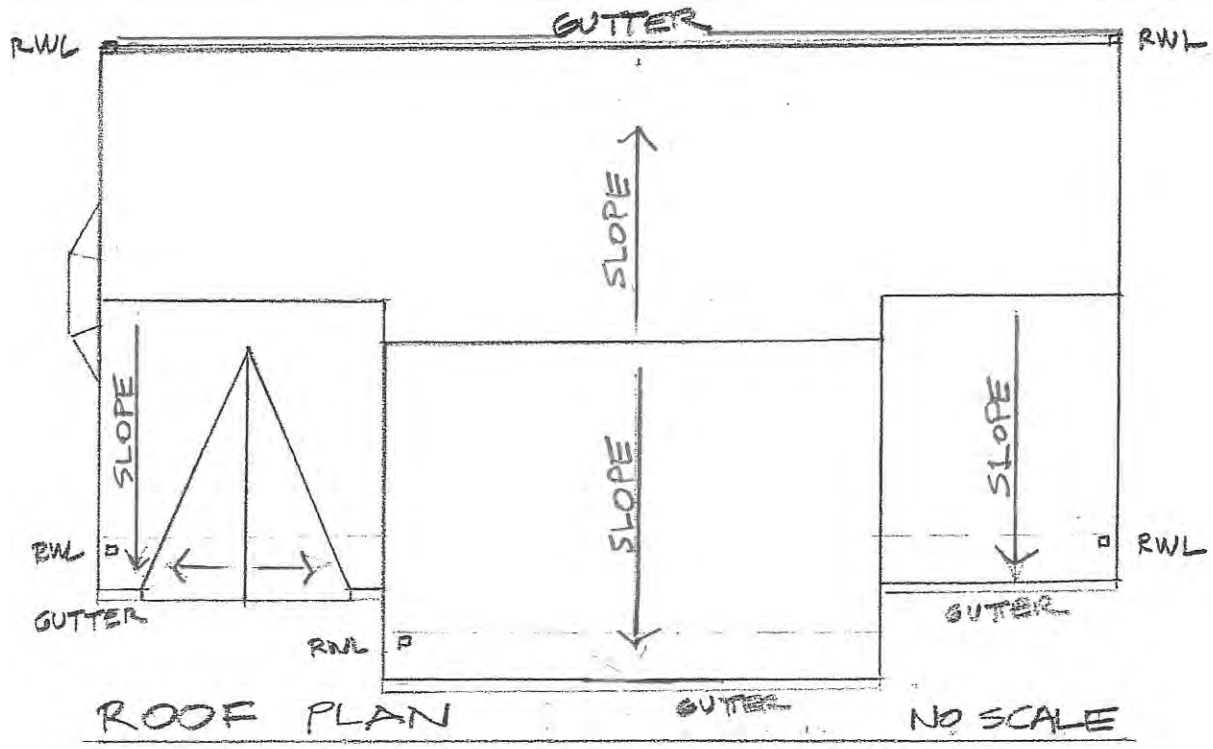
NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.

NOTICE. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.

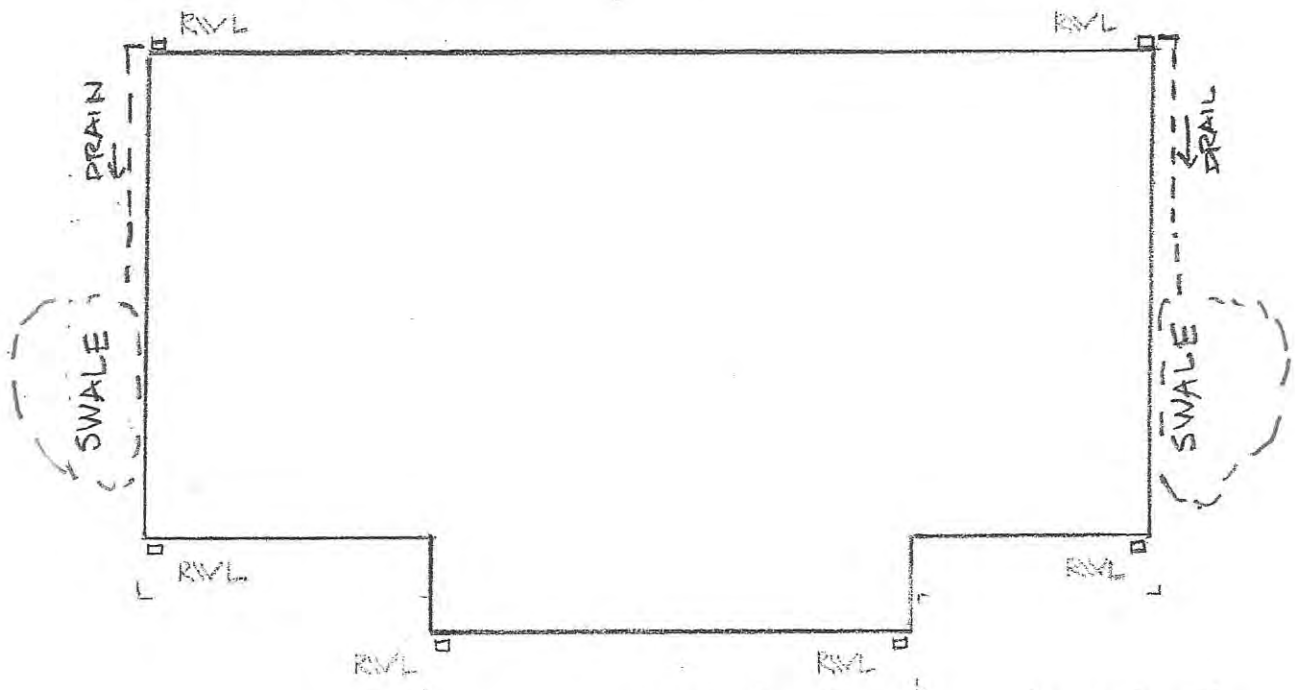
******

Italo A. Calpestri, AIA Architect & Associates

220 Columbia, Kensington CA 94708 calpestri@sbglobal.net (510) 851-2387



ROOF PLAN NO SCALE



PARTIAL PLOT PLAN NO SCALE

ROOF WATER RUNOFF IS DIRECTED TO THE GUTTERS WHERE THE RUNOFF IS CONTAINED WITHIN RAINWATER LEADERS WHICH THEN CONNECT TO THE PIPING AT GRADE AND DIRECTED TO DRAINAGE SWALES LOCATED AWAY FROM THE PROPERTY LINE

DRAINAGE PLAN 1208 ST. CHARLES ST. JAN. 18, 2017

HORT SCIENCE

January 18, 2017

Scott Dawson
1143 Bay Street
Alameda, Ca

Subject: Assessment of Impacts to Trees
1208 Saint Charles Street, Alameda, CA

Dear Mr. Dawson:

The residents of 1208 Saint Charles Street in Alameda, CA have applied for a permit with the City of Alameda to expand the garage. The residents of 1137 and 1143 Bay Street, whose backyards border 1208 Saint Charles Street, are concerned with the impact the construction will have on two coast live oak trees (*Quercus agrifolia*) located within 10' of the proposed project. I was asked by the residents of 1137 and 1143 Bay Street to assess impacts that proposed improvements and was provided the Arborist Report prepared by Judith L. Thomas dated October 6, 2016 for the resident of 1208 Saint Charles Street. I visited the site on November 9, 2016 and January 7, 2017.

I was unable to fully assess the condition of the two coast live oaks, as I was not granted access to 1208 Saint Charles Street. However, I was able to see the trees from the back yards of 1137 and 1143 Bay Street. The oaks were growing in the rear yard on the northern and southern sides of the garage proposed for expansion. The northern oak was referred to in the Thomas report as #1, and the southern oak as tree #2.

The oaks were mature with diameters of 36" and 33", respectively. Both oaks were in good condition, with full crowns and spreading forms. Oak #2 had a long lateral limb extending out to the east and held up by a prop (Photo1). Both trees had been over pruned and lion tailed within the past year. Lion tailing is a form of pruning that greatly reduces the green foliage, leaving growth only at the ends of each branch. Lion tailing is particularly detrimental to coast live oaks because they are susceptible to sunscald and sunburn.

Photo 1. Tree #2 was in good condition with a long lateral limb that extended out into the yard (arrow).

The project proposes to enlarge the garage 12' north and 10' feet south. The Arborist Report prepared by Judith L. Thomas provides a detailed description of how the proposed structure could be built and how to protect the trees during construction. Mrs. Thomas suggests that instead of the usual 'L' or 'T' footings, the foundation be supported by piers no deeper than 36".

Two exploratory trenches were dug with an air spade adjacent to trees 1 and 2. The trenches were 1' wide and 36" deep. The trench dug for tree #1 runs north-south and was excavated where the footprint of the building is proposed (Photo 2 and 3, next page). The trench dug for tree #2 runs east

west and was placed where the footprint of the proposed building will be constructed (Photo 4 and 5).

Photo 2, left. Tree #1 with the trench in the location of the proposed building.

Photo 3, right. Looking into the trench adjacent to tree #1.

Photo 4, left. Trench adjacent to tree #2.

Photo 4, right. Close up of the trench adjacent to tree #2.

The trench adjacent to tree #1 had five roots larger than 2" that can be seen in Photo 3. I do not recommend any work be done in this area, cutting of roots this large and this close to the tree has the potential to impact health, compromise stability.

The trench adjacent to tree #2 shows no roots larger than 2". Work in this area could be completed as is directed in the Thomas Arborist Report dated October 6, 2016.

Vertical clearance, or pruning requirements for installation of the building including any scaffolding that may be required for tree #1 should be considered. As proposes, I believe the project would remove two, of the five, large laterals limbs on the south and east sides of tree #1. Prior pruning has left the canopy sparse, additional pruning will stress the tree further. I do not recommend any additional pruning be completed within the next two-years on either tree.

Please contact me if you have any questions about my recommendations.

Sincerely,

Darya Barar
Certified Arborist WE-6757A

JUDITH L. THOMAS
BAY AREA PLANT CONSULTANTS
Arboricultural Consultant, Horticultural Advisor
83 Mission Hills Street
Oakland CA 94605-4612
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Retired Full-time Faculty Member
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Merritt College
12500 Campus Drive
Oakland CA 94619
plantinfolady@me.com

Paula Mathis and Thomas Ellebie Jr. 01/14/17
1208 St. Charles Street
Alameda CA 94501
Cell: 1(949) 466-5162 (Paula), pkmathis@gmail.com
Cell: 1(949) 294-0122 (Tom), t.ellebie@gmail.com

Dear Paula and Tom:

You have asked me to write this short letter, to state my opinion regarding the pruning work that has been done to the three large oaks at the rear of your property. You expressed concern that someone had said they were over trimmed.

I have observed these trees on three separate occasions since they were pruned. As a Registered Consulting Arborist with ASCA, (the American Society of Consulting Arborists,) as a Board Certified Master Arborist with the ISA (the International Society of Arboriculture,) who is also Tree Risk Qualified with the ISA, and as a Certified Aesthetic Pruner with the Aesthetic Pruners Association, it is both my opinion and conclusion that these trees have not been over trimmed. The pruning that was performed on them definitely follows the recommendations made in the current edition of the International Society of Arboriculture's *Best Management Practices for Tree Pruning*. (This book is the companion publication to the ANSI A300 Part 1: Tree, Shrub, and Other Wood Plant Maintenance – Standard Practices, on Pruning, written by Professor Edward F. Gilman and Sharon J. Lilly, that provides reasons why pruning is undertaken, explains pruning types and amounts, provides background on pruning cuts, reviews sample specifications, and comments on timing of these operations.)

On page 2, this book states: "When pruning is properly executed, a variety of benefits are derived. Benefits include reduced risk of branch and stem breakage, better clearance for vehicles and pedestrians, improved health and appearance, enhanced view, and increased flowering." And the pruning done to these trees has reduced the risk of branch and stem breakage, created better clearance for vehicles and pedestrians, and improved their health and appearance – without compromising them in any way.

In addition, no branches of the trees will be cut during the construction process; and, as per the tree preservation notes on the plans, I will be present whenever activities occur which pose a potential threat to the health of the trees.

I, Judy Thomas, certify that:

I have personally inspected your plants and property referred to in this report and have stated my findings accurately.

I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.

The analysis, opinions and conclusions stated herein are my own and are based on current scientific procedures and facts.

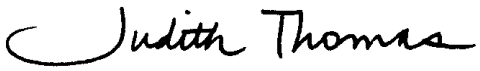
My analysis, opinions and conclusions were developed and this report prepared according to commonly accepted arboricultural practices.

No one provided significant professional assistance to me.

My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment, the attainment of stipulated results, or the occurrence of any subsequent events.

I further certify that I am a member in good standing of the American Society of Consulting Arborists, the International Society of Arboriculture, and the Aesthetic Pruners Association. I have been involved in the field of Arboriculture since 1977.

Respectfully submitted,



01/14/17

Judy Thomas, Bay Area Plant Consultants
83 Mission Hills St., Oakland CA 94605-4612
1(510) 568-2960
Full-Time Merritt College Landscape Horticulture Instructor, 1977-2007
ISA Board Certified Master Arborist WE-0113B, ASCA RCA #484,
Tree Risk Assessment Qualified with the ISA,
APA (Aesthetic Pruners Association) Certified Aesthetic Pruner #9

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Retired Full-time Faculty Member
Dept. of Landscape Horticulture
Merritt College
12500 Campus Drive
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plantinfolady@me.com

SERVICES OFFERED

PLANT CONSULTATIONS

- Identification of Trees, Shrubs, Groundcovers, Vines and Turf Types
- Landscape Design and Plant Selection for New Landscapes with Consideration for Drought, Fire, Freeze and Ease of Maintenance
- Modification of Existing Landscape Designs
- Replacement Plant Selection for Established Gardens
- Specifications for Planting, Pruning and Long Term Care
- Specifications for Establishment of New Turf Areas
- Pre- and Post-Construction Site Preservation Measures
- Casualty Loss Assessments for Landscapes Damaged by Fire, Flood, Drought or Negligence
- Value Appraisal of Landscape Plants
- Arbitration of Tree Disputes

LANDSCAPE MANAGEMENT

- Landscape Appraisal, Evaluation and Inventory
- Tree Hazard Evaluation
- Tree and Landscape Problem Identification
- Recommendations for Long Term Care of Plants
- Assessment of Plant Health and Site Restrictions for Plant Growth
- Tree Preservation for Construction Sites
- Tree Care Supervision

RESUMÉ

- Board Certified Master Arborist WE-0113B and Tree Risk Assessment Qualified with the International Society of Arboriculture; Registered Consulting Arborist #484 with The American Society of Consulting Arborists; Aesthetic Pruning Certificate from Merritt College, 1998; Certified Aesthetic Pruner with the Aesthetic Pruners Assoc., 2011.

- Retired 5/26/07 as a Full-time Landscape Horticulture Instructor, Merritt College, Oakland CA (1977-2007); taught courses in Arboriculture, Forestry, Plant Diseases, Turf Management, General Horticulture, Ecology, Plant Terminology and identification courses in Trees, Shrubs, CA Native Plants, Groundcovers & Vines and Herbaceous Plants. Past President of the Northern CA Turf & Landscape Council (NCTLC), and editor of their quarterly online newsletter. Serves on the N CA Advisory and Executive committees of the Mediterranean Garden Society.

- Member of the American Society of Consulting Arborists, the California Arborist's Association, Inc., the International Society of Arboriculture, the Aesthetic Pruners Association, the CA Horticultural Society, the CA Native Plant Society, and the Diablo Firesafe Council.

- Has a Bachelor's degree in Biology from Stanford University. Holds a Master's degree in Biology from San Jose State University and a Master's Degree in Education from Stanford University. Received the 1985 Education Award from the Northern CA Turf and Landscape Council.

- Serves as a featured speaker for the East Bay Master Gardener Program, the International Society of Arboriculture, the NCTLC, the Diablo Firesafe Council, the Nevada Shade Tree Conference, the N CA Landscape Expo. and numerous garden clubs and civic groups. Has been an education chair for the I.S.A., an editor for the Ortho book *Gardening Techniques* and was a 1985 Horticultural Delegate to China. Her garden was photographed for two Sunset books and was one of those featured on the Park Day School tour in 1989. Her new garden has been described in the MGS Journal No. 57 in July 2009.

JENNIFER BOWLES
LANDSCAPE ARCHITECT

1331 ST. CHARLES STREET • ALAMEDA, CALIFORNIA 94501
510.337.1933 • jrosebowles@gmail.com • CLA 3448

January 16, 2017

David Sablan, Planner II
City of Alameda, Permit Center

Dear Mr. Sablan,

I am writing to you in regards to the Mathis - Ellebie project at 1208 St. Charles Street, where I am working as Landscape Architect. I have been in practice for over 30 years and have successfully worked on innumerable projects throughout the Bay Area involving sites with existing Quercus agrifolia. Furthermore, my Bachelor of Science in Landscape Architecture at UC Davis gives me a strong foundation in the horticultural sciences, as does my service as a Trustee of the S.F. Botanical Garden Society at Strybing Arboretum. Here in Alameda where I have resided the last 23 years, I have long been active in tree advocacy issues. It need not be said that for both professional and personal reasons I would not engage in a project that did not fully honor the protected status of Quercus agrifolia. It has been my pleasure to work with Paula Mathis and Thomas Ellebie in that they are completely committed to the preservation of all of the heritage trees on their property. Moreover, they understand the exceptional value their rich diversity of mature trees brings to their garden in terms of establishing a unique sense of place, which is the foundation of all great gardens. It is our foremost intention to develop a landscape plan which embraces and embellishes these beautiful trees and park like setting.

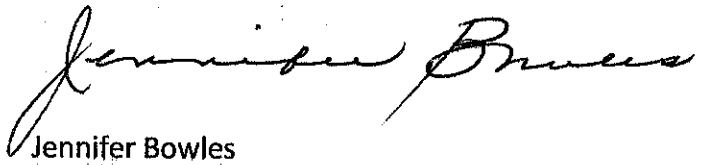
As discussed with Chris Buckley, who I have frequently collaborated with, the project under scrutiny is a landmark case for Alameda in that it demonstrates how sensitive design and construction can in fact be compatible with established heritage trees. To that end, Paula and Tom first engaged the professional arborist services of Brende and Lamb to begin discussions on best horticultural practices for each individual tree, and to do the necessary corrective and maintenance pruning and cabling required. Dead and diseased wood was removed, and tree structures were opened up to allow greater light and air circulation, allowing for new growth and better resistance to disease and limb failure. The latter was achieved by eliminating redundant, parallel or crossing branches and by reducing the weight of long, heavy end branches prone to breakage. In no case was more than one third of any tree canopy removed and in most cases far less; all material was thinned out rather than headed back, and with the highest regard to overall tree form and aesthetics.

In regards to the expanded garage and driveway, I believe the location and layout of these structures from a site planning standpoint is the most appropriate in terms of least disturbance to the site. The three healthy Quercus agrifolia under discussion have clearly well adapted to

the existing garage footprint, and with the proposed pier and beam foundation constructed by hand and air spading, as well as all of the other protective measures as outlined in the submitted plan, will not suffer disturbance. The existing impermeable concrete driveway will be replaced with permeable paving, improving the aeration and hydration of the soil. Water from the four downspouts at the corners of the new pitched roofline will be directed away from the rear property line using hand dug, shallow swales. And it is important to note that our current round of winter storms has shown no areas of flooding on the property, which drains well due to the sandy soil profile. The landscape plans will not change the hydrology or drainage patterns of the site as all of the mature trees – including the three stands of Sequoia sempervirens, the Fagus sylvatica, the Magnolia x soulangeana and the exceptional Chamaecyparis obtusa – have grown up with and depend on the fall, winter, and spring rainwater they receive, as well as the dilution of salts in the ground water, which otherwise can be toxic to trees. Absolute care will be taken during fine grading to not alter grade at the crown of the trees, and to direct water away from the crown of the trees, assuring protection from soil borne diseases. Furthermore, within the dripline of the trees there will be no hardscape or planting that disturbs roots greater than 3 inches.

It is my professional opinion that this project will indeed enhance the health and beauty of all of the heritage trees – my clients are dedicated to their long term stewardship and I believe are entitled to enjoy their garden and property amenities within that context. The challenge of increasing urbanization is in finding ways to make development compatible with the gems of the natural world we value so highly – and this project meets that challenge.

Respectfully submitted,



Jennifer Bowles
CLA #3448

David Sablan

From: Antonia Nicosia <antonianicosia@hotmail.com>
Sent: Monday, August 22, 2016 1:24 PM
To: David Sablan
Cc: jdawson@enovity.com
Subject: PLN-0232 follow up and thank you!
Attachments: photo A.JPG; photo B.JPG; photo c.JPG; photo d.JPG; photo e.JPG; pln 0232, city of alameda.doc

Dear David,

Thank you for meeting with me last Tuesday August 16 in regard to the proposed design the owners of 1208 St. Charles St. have submitted for design review. I have seen the design and have discussed it in detail with Italo Calpestri and Tom and Paula Mathis, the owners of 1208 St. Charles.

As you know, I am a native Alamedan and practicing Alameda physician and I am devoted to the future of Alamedans and preserving the health and integrity of Alameda in many ways. The new owners of 1208 St. Charles St. are new to Alameda and the neighborhood's historical values and ethics, so they may not be aware that their design disrupts the physical, environmental, and ecological systems that exist between their property and adjacent properties.

To summarize our discussion, I would appreciate it immensely if you consider the proposed design with respect to the unique structure and environment that has existed for over 60 years between the owners of 1143 Bay St., 1149 Bay St, and 1208 St. Charles.

The satellite view of the properties does NOT reflect the existing structures and trees adjacent to the proposed construction, so it is important to understand how the proposed design will impact these. Currently, there are 7 structures that stand 1-2 ft and 1-20 ft from each other and the proposed new construction. These structures are the following:

1. The "Frank Weeden" Community pool
2. The pool house (~400sf)
3. Garage, 1149 Bay St.
4. Garage and new construction at 1143 Bay St.
5. Garage, 1208 St. Charles
6. Mature Oak Tree, 1208 St Charles
7. Mature Maple Tree, 1143 Bay St.

See photo (A)

PLN-0232 proposes the demolition of the Garage at 1208 St. Charles and the construction of an 'Art Studio' and 3 Car Garage that would not be compatible with the existing environment in of Safety, Asthetics, Size, and Ecology. Together with Tom and Paula's pool house and community pool, 80% of the property line of 1143 Bay St would be obstructed and 100% of 1149 Bay St would remain impacted.

Large mature trees would also be impacted: An Oak tree on 3 sides and a Maple tree on 4 sides. My aim is to preserve the trees in this section of our properties in keeping with the Bay Street Tree Committee's goals.

Tom and Paula's proposed design falls short in the areas hazard, nuisance, size, historical preservation. It ignores many of the criteria set forth by Section 30-21.3(a) and (b- 1, 3 and 4) of the City building code:

Environmental:

1) No specific plan has been submitted to address the drainage of water from the roof of the 920 sf Art Studio/3 Car Garage. The proposed structure would be less than 2 feet from the garage at 1143 Bay st. and 10 ft from the new construction at 1143 bay st.

2) The proposed plan does not address how access will be achieved to maintain gutters at the back of the structure.

3) No specific plan has been made to include a review of impact to the roots of Oak tree at 1208 St. Charles and Maple tree at 1143 Bay St. by the proposed structure.

See photo (B, C, D)

Nuisance/Hazard:

1) The Proposed plan builds upon a nuisance issue for the 1143 and 1149 Bay St by creating a 10 foot 'tunnel' from which even more smoke generated by the pool house will collect and spew into the homes at 1143 and 1149 Bay St.

2) The proposed plan is already in a high intensity area

3) Plan does not address demonstrated 'hardship': 1208 is a double lot therefore a Garage could be buildt anywhere on the property other than the proposed high intensity area.

4) With the proposed new construction, 80% of the property line at 1143 Bay St would be obstructed by buildings owned by 1208 St. Charles,
leaving only 10 ft for a fire truck to access the 1143 and 1149 Bay St.

Size:

1) Proposed plan does not address the building intensities with respect to each other and a new construction of 200% increase in size from the existing structure.

Historical Preservation:

1) The proposed plan does not consider the impact from an integrity and aesthetic perspective in relation to the "Frank Weeden" pool.

2) The proposed plan does not take into consideration how a 920 sf construction ties into the operations, architecture, and community of the 'Frank Weeden" Pool, the Pool House, the garage at 1149 Bay St., and the garage and new construction at 1143 Bay St.

I believe that the planning board and the city council strive to maintain, promote and protect the welfare of the city by conserving the value of property. I support the board's emphasis on construction which is compatible and harmonious with the use of surrounding properties.

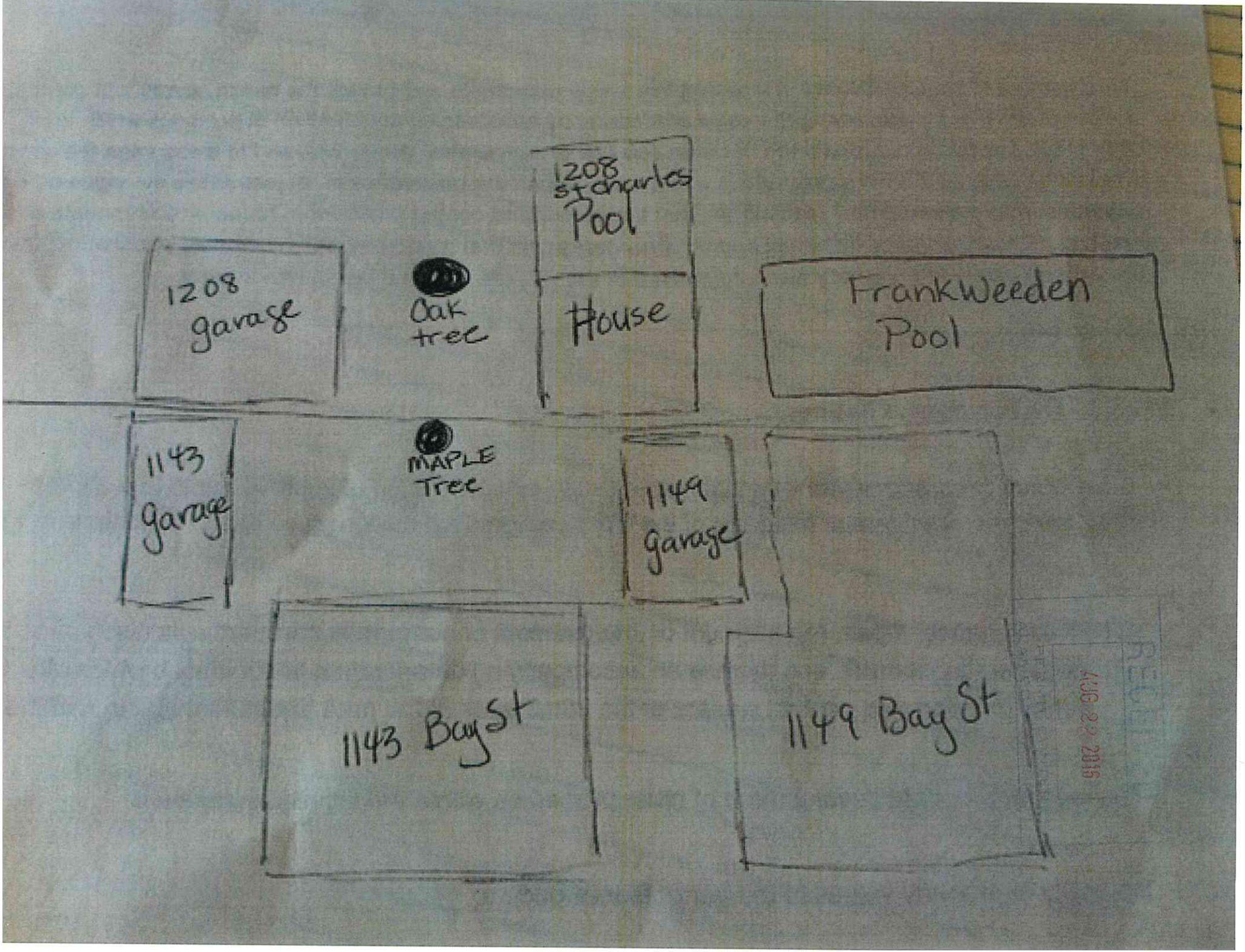
PLN-0232 as submitted is not in harmony with section 30-35.1 of the City of Alameda building code. The owners of 1208 St. Charles appear to be attempting to shoehorn a large structure in to a very crowded and historically important area between Bay St and St. Charles Streets, posing hazards and potential dangers to neighbors.

The additional proposed structure in the space adjacent to the two Bay St. garages, the pool house, and the Frank Weeden Pool essentially builds a high wall across 80% of the 1143 property. It ignores the historical considerations of the Frank Weeden Pool and pool house and does not address routine concerns associated with maintenance of the proposed structure and the pool house. Moreover, a comprehensive plan for excess drainage to the Bay St. properties adjacent to the proposed structure has not been addressed by the owners of 1208 St. Charles. Lastly, the building intensity proposed by the owners of 1208 St. Charles negatively impacts the value of all adjacent properties.

On a property the size of 1208 St. Charles, there must certainly be other alternatives for placement of this proposed structure that do not place the hardship of its presence squarely on the shoulders of the property owners nearby.

Again, thank you so much for your time and consideration on Tuesday..
I look forward to hearing from you soon!

Respectfully,
Antonia Nicosia, MD
Owner, 1143 Bay St.
510-910-2646


1208 St Charles Pool
1208 garage
Oak tree
House
Frank Weeden Pool
1143 garage
MAPLE Tree
1149 garage
1143 Bay St
1149 Bay St
RECEIVED
AUG 22 2016

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AUG 22 2018

David Sablan

From: Denine Keltner <deekeltner@me.com>
Sent: Tuesday, August 23, 2016 3:38 PM
To: David Sablan
Subject: Re 1208 St Charles plans

David I am sorry I missed you yesterday. I came by the planning office in hopes to review the plan for the garage and establish where it impacts my home. I live on Bay Street backed up to 1208. I am shocked that someone with a huge lot can possibly destroy their neighbors value by building on their property line.
***Can I request "story poles"?
The plans do not show my property, so I want to know exactly where & how tall this is going to be. I understand my neighbors may be frustrated they cannot just move forward with their plan. I have lived in my home for 44 years and this will impact me and most likely my present and future property value.

Thank you
Dee Keltner
1137 Bay St
deekeltner@comcast.net
H 865-0479
C 409-6657

From. Dee Keltner
Friends & Family multiply Joy!

David Sablan

From: js dawson <jscottdawson@hotmail.com>
Sent: Monday, August 29, 2016 8:32 AM
To: David Sablan
Subject: Re: Design Review Application for 1208 St. Charles Street

Hi David,

Thank you for keeping us abreast of the evaluation process concerning the proposed project at 1208 St. Charles Street. As I have stated previously, there is "a lot going on" in that seemingly small space.

My understanding of the plot of land in which the applicant wants to build, is that it has been it's own parcel since the at least the 1940's if not earlier. The reason there was never an attempt to build there was that it was part of a fire easement for the back area of the property and the Frank Weeden pool house. It was forbidden. My understanding is that it ran from the back of the property line all the way to the street. The easement was needed as a requirement for the pool house to be placed there.

I keep bringing the pool house into the conversation because it presents many considerations for review. It created the easement. The pool house sits along the north side of the Coastal Oak and with the inclusion of the proposed building, effectively "hardscapes" the area around the tree. I think at minimum the deed to the pool house should be examined as well. The applicant is the owner so they should be able to produce the documents concerning the expected general use of the space.

The proposed project is basically building a very large structure under the canopy of two mature protected trees. The only trees of note on a very substantial property. I brought up the issue of drainage previously. There is no formal plan with how to deal with water coming off the roof in that area. The applicant said "he would landscape accordingly" to minimize the impact pf water. Please take a moment to look at the plans. Water can only go three ways in that area. Into my yard, into the foundation of the the existing pool house and garage at 1149 Bay Street or directly into the root structure of the protected California Coastal. At a minimum I hope the applicant can present via a formalized plan as to how this obstacle can be overcome.

David, I am encouraged by the thoughtful, methodical, process you are employing to the evaluation of the proposed project. Not only concerning the immediate effects of the neighbors adjacent to the site, but also to the potential effects of the Coastal Oaks which (if you could see via an aerial view) would have an incredible impact to the entire neighborhood at large if they are lost. I hope we can get an arborist over there to evaluate the situation. I don't know how this works, but there is a 40 year old 25ft. tall silver maple which sits on the property line which will certainly be lost if the proposed structure is built where requested. Perhaps the arborist can look at it as well.

I welcome your invitation to meet with you at your offices or at the property site (if appropriate) to discuss the project in more detail. If we can provide more pictures or more information to help clarify for you questions that arise, please reach out to myself, Antonia, Dee or perhaps Helen Chaix. Helen is interesting in that she has lived in her property for over 80 years (1149 Bay) remembers the land before it was improved upon, watched the pool house be built, knows of the easment, and she may be able to point you in the right direction concerning the documents surrounding the improved area.

Thank you, again,
Scott Dawson
1143 Bay Street

From: David Sablan <DSablan@alamedaca.gov>
Sent: Wednesday, August 24, 2016 7:28 PM
To: jscottdawson@hotmail.com; antonianicosia@hotmail.com; deekeltner@me.com
Subject: Design Review Application for 1208 St. Charles Street

Dee, Scott, and Antonia,

I wanted to take the opportunity to thank you for contacting me regarding your neighbor's application for a new garage/studio at 1208 St. Charles Street, and to provide you with an update of the City's review process. At this point I am conducting my review to ensure the proposed size and location of the structure meet the City's zoning code requirements for accessory structures, I have not confirmed if the size and location complies. It's unclear to me where the actual property lines lay and whether or not there are easements on that portion of the property. I've asked the applicant to provide me with a copy of the title report so I can get a better understanding of the legal boundaries and descriptions of the property. The property as depicted on the submitted plans could allow for an accessory structure of that size, however I cannot confirm that what is depicted on the plans represents the legal description of the property or confirm that there are no easements in that section. With the obvious impacts such a large accessory structure would create I want to be completely certain before making that determination. If the plans submitted are accurate and the applicant wishes to move forward with the structure's size and location I would like to meet with you as a group or individually to go over the project.

Additionally, I am concerned about the proposed structure's proximity to three large oak trees. Coast Live Oak trees are designated as protected trees in the City of Alameda, and thus the applicant will need to demonstrate that the project will not be injurious to those trees. Building within the dripline of a tree would negatively impact the root zone of the tree, which could lead to the death of the tree. The applicant will need to demonstrate that the structure will not disturb the root zone of those trees, the City might require the applicant obtain the services of a certified arborist to confirm whether there is or isn't an impact.

Feel free to contact me if you have further questions about the Design Review process. I will be in touch with you after I have received the requested information from the applicant.

David Sablan
Planner II
City of Alameda, Permit Center
(510) 747-6873
dsablan@alamedaca.gov

David Sablan

From: Dee Keltner <deekeltner@comcast.net>
Sent: Monday, August 29, 2016 9:22 AM
To: js dawson; David Sablan; Antonia Nicosia & Scott Dawson; Dee Keltner
Cc: antonia nicosia
Subject: Re: Design Review Application for 1208 St. Charles Street

David.
I also thank you for your diligence in reviewing this plan. The easement might be to the pool, but it is also to the back lot. Since it is a double lot it needed an easement to access the rear lot.

As I think about this double lot. Please review the set back rule. We are very lucky no home has ever been built on the back lot, but how does it apply when there are two lots and the driveway is an easement access for the back lot and possibly the pool?
In appreciation,
Dee Keltner
1137 Bay St.

From. Dee Keltner
Friends & Family multiply Joy!

On Aug 29, 2016, at 9:06 AM, js dawson <jscottdawson@hotmail.com> wrote:

> Ladies,
>
> FYI.
>
> ---
>
> **From:** js dawson <jscottdawson@hotmail.com>
> **Sent:** Monday, August 29, 2016 3:32 PM
> **To:** David Sablan
> **Subject:** Re: Design Review Application for 1208 St. Charles Street
>
> Hi David,
>
> Thank you for keeping us abreast of the evaluation process concerning the proposed project at 1208 St. Charles Street. As I have stated previously, there is "a lot going on" in that seemingly small space.

My understanding of the plot of land in which the applicant wants to build, is that it has been it's own parcel since the at least the 1940's if not earlier. The reason there was never an attempt to build there was that it was part of a fire easement for the back area of the property and the Frank Weeden pool house. It was forbidden. My understanding is that it ran from the back of the property line all the way to the street. The easement was needed as a requirement for the pool house to be placed there.

I keep bringing the pool house into the conversation because it presents many considerations for review. It created the easement. The pool house sits along the north side of the Coastal Oak and with the inclusion of the proposed building, effectively "hardscapes" the area around the tree. I think at minimum the deed to the pool house should be examined as well. The applicant is the owner so they should be able to produce the documents concerning the expected general use of the space.

The proposed project is basically building a very large structure under the canopy of two mature protected trees. The only trees of note on a very substantial property. I brought up the issue of drainage previously. There is no formal plan with how to deal with water coming off the roof in that area. The applicant said "he would landscape accordingly" to minimize the impact pf water. Please take a moment to look at the plans. Water can only go three ways in that area. Into my yard, into the foundation of the the existing pool house and garage at 1149 Bay Street or directly into the root structure of the protected California Coastal. At a minimum I hope the applicant can present via a formalized plan as to how this obstacle can be overcome.

David, I am encouraged by the thoughtful, methodical, process you are employing to the evaluation of the proposed project. Not only concerning the immediate effects of the neighbors adjacent to the site, but also to the potential effects of the Coastal Oaks which (if you could see via an aerial view) would have an incredible impact to the entire neighborhood at large if they are lost. I hope we can get an arborist over there to evaluate the situation. I don't know how this works, but there is a 40 year old 25ft. tall silver maple which sits on the property line which will certainly be lost if the proposed structure is built where requested. Perhaps the arborist can look at it as well.

I welcome your invitation to meet with you at your offices or at the property site (if appropriate) to discuss the project in more detail. If we can provide more pictures or more information to help clarify for you questions that arise, please reach out to myself, Antonia, Dee or perhaps Helen Chaix. Helen is interesting in that she has lived in her property for over 80 years (1149 Bay) remembers the land before it was improved upon, watched the pool house be built, knows of the easment, and she may be able to point you in the right direction concerning the documents surrounding the improved area.

Thank you, again,

Scott Dawson

1143 Bay Street

From: David Sablan <DSablan@alamedaca.gov>
Sent: Wednesday, August 24, 2016 7:28 PM
To: jscottdawson@hotmail.com; antonianicosia@hotmail.com; deekeltner@me.com
Subject: Design Review Application for 1208 St. Charles Street

Dee, Scott, and Antonia,

I wanted to take the opportunity to thank you for contacting me regarding your neighbor's application for a new garage/studio at 1208 St. Charles Street, and to provide you with an update of the City's review process. At this point I am conducting my review to ensure the proposed size and location of the structure meet the City's zoning code requirements for accessory structures, I have not confirmed if the size and location complies. It's unclear to me where the actual property lines lay and whether or not there are easements on that portion of the property. I've asked the applicant to provide me with a copy of the title report so I can get a better understanding of the legal boundaries and descriptions of the property. The property as depicted on the submitted plans could allow for an accessory structure of that size, however I cannot confirm that what is depicted on the plans represents the legal description of the property or confirm that there are no easements in that section. With the obvious impacts such a large accessory structure would create I want to be completely certain before making that determination. If the plans submitted are accurate and the applicant wishes to move forward with the structure's size and location I would like to meet with you as a group or individually to go over the project.

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David Sablan
Planner II
City of Alameda, Permit Center
(510) 747-6873
dsablan@alamedaca.gov

David Sablan

From: js dawson <jscottdawson@hotmail.com>
Sent: Tuesday, September 20, 2016 10:57 AM
To: David Sablan; antonia nicosia
Subject: Fw: Design Review Application for 1208 St. Charles Street

Good Morning David,

I wanted to touch base with you concerning the status of PLN16-0232 which is currently in review status. It has been three weeks since my last communication and at that time you indicated that the applicant would be unable to move forward with the project unless they either

1) filed for a multi use permit
2) or try to legally merge the properties

Are you in position to be aware if either of the above have occurred or have been initiated? If not, can you direct me to a person or department within the City who could answer my questions? I appreciate it.

Also, because of the negative environmental impact of the build out under the dripline of (3) protected Coastal Oaks, you have suggested that the applicant might need to submit a certified arborists review of the site plans to determine if the buildings proposed would be injurious to the trees. Have the applicants gone forward with this step? If so, is it possible to review the report either on line or at your offices?

In speaking with the applicant's next door neighbor this weekend, I was made aware of a utility easement which runs basically under the base of one of the oaks and serves the pool house aprox. 15 feet away. He indicated that any change in service will require trenching across the protected root zone area.

I have brought to your attention my drainage concerns previously. Any improvements in the space involving drainage would also entail digging/trenching in the protected root zone area.

Any updated information would be appreciated, David. Thanks once more for taking a measured, methodical review of this space and it's environmental impact.

Regards,

Scott Dawson
1143 Bay Street

From: js dawson <jscottdawson@hotmail.com>
Sent: Monday, August 29, 2016 3:32 PM
To: David Sablan
Subject: Re: Design Review Application for 1208 St. Charles Street

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City of Alameda, Permit Center
(510) 747-6873
dsablan@alamedaca.gov

David Sablan

From: js dawson <jscottdawson@hotmail.com>
Sent: Monday, November 07, 2016 8:41 AM
To: David Sablan; antonia nicosia
Subject: Re: 1208 St. Charles Street - Project Update

Good Morning David,

Antonia and I would like to come to your office tomorrow morning (9am?) to go over the updated drawings to confirm the changes that have been discussed with City and the applicants.

We accessed the drawings on line but our untrained eyes we were unable to see what modifications had been made and it appears from the description (sq. ft) there was no change in size so we would like to confirm with you.

I am interested in what specific drainage plans have been put into place since our last meeting. Also, would like to discuss how the protective measures recommended by the arborist will be met by Italo. Is there oversite in this area or is he on the "honor" system? How does this work?
We want to see how the new structure fits on the site (vs. the old one) I think that's why looking at the plans with you once more will be helpful.

One specific question I will have for you is where does the 5ft set back begin? Is it at the edge of the gutter or at the edge of the exterior wall?

Finally I would like a clear understanding of where they believe the property line is.

Would 9am work for you tomorrow?

Thank you,

Scott Dawson
1143 Bay Street

From: David Sablan <DSablan@alamedaca.gov>
Sent: Thursday, October 20, 2016 10:38 PM
To: antonianicosia@hotmail.com; js dawson
Subject: 1208 St. Charles Street - Project Update

Antonia and Scott,

I wanted to touch bases with you to let you know the status of the new garage at 1208 St. Charles. I spoke with Paula, Tom, and Italo about reducing the depth of the proposed garage to create a 5' setback from the property, they've requested the City hold off on any decision at this time while this issue is fully worked out. So staff will not be taking any action on the project this Monday. At the Planning Board meeting on Monday evening Andrew Thomas will notify the Board that no action was taken. We will be sending out another public notice when the applicants have confirmed what

direction they want to take, most likely for an action date of November 28th. I also wanted to note that at this time the City intends to require a minimum 5' setback as a condition for any future approval.

David Sablan
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City of Alameda, Permit Center
(510) 747-6873
dsablan@alamedaca.gov

David Sablan

From: Antonia Nicosia <antonianicosia@hotmail.com>
Sent: Tuesday, November 08, 2016 7:27 PM
To: David Sablan
Cc: ANDREW THOMAS
Subject: Re: 1208 St. Charles Street - Project Update

Hi David,
Thank you for meeting with Scott and me today.
I am nervous about the plans being submitted as is with the condition we talked about. Just to clarify: the normal protocol would be to able to see the redrawn plans before it goes to planning review. Is it standard that I would have to pay the $750 fee first before seeing the redrawn plans to see if they comply?
Italo is well known to us and over the years, approved projects 'with conditions' have tended work out better for the client than for the neighbors of the client.
I am thinking it would make us feel more secure to able to review the Mathis' new plan to make sure that it complies with the 5' set back.
So if this project is to go forward, I would like to see it done right--since later, we will have no recourse to protest.
It is going to be so congested for all of us and will get even worse when they rebuild the pool house, so I think seeing Italo's drawings in compliance might help us to understand the true impact of the Mathis' structure on the keltner, Dawson, and Chaix properties.
Let me know your thoughts,
Antonia Nicosia

Sent from my iPhone

On Nov 7, 2016, at 4:15 PM, "David Sablan" <DSablan@alamedaca.gov> wrote:

> Hi Scott,
>
> I can meet to go over the specifics tomorrow morning at 9am.
>
> **David Sablan**
> Planner II
> City of Alameda, Permit Center
> (510) 747-6873
> dsablan@alamedaca.gov
>
> ---
>
> **From:** js dawson [mailto:jscottdawson@hotmail.com]
> **Sent:** Monday, November 07, 2016 8:41 AM
> **To:** David Sablan <DSablan@alamedaca.gov>; antonia nicosia <antonianicosia@hotmail.com>
> **Subject:** Re: 1208 St. Charles Street - Project Update
>
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David Sablan
Planner II
City of Alameda, Permit Center
(510) 747-6873
dsablan@alamedaca.gov

David Sablan

From: js dawson <jscottdawson@hotmail.com>
Sent: Thursday, November 10, 2016 11:12 AM
To: athomas@alameda.gov; David Sablan; antonia nicosia; dee keltner
Subject: 1208 St. Charles
Attachments: Scanned from a Multifunction Device.pdf

Good Morning Andrew,

I writing to you to express my concern relating to the applicant's request that your department waive a redraw of their project and grant conditional approval of this work going forward. Given the potential long term environmental impact of this project, I believe the City must proceed cautiously concerning all work in the proposed impacted area.

I contend that the arborist report as submitted is asking the City to "take a leap of faith" that the proposed structure will not be detrimental to the health of the 3 protected coast live oak trees. It does not address and ignores the ecological impact of the area underneath the canopy of the trees once the structure is completed. Protecting roots during construction is one thing. But we (the City) is being asked to believe that building a large structure completely underneath the canopy of these protected trees will not effect them in anyway. This flies in the face of conventional scientific evidence to the contrary.

Of greatest concern to me is the DBH calculation that the City is being asked to approve per the arborist report. It is extremely aggressive in nature and does not meet even minimum accepted ratios used throughout California or national ANSI standards. The DBH calculation is the multiple used to determine the minimum distance by which a building should be placed from the protected oaks whenever possible. At this point in the process we (the City) can make this happen. I have attached a copy of the ANSI calculation and where to research this for your review.

Should you take the calculations (DBH) from the submitted arborist report and multiply the number by the minimum recommended ANSI specs, the proposed structure is way too close to the trees. Every tree. Even when reducing the minimum (6DBH) by 50% the City is being asked to approve this project as drawn. I invite you to do a quick calculation for each tree, multiply the DBH by even half of the minimum (3 vs 6) and in every instance they are still too close to the trees.

I understand the frustration the applicant is experiencing in the continual redraw of this project. Unfortunately they are insistent in building a highly impacted area both environmentally as well as structurally. They are asking the City and the neighbors adjacent to the area to "trust" going forward that all will be fine. Yet, each plan submitted gives us no comfort that the right thing will be done.

We have asked the applicant from the beginning (prior to initial submittal) for a drainage plan. We have yet to see anything submitted for review. I applaud the fact that they will go to Herculean engineering efforts to try to mitigate root issues near the trees. That is to just mitigate potential problems. Not eliminate. This itself confirms the environmentally sensitive area in which the proposed structure will lie.

The plan as drawn is too close to the oaks. There is compelling evidence to this fact. Both locally and nationally. If you read through the arborist report, it glosses over any comment concerning building an entire

structure entirely beneath the canopy of the oaks and its drip line. Why? Because it is detrimental and not in keeping with established standards.

Please, do a calculation on each tree using the ANSI standards, this is woefully out of compliance. Not even close. A little more math. The City is asked to consider the health of 3 trees. If there is only 20% chance that a tree will be effected, then the odds are over 50% that a failure will occur to one of these legacy oak trees.

A repositioning of this structure will not create hardship for the applicant. They have 28,000 sq. ft. in which to find the utility and enjoyment they seek from this structure. I find it ironic that they insist on building in the only environmentally impacted area of this massive lot.

We will certainly appeal the approval of this project as submitted and bring our own environmental data to the decision table when appropriate. The trees are too close to the building, a drainage plan (despite being requested from day one) has not been submitted, and from my perspective a strategy on the applicants part to just "trust" the process has been employed.

Do some calculations, Andrew. The buildings are too close to the trees. We need a redraw using established local and national standards for distance.

Thank you,

Scott Dawson
1143 Bay Street

From: East.Xerox9302@enovity.com <East.Xerox9302@enovity.com>
Sent: Thursday, November 10, 2016 5:17 PM
To: jscottdawson@hotmail.com
Subject: Scanned from a Multifunction Device

Please open the attached document. It was scanned and sent to you using a Multifunction Device.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location:
Device Name: EastXerox9302
Device Serial Number: XNE099346

For more information on products and solutions, please visit http://www.xerox.com

Business Services and Digital Printing Solutions | Xerox

www.xerox.com

David Sablan

From: Dee Keltner <deekeltner@comcast.net>
Sent: Wednesday, November 30, 2016 10:43 AM
To: David Sablan
Cc: Nicosia, Antonia; Dawson, Scott; ANDREW THOMAS
Subject: Re: Resubmitted Plans and Arborist Report

David
I am shocked that they have moved the structure back 3 feet and appear to have enlarged the structure even more. Since Planning submitted the requirement for a 5' setback, can they go to a 2' setback? Our interest has been the impact across the back of our yards, as well as the safety of the trees. A great deal of research was put into the binders that were delivered to you, Andrew and the Board. I sincerely hope they are reviewed, studied and facts heeded.

Thank you, Dee

From: "David Sablan" <DSablan@alamedaca.gov>
To: "Antonia Nicosia" <antonianicosia@hotmail.com>, "js dawson" <jscottdawson@hotmail.com>, "Dee Keltner" <deekeltner@comcast.net>
Sent: Wednesday, November 30, 2016 9:35:45 AM
Subject: Resubmitted Plans and Arborist Report

Antonia, Scott, and Dee,

I wanted to pass along the most recently submitted plans and arborist report for 1208 St. Charles. I haven't had a chance full review them myself, but wanted to get them out to you now.

David Sablan
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From: js dawson <jscottdawson@hotmail.com>
Sent: Wednesday, November 30, 2016 3:55 PM
To: Dee Keltner; David Sablan
Cc: Nicosia, Antonia; ANDREW THOMAS
Subject: Re: Resubmitted Plans and Arborist Report

Hello David/Andrew,

Can you clarify for us that the drawings that have been submitted are deemed acceptable to the Planning Board and are going to recommended for approval at the next hearing?

As shown, this is totally unacceptable to me.

As I recall, this plot of land is separate and must be merged to even allow building to take place in this area. They must receive your permission to do so. Am I correct? Am I to understand based on everything you have read and we have discussed, that you will allow them to further amplify their footprint (from previous drawings) in an already impacted space? Because this looks like a good idea?

It is not my burden that they have insisted on building a huge structure in an environmentally sensitive space. It is their burden. Part of the decision making process in these cases on your end is to look at the entire picture and how it affects surrounding properties and is it in harmony with existing structures. This is not even in the ball park.

Without modification, should this be approved as shown, we will take appropriate steps to have this whole plan reviewed by the City Council and if necessary the Courts. You can let Mr. Mathis know that if he expects to start digging soon he should put those plans on ice.

I don't understand why the Planning Department is being so accommodating to these people.

1) you are allowing him to merge together a very small parcel into a larger one so he can build in an environmentally sensitive area
2) you are allowing him to build at a distance from a protected species of trees that compromises their health
3) you are putting the safety of people at adjacent properties at risk - when their is already documented evidence that shows trees falling on to houses because of inadequate drainage.
4) you are allowing him to build in an already crowded space of structures. One of which is his.
5) it appears that an easement is needed to allow him to build out closer to the adjacent parcel/pool house. You are allowing this?

Please let me know when Mr. Mathis has compromised.

I would like to sit down with you next Tuesday morning and go over these plans.

Again, I am hoping these submitted drawings are just the applicants suggestion and not the Planning Department's attempt at compromise.

Thank you,

Scott Dawson

From: Dee Keltner <deekeltner@comcast.net>
Sent: Wednesday, November 30, 2016 6:43 PM
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David Sablan

Planner II

City of Alameda, Permit Center

(510) 747-6873

dsablan@alamedaca.gov

David Sablan

From: js dawson <jscottdawson@hotmail.com>
Sent: Thursday, December 01, 2016 7:45 AM
To: ANDREW THOMAS; David Sablan
Cc: David Burton (dburton@ktgy.com)
Subject: Re: Resubmitted Plans and Arborist Report

Hi Andrew,

Last week when we met you suggested that it might be prudent to take a look at this project from my side of the fence. I would like to extend that invitation to you at this time.

The advantage of viewing from my side of the fence is that you can see how incredibly crowded the new placement will make this space. It will show the limited options which will be available for drainage.

Maybe most importantly, you can evaluate the project from my second story window which looks over the entire area under consideration and shows all of the adjacent structures.

I will make myself available anytime or any day that it is convenient to you. I think it is important to see the area from the back of the proposed structure.

I appreciate your consideration.

Scott Dawson

From: ANDREW THOMAS <ATHOMAS@alamedaca.gov>
Sent: Thursday, December 1, 2016 1:47 AM
To: js dawson; Dee Keltner; David Sablan
Cc: Nicosia, Antonia; David Burton (dburton@ktgy.com)
Subject: RE: Resubmitted Plans and Arborist Report

Hi Scott: We just got them, so we are still evaluating. It is helpful to have your assessment. Thanks. We will let you know when we know what we think. - Andrew

---

From: js dawson [mailto:jscottdawson@hotmail.com]
Sent: Wednesday, November 30, 2016 3:55 PM
To: Dee Keltner <deekeltner@comcast.net>; David Sablan <DSablan@alamedaca.gov>
Cc: Nicosia, Antonia <antonianicosia@hotmail.com>; ANDREW THOMAS <ATHOMAS@alamedaca.gov>
Subject: Re: Resubmitted Plans and Arborist Report

Hello David/Andrew,

Can you clarify for us that the drawings that have been submitted are deemed acceptable to the Planning Board and are going to recommended for approval at the next hearing?

As shown, this is totally unacceptable to me.

As I recall, this plot of land is separate and must be merged to even allow building to take place in this area. They must receive your permission to do so. Am I correct? Am I to understand based on everything you have read and we have discussed, that you will allow them to further amplify their footprint (from previous drawings) in an already impacted space? Because this looks like a good idea?

It is not my burden that they have insisted on building a huge structure in an environmentally sensitive space. It is their burden. Part of the decision making process in these cases on your end is to look at the entire picture and how it affects surrounding properties and is it in harmony with existing structures. This is not even in the ball park.

Without modification, should this be approved as shown, we will take appropriate steps to have this whole plan reviewed by the City Council and if necessary the Courts. You can let Mr. Mathis know that if he expects to start digging soon he should put those plans on ice.

I don't understand why the Planning Department is being so accommodating to these people.

1) you are allowing him to merge together a very small parcel into a larger one so he can build in an environmentally sensitive area
2) you are allowing him to build at a distance from a protected species of trees that compromises their health
3) you are putting the safety of people at adjacent properties at risk - when their is already documented evidence that shows trees falling on to houses because of inadequate drainage.
4) you are allowing him to build in an already crowded space of structures. One of which is his.
5) it appears that an easement is needed to allow him to build out closer to the adjacent parcel/pool house. You are allowing this?

Please let me know when Mr. Mathis has compromised.

I would like to sit down with you next Tuesday morning and go over these plans.

Again, I am hoping these submitted drawings are just the applicants suggestion and not the Planning Department's attempt at compromise.

Thank you,

Scott Dawson

From: Dee Keltner <deekeltner@comcast.net>
Sent: Wednesday, November 30, 2016 6:43 PM
To: David Sablan
Cc: Nicosia, Antonia; Dawson, Scott; athomas@alamedaca.gov
Subject: Re: Resubmitted Plans and Arborist Report

David
I am shocked that they have moved the structure back 3 feet and appear to have enlarged the structure even more. Since Planning submitted the requirement for a 5' setback, can they go to a 2' setback? Our interest has been the impact across the back of our yards, as well as the safety of the trees. A great deal of research was put into the binders that were delivered to you, Andrew and the Board. I sincerely hope they are reviewed, studied and facts heeded.

Thank you, Dee

From: "David Sablan" <DSablan@alamedaca.gov>
To: "Antonia Nicosia" <antonianicosia@hotmail.com>, "js dawson" <jscottdawson@hotmail.com>, "Dee Keltner" <deekeltner@comcast.net>
Sent: Wednesday, November 30, 2016 9:35:45 AM
Subject: Resubmitted Plans and Arborist Report

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David Sablan
Planner II
City of Alameda, Permit Center
(510) 747-6873
dsablan@alamedaca.gov

David Sablan

From: Dee Keltner <deekeltner@comcast.net>
Sent: Thursday, December 01, 2016 12:21 PM
To: ANDREW THOMAS
Cc: Dawson, Scott; David Sablan; Nicosia, Antonia; David Burton (dburton@ktgy.com)
Subject: Re: Resubmitted Plans and Arborist Report

To All,
I can understand you must address an applicants plans and the affected boundries. What I find absolutely wrong, is the negative effect the project will have on neighbors. We live in a very lovely and costly neighborhood and the Mathis-Ellebie expansion will impact our homes forever. The laws may allow them to expand and build against our fences, but where is the law that protects OUR private property rights? This invasive law/rule/guideline MUST be changed. This rule has created a very divisive 'neighbor against neighbor' situation. The attitude of why someone would do this is now "Because I CAN". The Mathis-Ellebie's have a huge property, with other locations for expansion. Why are they (possibly) allowed to cram all of this construction into one area and destroy their neighbors properties and values? They say their building will be fire-proof, but this does not account for the closeness of existing structures. A future eyesore and fire hazard. Further, the assessment of their arborist does not meet or match any standards we have researched.

I am sure everyone is tired of the continuing changes and conflict. As a lifetime Alamedan and owner of my home for 45 years, I will continue to stand up for my private property rights. There are two sides to every story. Before Thanksgiving, I offered the staff and planning board access to our yards and have not heard from anyone. Please come and tour OUR side of the fence.

Dee Keltner
1137 Bay St.
c# 510-409-6657

From: "ANDREW THOMAS" <ATHOMAS@alamedaca.gov>
To: "js dawson" <jscottdawson@hotmail.com>, "Dee Keltner" <deekeltner@comcast.net>, "David Sablan" <DSablan@alamedaca.gov>

Cc: "Antonia Nicosia" <antonianicosia@hotmail.com>, "David Burton (dburton@ktgy.com)" <dburton@ktgy.com>
Sent: Wednesday, November 30, 2016 5:47:35 PM
Subject: RE: Resubmitted Plans and Arborist Report

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From: "David Sablan" <DSablan@alamedaca.gov>
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David Sablan

Planner II

City of Alameda, Permit Center

(510) 747-6873

dsablan@alamedaca.gov

David Sablan

From: Dee Keltner <deekeltner@comcast.net>
Sent: Monday, December 12, 2016 7:28 PM
To: KEN JEFFERY
Cc: David Sablan; ANDREW THOMAS; DOUGLAS LONG
Subject: Fire compliance issue

Ken Jeffrey
I live behind 1208 Saint Charles and next to 1143 Bay Street. I join my neighbors in our concern for the proposed construction and the close proximity of all our properties. As a retired Alameda Fire Chief's daughter, I understand how quickly fire can happen and destroy. The submitted plans only show the applicants property lines, they do not show the adjacent properties, structures or the total size of the magnificent oaks.
Please make time and visit our site. Your opinion and comments are very important. Our city codes must protect ALL surrounding property owners.
I have lived in my home for 45 years & our neighbor at 1149 for 89 years, we are trying everything we can to protect our properties and our neighborhood. What happens with this plan could establish standards we might regret.
Thank you,
Dee Keltner
1137 Bay St
510-409-6657
(Chief Hilbish 1964)

From. Dee Keltner
Friends & Family multiply Joy!

David Sablan

From: js dawson <jscottdawson@hotmail.com>
Sent: Wednesday, December 14, 2016 10:51 AM
To: David Sablan; antonia nicosia; dee keltner
Subject: merging of parcels 1208 St. Charles

Hi David,

Antonia, Dee and I would like to know where in the application process the request to merge the parcels is. Has this been approved by the Planning Department as of today?

We are interested in filing an appeal to this administrative action if this has been approved.

If this has not been approved, I would like to be advised of the mechanism by which we will be informed when the application has been reviewed and approved by the City. As we stated last week, the granting of the set back was our condition for not contesting the merger. As the set back has been removed we will contest the merging of the parcel to be built on.

We would appreciate a response by today.

Thank you,

Scott Dawson
1143 Bay Street

David Sablan

From: js dawson <jscottdawson@hotmail.com>
Sent: Friday, December 30, 2016 2:03 PM
To: Janet Kern; ANDREW THOMAS; David Sablan; dee keltner; antonia nicosia; Jim Oddie; tspenser@alamedaca.gov; Malia Vella; Marilyn Ezzy Ashcraft; Frank Matarrese; David Burton; Kristoffer Koster; John Knox White; Sandy Sullivan; Lorre Zuppan; Ronald Curtis
Subject: Fw: 1208 St Charles CEQA application Coast Live Oaks
Attachments: Janet Kern email CEQA (003) (002).docx

Hello Ms. Kern,

Attached please review the attached document outlining my concerns regarding PLN15-0232 1208 St. Charles St.

I believe a misapplication of the California Environmental Quality Act has occurred. As there is a public hearing regarding this matter scheduled for January 9th, I would like your prompt attention to this matter. If the time frame for my request for information/discovery is too tight, I would ask that a postponement of the hearing be declared.

Furthermore, I believe as a City we should adopt more explicit guidelines when evaluating smaller projects where potential environmental impacts could occur.

One hundred year old trees deserve our respect and care. They provide homes for our wildlife. They are a defense against climate change. They provide gathering spots for successive generations and they add character to our beautiful City. They make Alameda a more livable place. All they ask in return is to not be disturbed unnecessarily.

For want of a three car garage we are contemplating the certain compromise of not 1 but 3 protected trees.

These trees could stand another 100 years. Give them a chance to do so.

Please review the CEQA provisions and see if they apply here. If nothing else, these magnificent gifts of nature deserve a second look.

Thank you,

Scott Dawson
1143 Bay Street

Dear Ms. Kern,

My name is Scott Dawson and I reside at 1143 Bay Street. I am currently working with the Planning Department concerning a project that is being contemplated on the property behind me at 1208 St. Charles Street. PLN15-0232.

I am asking for your legal interpretation concerning the Department's assertion that the project is categorically exempt from The California Environmental Quality Act (CEQA) guidelines under Provision 15303.(e) New Construction or Conversion of Small Structures. Class 3.

Below, please find portions of the guidelines that I believe are in conflict with that assertion.

15300.2. Exceptions

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstance

Discussion: In *McQueen v. Mid-Peninsula Regional Open Space* (1988) 202 Cal. App. 3d 1136, the court reiterated that categorical exemptions are construed strictly, shall not be unreasonably expanded beyond their terms, and may not be used where there is substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment.

I believe that given the environmental concerns regarding the construction of a 920-square foot building in such close proximity to Coast Live Oaks (environmentally protected by the State of California) that the City needs to fresh look at whether the CEQA law applies in this case.

I'm also concerned that given the fact that an application was received (and approved) by the Planning Department to merge the parcel at 1212 St. Charles St with the express intent to build in an environmentally sensitive area after concerns have been raised and identified needs clarification regarding whether this would have been allowed had the CEQA guidelines been applied previous to the application to merge been approved.

The intent of CEQA is to identify alternatives to lower risk of damage in environmentally sensitive areas. The granting of the merger of the parcels with the expressed intent (and known to the Planning Department at that time) to amplify the size of a proposed structure on that parcel is counter to the provisions of the CEQA guidelines.

California Public Resources Code Sections 21000-21004 generally state that:

- State agencies shall regulate the activities of private individuals, corporations, and other public agencies whose activities may affect the environment shall regulate to prevent environmental damage.
- Government agencies shall develop standards and procedures necessary to maintain, protect, rehabilitate and enhance environmental quality, including fish and wildlife populations and plant and animal communities.
- Projects carried out by public agencies shall be subject to the same level of review as private projects requiring approval by public agencies.
- No projects which would cause significant environmental effects should be approved as proposed if there are feasible alternatives or mitigation measures that would lessen those effects.
- Environmental impact reports (EIRs) shall be used to provide full public disclosure of the environmental impacts of a proposed project.
- EIRs shall include identification of all significant effects, alternatives, and potential mitigation measures.
- Local agencies should integrate CEQA with other environmental review, planning, and information gathering so as to cut costs and time and to apply the conservation of financial, governmental, physical, and social resources towards better mitigation.
- Identification of significant effects, alternatives and mitigation measures, as well as comments from the public and public agencies, and relevant information about significant effects should be made as early as possible in the process.

Failure to comply with CEQA to provide full disclosure of information during the CEQA process, which would result in relevant information not being presented to the public agency, would constitute prejudicial abuse of discretion leaving the project proponent open to possible lawsuits.

Ms. Kern, I would greatly appreciate your interpretation. Furthermore, I look forward to reviewing the specific documentation regarding the due diligence that the City Planning Department did in making their determination that CEQA guidelines would not apply here. The due diligence would include independent review of outside experts (peer review) in this field who are not associated with this project. If this has not occurred, I would suggest the City of Alameda mandate this step to take place. Funded by the applicant, and appointed by the City Council to remove influence or bias from the applicant or the Planning Department.

We also are requesting a full Environmental Impact Report (EIR) to be created as mandated by the CEQA guidelines.

The applicant is proposing to build four feet from a protected class of trees. I would also like clarification as to how close a structure must be to a tree under the protection of the State

California for the City of Alameda to consider that a possible environmental impact might be present.

We are formally protesting to you that a misapplication of the California Environmental Quality Act (CEQA) Guidelines, Section 15303 New Construction of Small Structures has occurred by the Planning Department. Please review Section15300.2 Exceptions (a),(b),(c), (f) and provide an interpretation of the City of Alameda's legal position regarding our concerns. If possible we would like to better understand this matter prior to the January 9th hearing. If this request is impossible due to time constraints, we request that you request a postponement in the hearing on this matter until this determination can be made public.

We look forward to your response.

Sincerely,

Antonia Nicosia M.D.

Dee Keltner

Scott Dawson

Planning Board Binder

Purpose:
To document support of efforts to preserve three Coastal Oaks on the property at 1208 St. Charles St. while preventing further and future damage to property at 1137, 1143, and 1149 Bay St.

Table of Contents:

Letter to the Members of the Planning Board

We would like to thank you all very much for taking the time to come out in the rain on November 19 to see the applicant's property. It is a spacious, magnificent place, made even more special by its Coastal Oaks!

You were also able to see, first hand, the impact Mr. Calpestri's design would have on the Oaks and the adjacent properties.

Since 1208 St. Charles changed hands last year, we have been eager to see the current garage, which borders our properties, rebuilt. For the past 7-10 years, we have had to endure the effects associated with deferred maintenance of the 1208 garage. The deferred maintenance of the garage includes water damage to the garage at 1143 Bay St and the toppling of a coastal Oak which fell on to 1137 Bay St. This damage was caused by improper drainage of the current structure and its proximity to the Oak and the 1143 garage.

Our goal is not to stop the applicant from rebuilding the current structure. Or goal is to support a design of a structure that protects the Coastal Oaks from root damage and our properties from further and future water damage.

Therefore, we ask that the new design be COMPATIBLE with the space and minimize congestion of current structures (garages at 1143, 1149 Bay and co-owned pool cottage at 1208 St. Charles. The new design must protect, beyond a doubt, the health of the 3 remaining Coastal Oaks. In addition, the new design must demonstrate a set back that will put an end to the water damage at the Bay St properties and allow for space to maintain accessory structures at all of the properties bordering 1208 St. Charles.

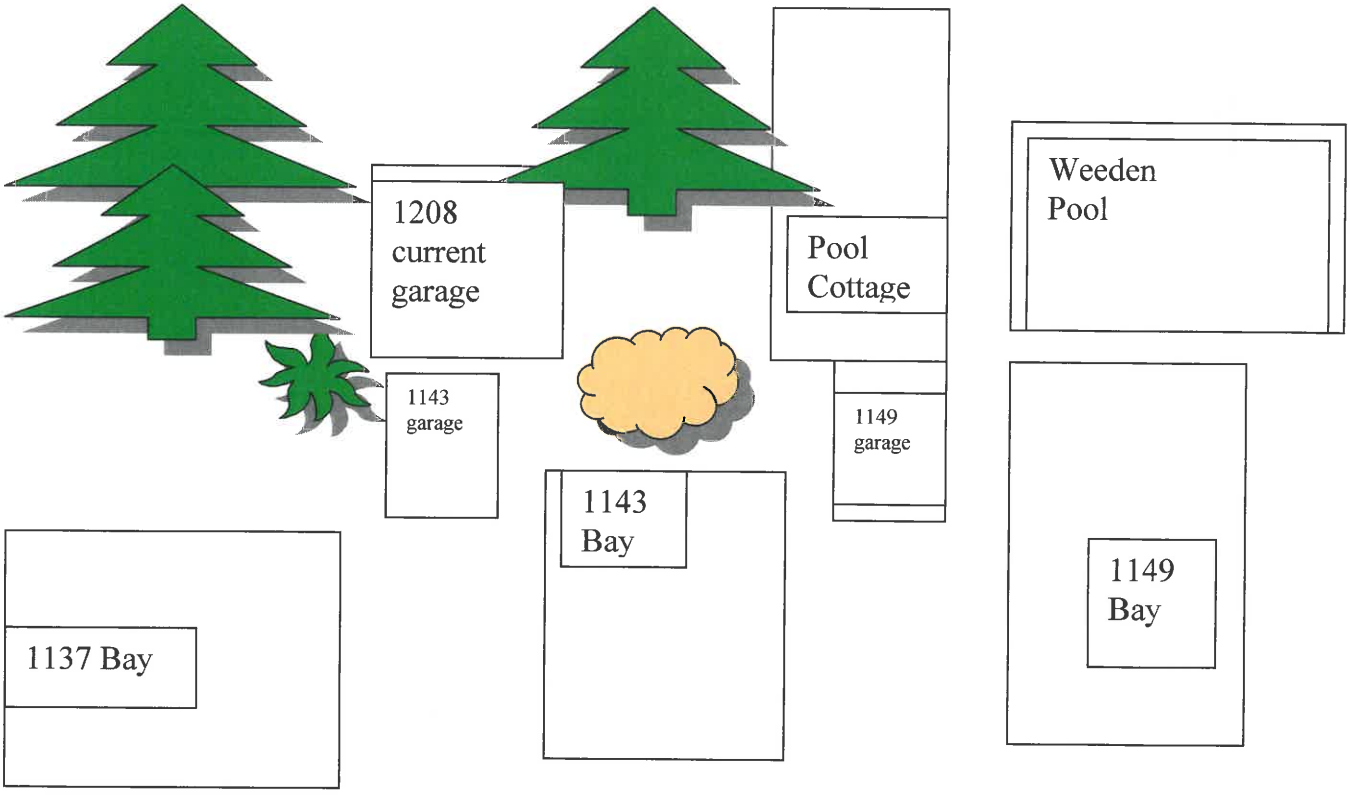
The purpose of the binder is to allow the planning board, Mr. Thomas, and Mr. Sablan an opportunity to review published data designed to help guide decisions regarding the impact of building structures in close proximity to Coastal oaks. We are hoping that this information will lead to an improved design by Mr. Calpestri and applicant. Going forward, we would endorse a design that preserves the health of trees and addresses the drainage issues a 920 sf 'accessory structure' in this specific space will pose.

Respectfully,

Antonia Nicosia MD
Scott Dawson
Dee Keltner

Description of Properties:

1208 St. Charles, a 28,000 sf property, borders 4 properties on Bay St.
On the property, a two car garage backs up to the garage at 1143 Bay St. This garage sits less than 21 ft from its pool cottage, a garage at 1149 Bay St, the back entrance to the kitchen and dining rooms at 1143 Bay St, and less than 4ft from the garage at 1143 Bay St. It is surrounded by the trunks of the 3 Coastal Oaks and sits under their canopy.



Key:
Coastal Oak

Toppled Coastal Oak

Maple Tree

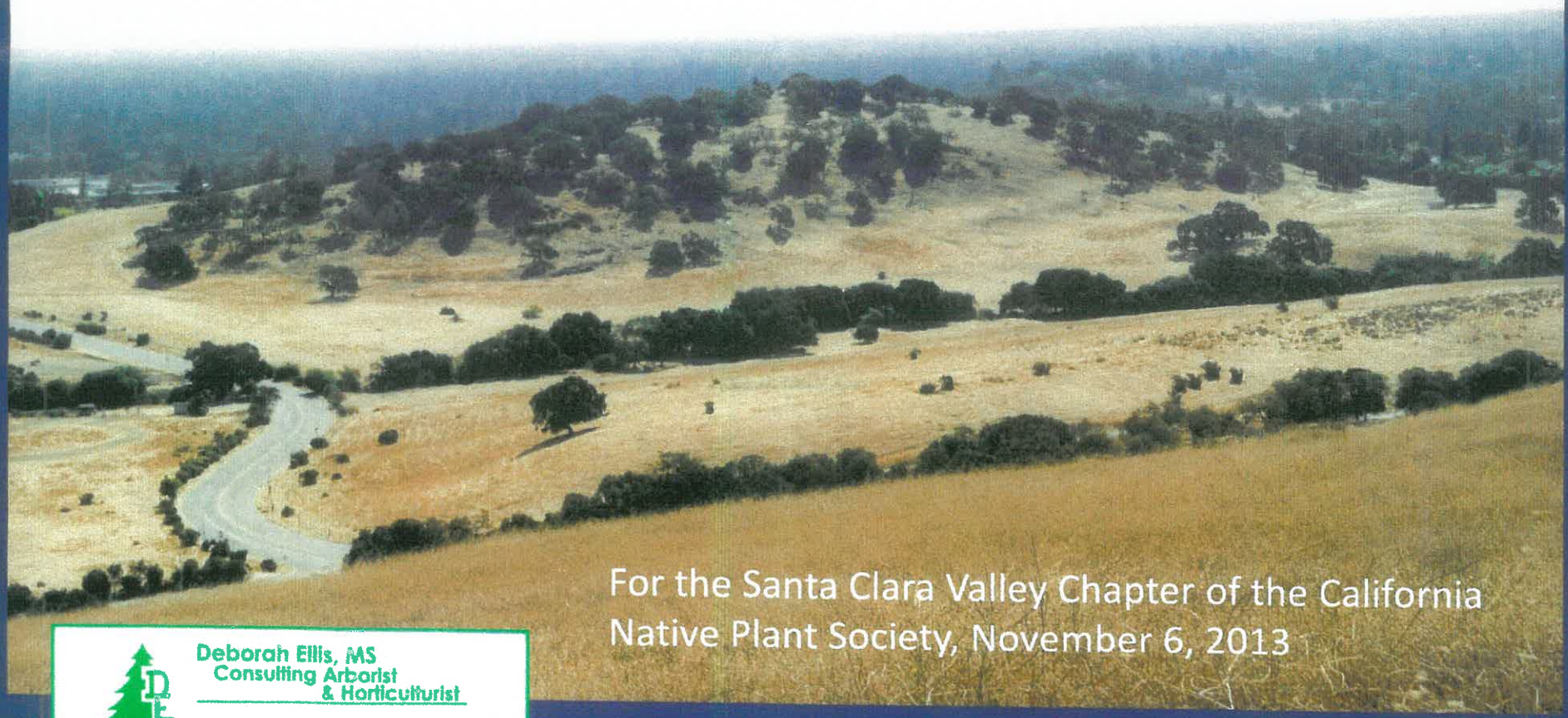
TREE ROOT PROTECTION DISTANCES

No one can estimate and predict with absolute certainty how far a soil disturbance such as an excavation must be from the edge of the trunk of an individual tree to effect tree stability or health at a low, moderate or severe degree -- there are simply too many variable involved that we cannot see or anticipate. **3xDBH** however, is a reasonable "rule of thumb" minimum distance (in feet) any soil disturbance should be from the edge of the trunk on one side of the trunk. This is supported by several separate research studies including (Smiley, Fraedrich, & Hendrickson 2002, Bartlett Tree Research Laboratories). DBH is trunk "diameter at breast height" (4.5 feet above the ground). This distance is often used during the design and planning phases of a construction project in order to estimate root damage to a tree due to the proposed construction. It tends to correlate reasonably well with the *zone of rapid taper*, which is the area in which the large buttress roots (main support roots close to the trunk) rapidly decrease in diameter with increasing distance from the trunk. For example, using the 3X DBH guideline an excavation should be no closer than 4.5 feet from the trunk of an 18-inch DBH tree. For trees with multiple trunks, an adjusted DBH is often calculated using 100% of the largest trunk plus 50% of the remaining smaller trunks. Such distances are guidelines only, and should be increased for trees with heavy canopies, significant leans, decay, structural problems, etc. I will generally not recommend a root protection distance of less than 5 feet for any tree, even very small trees. It is also important to understand that in actual field conditions we often find that much less root damage occurs than was anticipated by the guidelines. 3xDBH may be more of an aid in preserving tree stability and not necessarily long-term tree health.

6 to 18 X DBH is the minimum distance which is recommended in the *ANSI (American National Standard) A300 (Part 5)-2012 Management of Trees & Shrubs During Site Planning, Site Development, & Construction*, and also in the companion publication from the International Society of Arboriculture, *Best Management Practices, Managing Trees During Construction*, 2008. When the 6 to 18 x DBH distance cannot be met, "appropriate mitigation or determination that the work will not impact tree health and stability shall be performed", according to the ANSI Standard. ANSI A300 (Part 8) - 2013 Root Management, states: "When roots are damaged within 6 times the trunk diameter (DBH) mitigation shall be recommended." For practical purposes I use the 6 x DBH distance as the minimal distance acceptable (in most circumstances) in order to maintain good tree health and structural stability. The 6 x DBH distance or greater should definitely be used when there are soil disturbances on more than one side of the trunk.

OTPZ (Optimum Tree Protection Zone): OTPZ is the distance in feet from the trunk of the tree, all around the tree, that construction or other disturbance should not encroach within. If this zone is respected, then chances of the tree surviving construction disturbance are very good. This method takes into account tree age and the particular species tolerance to root disturbance. Although there are no scientifically based methods to determine the minimum distance for construction (for example, root severance) from trees to assure their survival and stability, there are some guidelines that are often used in the arboricultural industry. The most current guideline comes from the text, *Trees & Development*, Matheny et al., International Society of Arboriculture, 1998. Due to the crowded, constrained nature of many building sites it is often not be possible to maintain the OPTZ distance recommended for many of the trees -- therefore I have also listed alternate distances of 3 and 6X DBH.

LANDSCAPING AROUND CALIFORNIA NATIVE OAKS



For the Santa Clara Valley Chapter of the California Native Plant Society, November 6, 2013

Deborah Ellis, MS
Consulting Arborist
& Horticulturist

PO Box 3714, Saratoga CA 95070
408-725-1357
decah@pacbell.net
http://www.decah.com

Service since 1984

3xDBH

- DBH: Diameter At Breast Height (4.5 feet above the ground).
- Standard trunk diameter measurement height for Forestry, then Arboriculture
- Common size descriptor for trees
- Used to calculate many tree related concerns such as root protection distances
- 3xDBH – danger zone for whole-tree stability
- 5xDBH or greater – better for tree long-term tree health.
- 24” DBH tree – 3xDBH = 6 ft., 5xDBH = 10 ft.

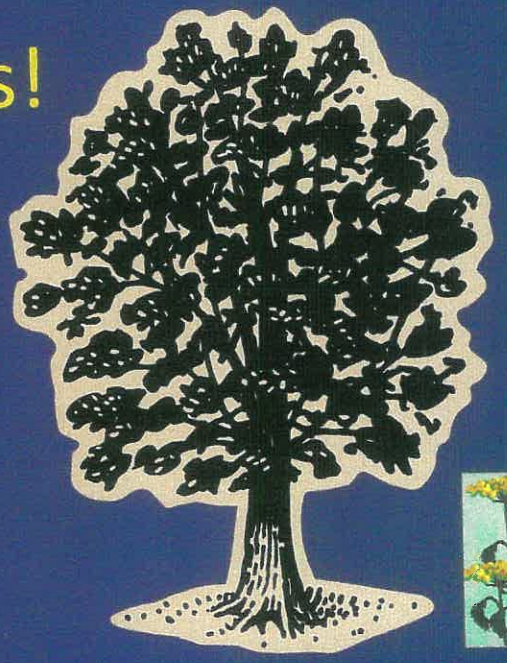
What Do They Really Want?

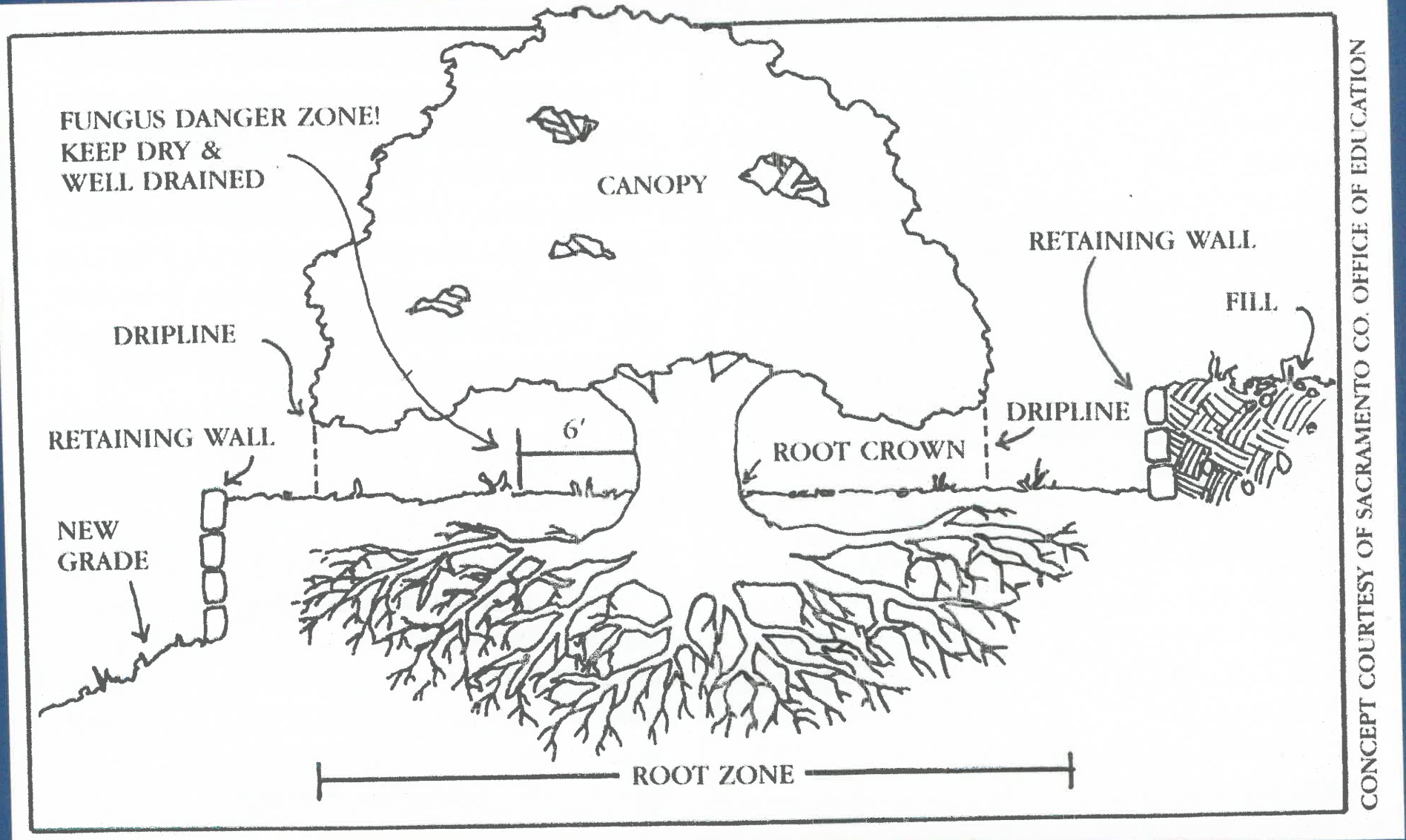
Guiding Principles

1. Provide as much undisturbed space as possible around trunk & canopy
2. Mulch as much of the ground surface underneath the tree's canopy as possible
3. Companion plantings should be "Summer Dry"
4. Pruning: be a minimalist

The Basics

- Keep it simple
- Less is more
- It's more than just the plants!
- Put the oak tree first!





Taken from: *Living Among the Oaks, a Management Guide for Landowners*. Johnson et al. U.C.C.E. at Berkeley, Natural Resources Program. No Date, > 10 years old.

My Advice....

1. Play it safe
2. Respect the typical tolerance of the species
3. Recognize the risk the tree can pose if mistreated

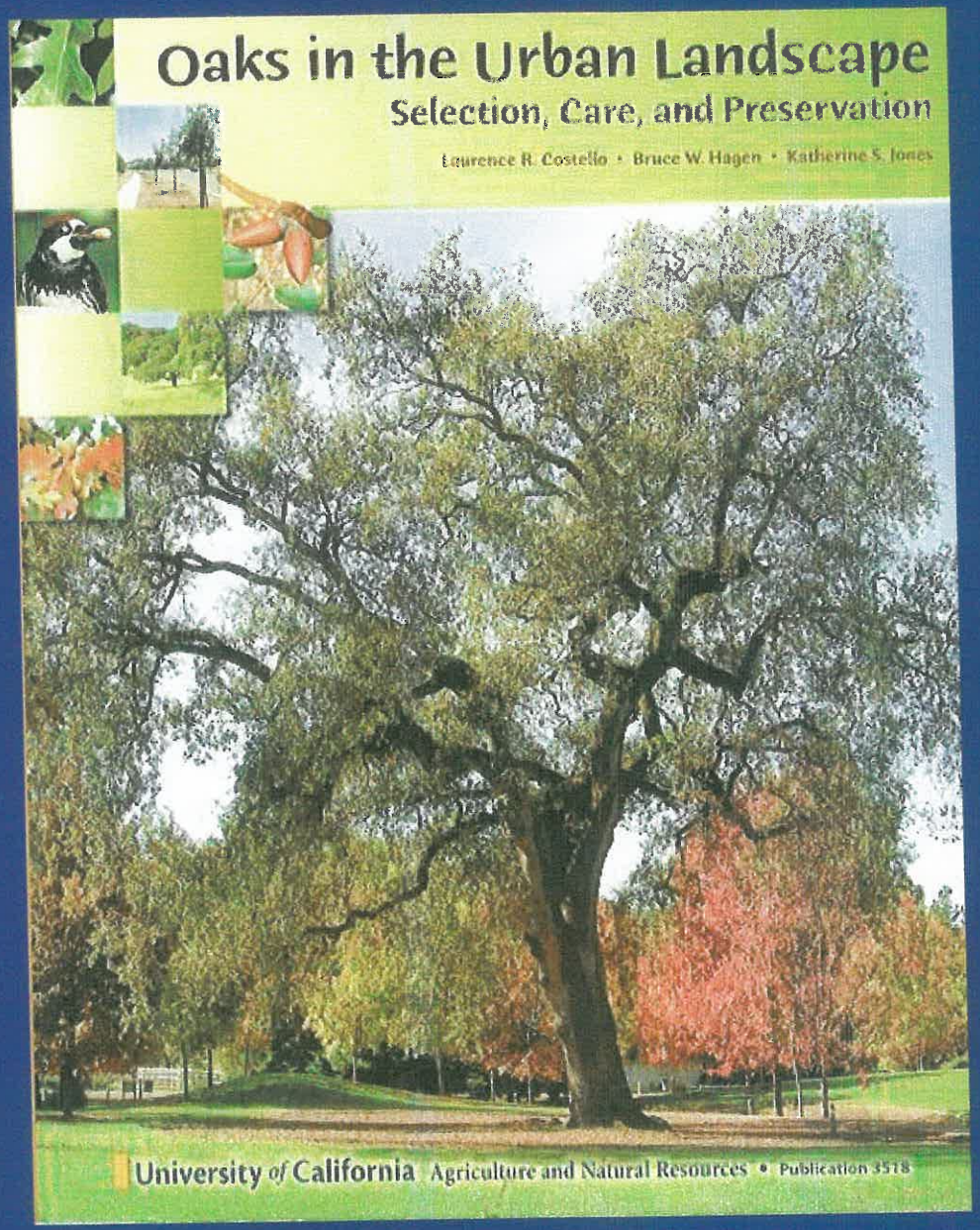
Other Good References

Oaks in the Urban Landscape, Selection, Care & Preservation.

Costello et al.

U.C.A.N.R. Publication #3518

U.C. Regents, 2011



Keeping Native California Oaks Healthy.

Hagen.

Tree Notes #7

CDF. June 1990

TREE NOTES

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Pete Wilson, Governor, State of California
Richard A. Wilson, Director
Douglas Wheeler, Secretary for Resources, The Resources Agency

NUMBER: 7 JUNE 1990

Keeping Native California Oaks Healthy

Bruce W. Hagen

Urban Forester, Resource Management, P. O. Box 670, Santa Rosa, CA 95402-0670

Oak trees in the residential landscape are often seriously damaged or killed during the construction and/or landscaping phase of development. Decline and early death may also stem from inappropriate landscaping and irrigation practices. Damage often takes years to become evident, and by the time the tree shows signs of decline it is usually too late to help.

Oaks and Summer Water

Once established, native oaks require little or no supplemental irrigation. In fact, they do best in non-irrigated soils. This is because oak roots, particularly those originating at the base of the trunk (root crown), are susceptible to root-disease fungi when exposed to prolonged moisture during the summer (Figure 1). These fungi are normally inactive in dry soil, but proliferate under the warm, moist conditions created when frequent summer water is applied. (Other species of trees are less susceptible to these fungi because they have evolved where summer soil moisture is high.) Oaks weakened by the loss of roots or root function are particularly susceptible to root pathogens and other pests. Frequent summer irrigation, particularly near the root crown, is likely to cause root decay which, over time, may destroy the roots, killing the tree or causing a hazardous situation. Therefore, irrigation for lawns, ground covers or other ornamental vegetation should be avoided or, at the very least, kept well away from the trunk. The common notion that younger oaks can adapt to frequent irrigation is incorrect. Young or newly planted oaks in irrigated situations often show signs of decline after 15 to 20 years.

Oak Roots

The roots of mature oaks grow predominantly within the upper three feet of soil. Most of the roots responsible for the uptake of water and minerals are concentrated within 18 inches of the surface. Few roots grow deeper than three feet. Although the roots typically radiate well beyond the periphery of foliage (drip line), much of the active root system is within the drip line (Figure 1). Roots are sensitive to environmental change (soil compaction, grade change, increased moisture, paving). Oak roots like those of most trees, are associated with beneficial fungi that resist pathogens in the soil and aid in the absorption of water and minerals. These fungi are easily killed by changes in soil conditions.

Common Problems That Occur During Construction and Landscaping

Life-supporting roots are frequently severed during construction or damaged by other construction practices that change the existing soil environment. The frequent irrigation of lawns and ornamental vegetation commonly planted under oaks after construction, leads to decay and progressive root loss. The net effect is reduced water and mineral uptake. This typically causes die-back and decline over one to many years. Few people associate this decline with construction or landscaping because the symptoms often develop gradually. Most of these trees will die or fall prematurely unless prompt remedial action is taken.

Activities That Damage Roots and Disturb the Soil Environment

Grade change. This involves either the addition or removal of soil within the drip line. Excavation can sever roots, while the addition of fill soil may suffocate them. Fill soils can also impede water infiltration and soil drainage, leading to drought conditions or waterlogging.

Trenching. Trenches dug for utility or irrigation lines within or across the drip line cut essential roots. This impairs the tree's ability to obtain water and essential elements, which may cause death, die-back, or gradual decline. It can also impede drainage and root development.

Pavement. Impermeable soil coverings such as asphalt or concrete restrict the amount of air, water, and minerals available to the roots. This impairs root growth and function, and can ultimately lead to their death.

Soil compaction. Frequent traffic, both human and livestock, and the operation and parking of heavy vehicles within the drip line, squeeze soil particles together, thus eliminating much of the natural air space. This reduces the infiltration and storage of water and air, inhibiting root growth and the uptake of water and minerals.

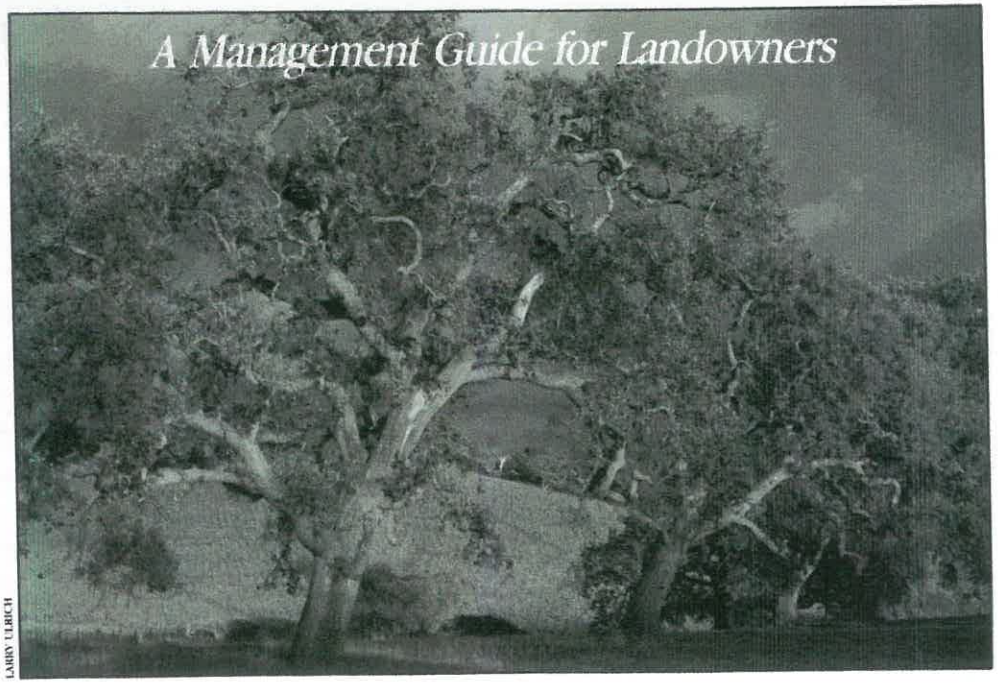
Living Among the Oaks, a Management Guide for Landowners.

Johnson et al.

UCANR

LIVING AMONG THE OAKS

A Management Guide for Landowners



LARRY ULRICH

What is more characteristic of the California landscape than the oak? Round-crowned oaks dapple the rolling hills, solitary monarchs shade our rural roads, and valley giants stretch skyward in banners of leaves and lichen. Both past and present-day travelers have stopped in awe of our native oaks, and countless photographs and memories are framed by their spreading, weather-worn branches. The oak is particularly emblematic of the inland regions of California, where scattered oaks, rolling pasture, and distant cattle are the common elements of an infinitely variable landscape.

In this region—often called the hardwood range by land managers—the vistas of oaks, pasture, and cattle bestow a tranquility that sometimes belies the fourth element—people. Like the earliest Californians, humans today come to the oaks for food, shelter, and beauty. As we appreciate the beauty of oak landscapes, we fatten our flocks on their bounty, and seek homesites in their shadows. But intensifying land use in the hardwood range has brought soil erosion, reduced forage production, poor regeneration among some species of oaks, and dwindling resources, due to development. Today the hardwood range clearly shows signs of the last hundred years of human habitation.

All Californians can assist in the protection and enhancement of native oak resources, but none are in a better position to do so than landowners in the hardwood range. These individuals shape the future by their decisions, which cumulatively direct the management and land use of more than seven million acres of California's oaks and pasture.

This brochure is designed for you—the landowner. It brings together a variety of current information about living and making a living among the oaks. The University of California Cooperative Extension hopes that you will find this information useful as you manage your land and make decisions that shape the future of your oaks.

OAKS GIVE US:

- **Shade & Shelter**
- **Increased Property Values**
- **Beautiful Carefree Landscapes**
- **Food & Fuel**

Needs and Conflicts

In designing and building homes, workspaces, storage areas, gardens, orchards, and places for animals, your decisions are shaped by your overall objectives for your land. Managing land as a residential site, for animal production, for wild or park-like qualities, all may require different actions. As you choose management objectives for your land and evaluate its suitability, also consider the oaks on those sites and whether your objectives are compatible with the basic needs of the trees. Careful planning and design can often provide benefits for both people and oaks.

Past development among the oaks has created specific areas of conflict. Various construction practices seriously injure oaks or inadvertently kill them, increasing fire hazards and creating liability and management problems. Gardening practices such as amending the soil, planting lawns, or irrigating under established oaks will kill them. Domestic animals and wildlife, as well as insect and fungus pests, also take their toll. In combination these elements can present formidable obstacles to the survival of mature oak trees. Harmful effects can be minimized, however, by thoughtful management practices.

UNIVERSITY OF CALIFORNIA COOPERATIVE EXTENSION AT BERKELEY, NATURAL RESOURCES PROGRAM

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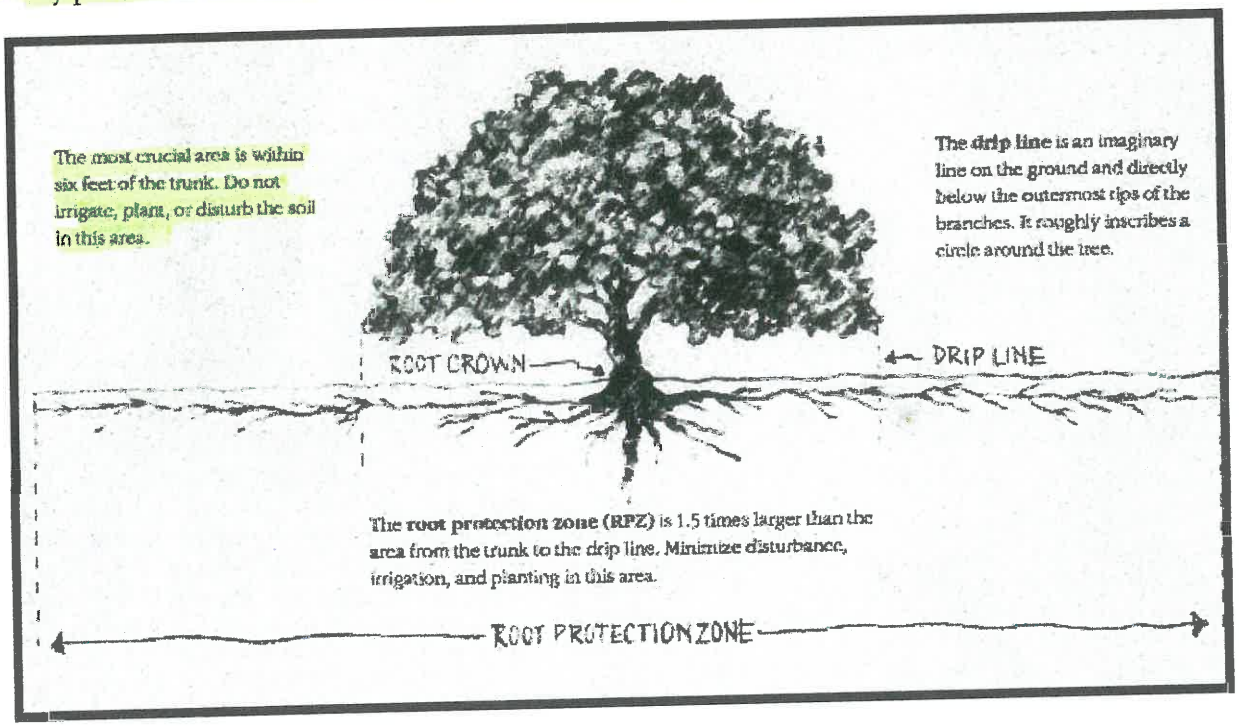
Care of California's Native Oaks
Bulletin of the California Oak Foundation

Native oaks, when young trees, are very tolerant of their environment and make excellent and adaptable landscape assets. The mature native oak is an invaluable part of our environment but does not tolerate many changes once established.

Architects, builders, homeowners, and others should be very careful in fitting their plans with these magnificent giants. Any substantial change in the mature oak's environment can weaken or kill an oak, even a healthy specimen.

A good rule of thumb is to leave the tree's **root protection zone (RPZ)** undisturbed. This area, which is half again as large as the area from the trunk to the dripline, is the most critical to the oak. Many problems for oaks are initiated by disturbing the roots within this zone.



A Word About Roots

Our native oaks have developed survival adaptations to the long, dry summers of most of California. Primary to this survival is the development and characteristics of its root system. When an acorn first sprouts, there is rapid root development and very little growth above ground.

This initial root is a tap root extending deep underground for dependable moisture. In fact, the tree's first few years are focused on establishing a deep sustaining root system. Once this has happened, greater foliage and above-ground growth takes place.

As the oak grows, the tap root is outgrown by an extensive lateral root system that spreads horizontally out from the trunk to and well beyond the dripline, sometimes as much as 90 feet. For

a mature oak, this horizontal root system is the primary supporter of the tree for the rest of its life. It includes the important fine roots, which absorb moisture and nutrients. Most of the root system occurs within the top three feet of soil. In shallower soil the root system is concentrated in an even shallower zone, typically one to two feet below the surface.

As the oak matures, particularly in areas naturally dry in summer, deep-growing vertical roots form off the laterals, usually within ten feet of the trunk. These sinker roots exploit deeper soil moisture and add stability to an increasingly massive tree.

By the time a mature oak has established its elaborate root system – so well designed for its environment and particular site conditions – it has lost the vigor of youth. It is less tolerant of change and can less easily recover to support a fully developed living structure.

To protect a mature oak, pay particular attention to drainage, and avoid filling, trenching, or paving near its root zone.

Fill Around Oaks

Soil and other materials placed on top of the natural soil level, called fill, are usually compacted. They make the soil less permeable, thereby restricting or prohibiting the exchange of gases and movement of water. Excessive moisture trapped by fill can also cause root and crown rot. Because there is no guarantee that fill can be safely added around an oak tree, it is best to avoid tampering with the natural grade, or to leave the natural grade within the root zone alone and use retaining walls.

Drainage

Poor drainage is a common cause of oak tree deaths, since adequate drainage is critical to ensure a proper balance of moisture, air, and nutrient to grow and survive. Too much moisture, particularly in the warm months when natural conditions are dry, can smother the roots and encourage the proliferation of crown and root rot fungi.

Another moisture threat to oak roots is presented by barriers such as concrete foundations and footings, streets, and swimming pools downhill of oaks. These structures can dam underground water, causing water to back up into a tree's root zone and drown it.

Trenching

Trenching is an often-overlooked cause of tree death. Trenching usually occurs when underground utilities are installed. Digging a trench for utilities within the RPZ of an oak can sever a significant portion of a tree's roots. Often, several trenches are opened by separate utilities. This multi-trenching is particularly destructive since it impacts a greater portion of the root system.

If utilities must impinge on the root protection zone of a native oak, the trench should be dug by hand, avoiding roots, or utilities bored through the ground at least three feet below the surface.

Paving

Paving can cause the same problems associated with soil compaction. Paving, such as asphalt and concrete, prevents water from soaking into the soil and impedes the exchange of gases between roots, soil, and the atmosphere. In addition, paving usually requires excavation to create a stable base and to allow for depth of paving material. This process compacts the soil and damages roots.

Decking placed on piers is much more compatible with mature oaks than paving.

Care of Established Oaks on Home Grounds

Oaks on home grounds require certain conditions to survive and prosper. Activities of concern to the homeowner are planting near oaks, irrigation and feeding, pruning, installation of home improvements, and disease and insect infestations.

Most native oaks in California evolved and prospered in an environment typified by a cool, moist winter and a hot, dry summer. Under natural conditions, surface soils are wet during the cooler months and become dry by summer. Natural vegetation growing beneath oaks flourishes during the winter and spring and dies by early summer, creating the well-known golden-brown landscape of California's valleys and foothills.

Native oaks, however, remain green because their thick, leathery leaves and other adaptive features reduce their water use. The homeowner should attempt to approximate the natural environment in which these magnificent trees are originally found.

Planting Near Oaks

Only drought-tolerant plants that require no summer water should be planted around old established oaks, and they should be planted no closer than six feet from the base of the tree. Do not plant exotic grasses, ivy, azaleas, rhododendrons, or any other vegetation that needs summer irrigation. Such plants develop thick mats of roots and thus inhibit the exchange of air and water the established oak has grown used to.

There are a number of plants, some of which are native to California, that can be grown beneath oaks. For an extensive listing of compatible plants useful for landscaping around oaks, contact the California Oak Foundation.

In place of plants, other types of ground cover can be used to landscape beneath oaks. When installed properly, cobbles, gravel, and wood chips are good examples of ground covers that do not interfere with the roots' ability to obtain oxygen and appropriate moisture.

Irrigating and Fertilizing

Native oaks usually do not require irrigation as they are well adapted to dry summer conditions. Healthy oaks are even able to survive the excessively dry summers sometimes brought on by California's variable climate. But if an oak has been compromised, as when impervious surfaces have been placed in the RPZ, occasional water may be helpful if done properly.

Oaks should be irrigated only outside of the RPZ. Under no circumstances should the ground near the base of a native oak be allowed to become moist during warm weather periods. Moist, warm soil near the base of a mature oak promotes crown and root rot.

Irrigation, if done, should be by the "deep watering method," which consists of a slow, all-day soaking only once or twice during the summer dry period. Frequent, shallow watering not only encourages crown and root rot, it also results in the growth of ineffective shallow roots near the surface, a needless waste of the tree's energy.

If oaks need supplemental watering, it is best to apply the water at times that lengthen the normal rainy season, so the normal dry period in the middle to the end of summer is preserved. For example, additional irrigation would be appropriate in May and September, while leaving the area under the tree dry in July and August.

Mature oaks usually need little or no supplemental fertilization. Light fertilization may be appropriate in landscaped situations to replace nutrients supplied by leaves and other litter that normally accumulates under an oak in its native environment. If leaves are allowed to remain under trees, they eventually break down and supply nutrients.

Fertilization should only be done if growth is poor. Fertilizers should be applied to the entire RPZ, ideally in late winter or early spring. Trees that have recently undergone severe pruning or root damage should not be fertilized for at least six months.

Often, when an oak tree shows yellowing leaves, one thinks it lacks nutrients. Generally, this is not the case. More likely, the tree is suffering from root or crown rot. When an oak appears unhealthy, consult a certified arborist to determine the cause.

Pruning

Excessive pruning or thinning of limbs may expose interior branches to sun damage, may stimulate the tree to produce succulent new growth that is subject to mildew, and, in some cases, may cause a decline in vigor or may kill a tree. *Only dead, weakened, diseased, or dangerous branches should be removed.* Necessary pruning should be done during the winter dormant period for deciduous species and during July and August for evergreen species. Recent research has shown that tree paint, wound dressings, and sealing compounds do more harm than good.

Pruning should be performed by a certified arborist according to the pruning standards of the Western Chapter of the International Society of Arboriculture.

Home Improvement

The installation of home improvements should be done with caution when oaks are located nearby. Trenching severs roots, and impervious surfaces placed over roots may result in the death of the oak. A swimming pool placed downhill of oaks can act as a dam and cause an oak to drown in saturated soil.

Great caution should be taken and a certified arborist consulted before proceeding with improvements that impact on the root protection zone of any valued native oak.

Diseases

When growing under natural conditions, native California oaks are relatively tolerant of most diseases. However, they are subject to several problems when disturbed or hampered by frequent summer watering.

The two oak diseases most often encountered in irrigating settings are crown rot and oak root fungus. Both attack trees weakened by disturbance or improper care.

Crown Rot
This is one of the most common and serious diseases of oaks in home plantings. Infected trees decline slowly over a period of years. The disease, caused by a microscopic fungus, is made worse by saturated soil and poor soil aeration.

Symptoms of this disease are a general decrease in tree vigor, twig die-back and wilting, abnormally yellow leaves, and formation of lesions on the bark accompanied by oozing of dark-colored fluid.

In most cases people notice crown rot too late for successful treatment. However, if the disease is caught in the early stages a tree can be saved. Comprehensive treatment is best left to a qualified expert. The following measures usually benefit the tree:

1) Remove lawn and other plants that require summer irrigation from within the RPZ.
2) Remove soil and all other debris that has accumulated against the trunk.
3) Do not water within the RPZ during the summer except under unusual conditions when advised by a certified arborist.
4) Improve drainage around the tree, and make sure all water drains away from the trunk.

Oak Root Fungus
This oak fungus, also known as *Armillaria* root rot, is found in the root systems of most oaks in California. Our oaks experience little damage from this fungus under natural, dry summer conditions. However, when oaks are watered in the summer or weakened by other impacts, the tree can suffer damage from the fungus.

Symptoms shown by an infected oak include die-back of branches and yellowing and thinning of foliage. The fungus itself may appear as a white, fan-like growth with rhizomorphs and mushrooms.

Prevention of damaging conditions is the only sure action that can be taken against this disease. Avoid summer irrigation near oaks. Prevent mechanical damage to major roots or root crown. As with crown rot and other tree diseases, it is recommended that a certified arborist be consulted.

Mistletoe
This parasitic plant grows on the branches of many oaks and can cause structural weaknesses that make branches more vulnerable to breakage. Its sticky seeds are spread from one tree to another by birds. The seeds germinate under favorable conditions, and rootlike structures find their way through the bark, ultimately becoming attached to the oak and tapping into the water-and-mineral-conducting tissues of the tree.

Small infestations can be controlled by removing the mistletoe and cutting back the oak's bark around the spot where the mistletoe stem entered the oak branch. Major infestations are difficult to control, however, and an arborist specializing in oaks should be consulted.

Other diseases

The health and vigor of oaks can also be compromised by a number of other afflictions that are not discussed here. Since 1980, for example, die-back and decline, particularly among the coast live oak (*Quercus agrifolia*), has been observed in widespread areas of California. Several fungi may be involved in this condition, and treatments are still experimental. Seek professional advice whenever you notice serious, unexplained decline in your oaks.

INSECTS

Innumerable insects find their livelihoods in the branches and leaves of oaks, usually without much consequence to the healthy tree. The oak gall, for example, is a harmless swelling of leaves and twigs in reaction to enzymes released where a wasp lays its eggs. Some galls are large and round, others resemble small wads of fuzz, stars, or tops; one, which looks like a tiny seed, falls from leaves in the late summer and occasionally jumps into the air like a Mexican jumping bean.

Some infestations, however, can cause serious damage. Insects such as pit scales (which appear as pinhead-sized scales on the bark of twigs), oak moth and other leaf-eaters can weaken oaks, making them susceptible to disease.

Whenever an insect infestation causes substantial leaf loss, changes in leaf color, twig die-back, sticky or sooty foliage and branches, or other significant changes in appearance, intervention may be required. Consult a certified arborist for assistance.

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The California Oak Foundation is dedicated to the conservation and perpetuation of California's native oak woodlands. The California Oak Foundation educates the general public and decision-makers about the importance of oak woodlands to California's wildlife habitat, watersheds, and quality of life through its newsletters, website, bulletins, books, symposia, and workshops.

Founded in 1988, the California Oak Foundation is a non-profit 501(c)(3) corporation that relies on memberships and donations to continue its work. Join us today and invest in the future of California's oak heritage.

INTRODUCING ...

The New ANSI A300 Standard: Part 8, Root Management

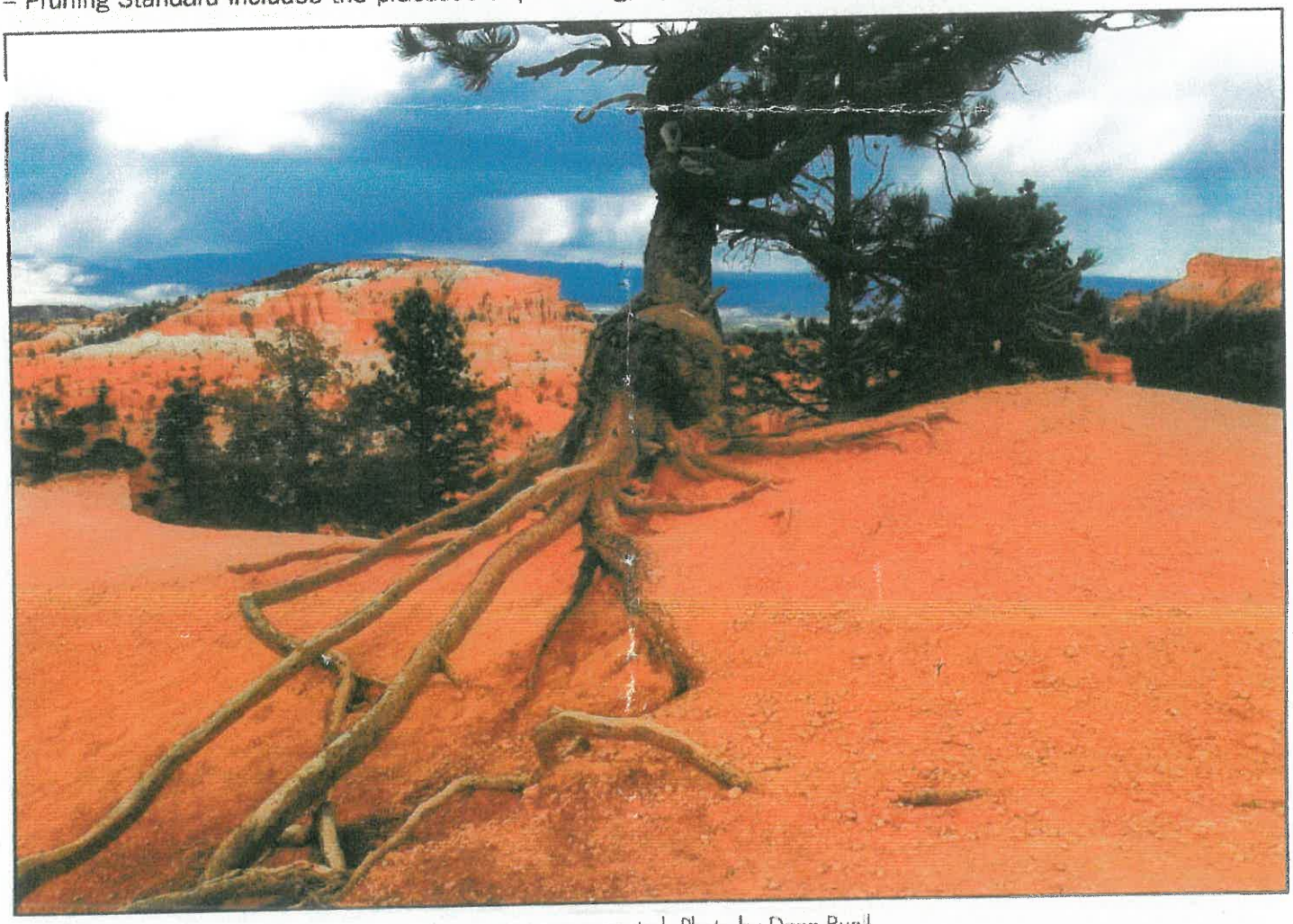
by Gordon Mann, Consulting Arborist and Urban Forester, ASCA Past President, and Owner of Mann Made Resources, Auburn, California; Guy Meilleur, Practicing Arborist and Aerial Consultant, Apex, North Carolina; Dane Buell, ANSI A300 Committee Chair and Director of General Tree Care, SavATree, Bedford Hills, New York

The ANSI A300 Committee is pleased to announce that the Part 8 - Root Management Standard has been published. The Committee has worked on the Part 8 Standard for several years, and it is finally ready for use! It was introduced at the last TCIA Expo and the SMA annual conference in November.

Like all ANSI A300 standards, Part 8 - Root Management standardizes the way tree care professionals write quality specifications—in this case, for managing tree roots. The ANSI A300 Committee stresses that the standards are not to be used as specifications in and of themselves. Rather, the standards create the framework for writing specifications. The standards cover the full scope of work practices; for example, the Part 1 – Pruning Standard includes the practices of pollarding, espalier, and palm pruning, and the new Part 8 - Root Management Standard includes the practices of selective and non-selective root pruning. Note that just "following the standard" allows all the practices present in the standard.

Tree care practitioners need to know about the standards, use them to write quality specifications, perform work in accordance with those specifications, and inspect work to assure compliance. The ANSI A300 standards are voluntary until they are included in specifications or adopted in a local, regional, or state law. The standards are referred to if work practices are challenged in a lawsuit.

ANSI A300 standards unify and take authoritative precedence over all previously existing tree care indus-



When tree roots are exposed, we may see things we never expected. Photo by Dane Buell

try standards and guidelines in the USA. ANSI A300 Standards are divided into nine parts, each focusing on a specific aspect of woody plant management; please see ***http://tcia.org/business/ansi-a300-standards*** for e full standards.

The ANSI A300 Standards have three major benefits:

1. They help engineers, building inspectors, planners, and landscape architects, and show that our profession has standards, just as theirs do.
2. They standardize the way we write clear specifications and work requirements for inclusion on construction plans to clearly guide their implementation.
3. They show tree owners that there are industry standards for managing and caring for their trees.

As urban tree care managers, our use of the standards helps define the quality of work. Quality specifications written in accordance with the different parts of the A300 standards all have the need for a clear ***objective*** – why are we doing the work? What is the intended outcome? What will the tree look like when we are done? What is the situation the tree owner or manager is looking to address? The more descriptive the objective, the better the framing and work envelope of the assignment can be laid out.

ANSI Standard Part 8 - Root Management helps in writing specifications that address things like how close a trench can be excavated near a tree, the scope or amount of root pruning allowable in reconstructing concrete removed to mitigate tripping hazards and infrastructure damage, the amount of stem-girdling roots that will be removed, or how to manage stem-circling roots and adventitious roots.

There are no simple answers for these questions, and the A300 Standards generally don't provide set limits such as minimum distance from trench to tree trunk. The tree care professional may have to do some exploratory excavation to observe where roots are present to establish distances to avoid damage to the trees. He or she has to also take into account how tolerant a given species may be to root pruning, and he/she must consider compacted soils or other site conditions that may have altered the natural growth pattern of the roots. In landscape designs, the professional must specify adequate soil volume for long-term tree growth. Given all these variables, there rarely are simple one-size-fits-all specifications.

Part 8 – Root Management helps us prevent or navigate the challenges we face with roots and soils: people can't see roots buried in soil; soil compaction which affects root growth can be easily done and is difficult to mitigate; someone else in the landscape oversight usually controls the irrigation design and schedule; arborists are often brought in after the root damage has been done; and root issues festering since planting may be difficult or incapable of being corrected.

Some examples for how to use the ANSI Part 8 - Root Management Standard language include:

Here you see oak tree roots in a trench dug for underground electrical. Instead of being pruned, the roots were retained and the pipe inserted underneath at the appropriate depth. Photo by Gordon Mann

80.3.1.1 *Specifications for root management should include, but are not limited to: objectives, treatment area, scope of work, methods, and timing.*

83.1.4 *Root management objectives shall be defined based on potential tree benefits, the intended use of the site, tree stability, and the scope of the assignment.*

80.3.2 *Practices that avoid damage to roots shall be preferred (See Annex A).*

83.3.4 *Inspection should include, but is not limited to, one or more of the following: conditions in the crown that may reflect root conditions ...*

83.3.5 *Mulch, soil, and other materials should be removed as needed to allow for the inspection.*

84.4.2 *Girdling roots should be exposed before pruning cuts are planned or made.*

84.4.3 *Retention of encircling or girdling roots that are providing more benefit than damage shall be considered.*

84.5.1 *When non-selective root cutting is necessary, roots shall be cut as far from the trunk as practical.*

These statements can be translated in the writing of specifications so that:

- [x] The objective calls for retaining a stable tree with as large a leaf canopy as possible and an adequate root volume to support normal growth.
- [x] The roots will be exposed before deciding which roots to cut (even with non-selective root pruning, we need an idea of what roots we are impacting).
- [x] The root cutting is done in the least injurious manner to the trees.
- [x] The roots are not to be excavated/removed until they are cleanly cut to avoid further damage on the tree side of the point of the root cutting (this can eliminate tearing of roots back towards the tree).
- [x] The closest distance non-selective root pruning will be performed is deemed sufficient for the tree size, trunk orientation/lean, species, root system, and site conditions. (There isn't a set distance; the BMP lists the minimum as "3 to 6 times the trunk diameter.")

The ANSI A300 Part 8 - Root Management standard is now available from SMA, ISA Chapters, ISA, and TCIA.

DEVELOPMENT

San Luis Obispo County

AROUND OAK TREES

ONE of the major challenges of land development in California is how to develop around oaks and still preserve them as an integral part of the landscape. Substantial changes to existing conditions are likely to weaken a healthy tree and may eventually result in accelerating its death. In locating structures, driveways, patios, etc., innovative design is often necessary to save or prolong the life of the existing oaks.

Avoiding any disturbance within and around the oak dripline will have the least impact on the oak. If this is unavoidable, the following summarizes development scenarios and ways to reduce impacts.

GRADING, CUTTING, FILLING, TRENCHING AND SOIL COMPACTION. Coast live oak trees have a very sensitive root system that consists of both shallow and deep roots. The extensive shallow (feeder) roots usually extend $^1/_3$ to ½ again the dripline-to-trunk distance beyond the drip line of the tree. Grading, cutting, or trenching around oak trees is often detrimental due mainly to the shallow feeder roots being cut or damaged by machinery, or exposed by scraping away the topsoil. This may weaken the tree by reducing its ability to take up water and nutrients from the soil.

During development, if trenching is necessary (e.g., for utilities) under oak trees, substantial portions of the root system can be severed, reducing the tree's ability to take up water and nutrients.

TREE PROTECTION MEASURES

- *Where possible, grading/trenching should be restricted to areas outside the drip line and root zone of the trees.*
- *A sturdy, temporary barrier should be placed around the tree dripline until construction activities are done.*
- *If trenches must be dug under oak trees, every effort should be made to put all utilities, etc. in one trench rather than digging many trenches. Tunnels and hand trenches are less destructive alternatives to machine trenching. Sometimes conduits can be bored through the soil for utility lines.*
- *Any roots permanently exposed from grading or scraping of topsoil should be cleanly cut just below the new soil grade.*

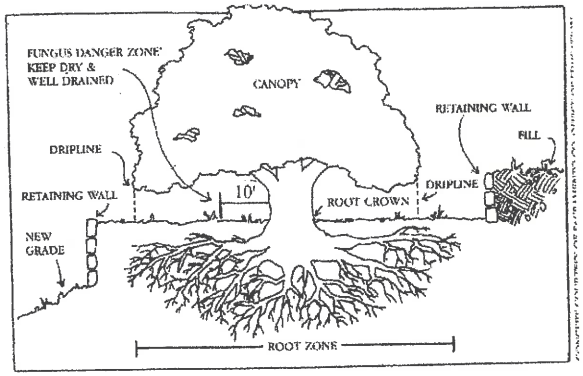
Filling (adding soil) and/or compaction under the drip line of oaks is also harmful because it impairs the ability of roots to "breathe". Oxygen is essential to root respiration and is directly related to the processes of active water absorption and nutrient uptake. Filling covers the extensive feeder root system and reduces soil aeration and gas exchange to the roots. Compaction eliminates "pockets" of oxygen and/or water within the soil. When deprived of oxygen, the roots of oak trees can suffocate, resulting in premature death of the tree.

While grade-changes outside the drip line and root zone of the oaks may not directly injure the tree, there are some indirect effects to consider. For example, if fill material outside the tree canopy results in change of drainage or water movement patterns so that soil under the tree is saturated, it may result in a weakening of the tree and susceptibility to crown or root rot. Also, substantial cuts away from trees may change drainage patterns and cause the soil to dry more rapidly in the summer. This could result in insufficient moisture available to the trees; in turn, they may die of a lack of water, or weaken with a greater exposure to disease.

- *Retaining walls could be used outside the root zone to retain the natural grade to protect existing root zones.*

Paving under oaks or in their root zone will have similar impacts as would the previously described compaction impacts. If paving is unavoidable, the developer should strive to:

- *keep paving out of the drip line of the tree and no closer than about 15 feet from the tree trunk.*
- *use a porous paving material, such as brick with sand joints, open bricks, bark, gravel, cobbles, redwood planks, etc.(this will allow some water penetration and gas exchange). Even with porous paving, the area around the trunk (at least a 10-ft radius) should be left natural and uncovered;*
- *maintain historic drainage and not create any pooling of water around the tree.*



MAINTENANCE OF OAKS AROUND HOMES AFTER DEVELOPMENT. The best advice for maintaining oaks is to leave the environment around them as natural as possible. Anything done to modify the environment will have an impact on oak trees. However, when modification is necessary there are certain measures that will reduce the impact. Landscaping within the oak drip line is okay with the following restrictions:

- *Plants should be chosen which do not: require summer irrigation; produce allelopathic substances (toxins that would poison the oak trees); or develop such a thick root and foliage mat that would not allow sufficient water*

http://www.slocounty.ca.gov/Assets/PL/Forms+and+Information+Library/Environmental+Forms+and+Documents/Development+Around+Oaks.pdf

permeability and gas exchange [see following list of native species plantable under oaks].

- ♣ *It is best to landscape away from the trunk.*
- ♣ *Vines should not grow up the tree trunk.*

PRUNING of oak trees is normally not necessary and should typically be limited to the removal of dead, weakened, dangerous, or diseased branches with no heavy pruning at any time. Light pruning can be done just about any time of year; however, heavier pruning of coast live oaks should occur during July-August. Excessive pruning may stimulate rapid new growth subject to mildew or other related diseases and should be avoided.

WEED-WHACKING around oaks should be done only if absolutely necessary for fire safety purposes, and if done, care should be taken to clearly identify and protect volunteer seedlings to avoid harm during this process.

SUPPLEMENTAL WATERING of new oaks may be needed to get them established over the first few years; however, once established they should be weaned from this supplemental water so they may rely exclusively on rainfall.

SUDDEN OAK DEATH (SOD) is a disease caused by *Phytophthora ramorum* that is currently spreading throughout California. It is not currently found in SLO county. This pathogen affects several native coastal trees and shrubs, but is most well known for its impacts on the "red" oak family (coast live oak, black oak and tan "oak"). The most useful diagnostic symptom for *P. ramorum* is the development of cankers on the trunk. Cankers have red-brown to black discoloration and seep dark black to red or amber sap. They usually develop 3 to 6 ft off of the ground, although they can be at soil level, or as high as 20 ft. or greater. Other oak-related diseases that exist in the county may emulate some of these conditions.

Phytophthora ramorum canker disease of oak has been called "Sudden Oak Death" due to the rapid (2 to 4 weeks) and complete browning of the crown observed on numerous trees at their death. While this sudden browning may occu , ath of the tree due to *P. ramorum* infection usually takes place after an extended period, and perhaps more than two years from the onset of infection.

When trimming or removing infected areas, the best option is to leave infested material on site and use it for firewood. Composting can also successfully kill the pathogen, but the compost must reach a high temperature of 130 degrees F for 2 weeks, which may not be possible or practical in a home composting site that may not have the proper mix of woody and green materials and be turned regularly. Chipping and leaving the chips on site is also recommended in generally infested areas. Because infestation levels are already thought to be high, the additional infested material will not worsen the local disease conditions. If chipping is not acceptable to the individual for aesthetic or other reasons, burning the materials on-site, where permitted, should be considered. Since there is no known cure for this problem, any material taken off-site has a high potential for inf g other areas and should be avoided.

Additional information on SOD can be obtained at the UC Co-Op Extension, Master Gardener group (SLO 781-5939, AG 473-7190, and PR 237- 3100)

USEFUL INTERNET SITES

California Oak Mortality Task Force - http://suddenoakdeath.org/

California Oak Foundation - http://www.californiaoaks.org/

Integrated Hardwood Range Management Program - http://danr.ucop.edu/ihrmp/

INFORMATIVE PUBLICATIONS

Pavlik, B. M.,P.C. Muick, S. Johnson and M. Popper (1991)"Oaks of California"; Cachuma Press

University of California Co-op Extension, Natural Resources Program (undated); "Living Among the Oaks–A Management Guide for Landowners" ♣

Compatible landscaping plants around oaks

Shrubs-Partial Shade

Carpenteria californica, Carpenteria
Ceanothus species: *C. griseus, C. thyrsiflorus, C. maritimus; plus cultivars: C. Joyce Coulter, C. Ray Hartman*
Cercis occidentalis, Western redbud
Cercocarpus betuloides, var. blancheae, Mountain mahogany
Eriogonum arborescens, Santa Cruz Island wild buckwheat
Garrya elliptica, Silk-tassel bush
Heteromeles arbutifolia, Toyon
Mahonia species (Barberries & Mahonias*): M. amplectens, M. dictyota, M. fremontii, M. Haematocarpa, M. bigginsiae, M. pinnata*
Prunus ilicifolia, Holly-leaf cherry
Rhamnus californica, Coffeeberry
Ribes species (Gooseberries): *R. aureum var. gracillimum, R. malvaceum, R. speciosum, R. sanguineum, R. viburnifolium*
Rosa californica, California wild rose
Rosa californica, "Plena" double California rose
Salvia clevelandii, San Diego wild sage
Salvia leucophylla,Coastal white sage

Shrubs-Full Sun

Fremontodendron californicum mexicanum and cultivars, *Fremontia*, Flannel bush, "California Glory", Pacific sunset"
Galvesia speciosa, Island snapdragon
Lupinus albifrons, Silver bush lupine
Lupinus chamissonis, Chamisso bush lupine
Mimulus aurantiacus, Bush monkeyflower
Mimulus puniceus, Red monkeyflower
Penstemon clevelandii, Cleveland's penstemon & other species
Romneya coulteri, Matilija poppy

Ground Covers

Baccharis pilularis subsp. pilularis, Dwarf coyote bush
Ceanothus griseus,var. horizontalis, Carmel creeper
Ceanothus maritimus, Hoover ceanothus
Ribes viburnifolium, Catalina currant

Evergreen Herbaceous Plants

Dryopteris arguta, Wood fern
Eriogonum umbellatum var. polyanthum, Buckwheat
Heuchera maxima,Giant alum root
Iris douglasiana and hybrids
Viguiera deltoidea var. parishii

Deciduous or Annual Herbaceous Plants

Clarkia species
Collinsia species, Chinese houses
Dodecatheon clevelandii, Shooting stars
Eschscholzia species, Poppies
Montia perfoliata, miner's lettuce
Oenothera species, Evening primroses
Sisyrinchium bellum, Blue-eyed grass
Viola pedunculata, Yellow pansy
Zauschneria californica, California wild fuchsia

Bulbs

Brodiaea species and related genera: *Dichelostemma pulchellum, Tritileta laxa*
Calochortus species, Mariposa lilies
Lilium pardalinum, Leopard lily
Trillium chloropetalum, Common trillium

Questions to be Considered *(refer to: **TAB A**, Landscaping around California Native Oaks, Deborah Ellis, Arborist, California Native Plant Society, 2013*

1. **How far does a Coastal Oak need to be from new construction in order to protect its root system from damage?**
    a. DBH (diameter of the tree at breast height) x 3ft (or 5ft if 2 sides of the tree are affected), is the standard accepted formula used to estimate protected distances from Coastal Oaks during construction.

Tree 1: construction should be 15 ft from tree on 2 sides to meet standard recommendations. If construction is only on one side of the tree, it is DBH x 3ft. Calculation: DBH x 5ft= 15ft for the proposed design submitted on November 14.

Tree 2: proposed design shows construction on 2 sides of this tree. DBH x 5 =14. Construction should be 14 feet away from tree on 2 sides.

Tree 3: proposed design shows construction on 2 sides of this tree. DBH x 5 = 10. Construction should be 10 ft away from tree on 2 sides.

2. **Who endorses the use of this calculation to protect Coastal Oaks?**
    -International Society of Aboriculture
    -American Society of Consulting Aboriculturists (ASCA)
    -Society of Municipal Arborists
    -American National Standards Institute (ANSI)

3. **Does DBH have any other benefit besides distance placement?**
    DBH gives cities the ability to assign specific risk factors which they are willing to undertake when evaluating individual projects.

4. **Were specific tree risk assessments conducted on the trees at 1208 St. Charles St?**
    a. No. The preliminary arborist report submitted by the applicant is limited to the condition of the trees at the time of inspection. A root risk analysis was not conducted.
    b. Risk analysis is recommended prior to design approval.

Drainage Questions

1. **How does the proposed design intend to prevent drainage into the root systems of the Coastal Oaks?**

2. **How does the proposed design intend to prevent drainage onto the property at 1137 Bay St.?**

3. **How does the proposed design intend to prevent drainage into the garage and root system of the Maple tree at 1143 Bay St.?**

4. **How does the proposed design intend to allow for maintenance of the structure once it is built if it is not set back an appropriate distance from the property line and the garage at 1143 Bay St.?**

5. **How is the proposed design compatible with its surroundings given the close proximity of 3 accessory structures and a cottage?**

6. **How does the proposed design mitigate future building congestion concerns and protect property values on Bay St.?**

Summary

We ask the board to consider all of the information submitted in this binder. The information submitted in this binder supports the fact that a more conservative distance between the trees and proposed construction is needed. We feel modifying the proposed garage design will be in keeping with current standards that ensure the protected status of Coastal Oaks.

Going forward, we would like the Planning Board to take the opportunity to consider a new design for the 1208 garage that is compatible with its surroundings. This is our chance to save a piece of the environment, to correct the zoning decisions of the past, and to allow the applicant to build a garage for his cars while protecting his trees and the property of his neighbors.