

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: February 14, 2018

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of an appeal of the Community Development Director's decision to approve a Grading Permit to allow 590 cubic yards (c.y.) of grading to construct a new residence and basement. The property is located at 900 Menlo Oaks Drive in the unincorporated Menlo Oaks area of San Mateo County.

County File Number: PLN 2017-00262 (Mahadevan)

PROPOSAL

The appellant has appealed staff's decision to approve a Grading Permit to allow 590 c.y. of grading, composed of 540 c.y. of cut and 50 c.y. of fill, in association with the excavation and construction of a 990 sq. ft. subterranean basement and a new 5,043 sq. ft. single-family residence. The grading and construction of the new residence will involve the removal of three significant trees including: one 20.9" diameter at breast height (dbh) Irish yew located mid-parcel, one 20.7" dbh coast live oak located mid-parcel in the left side yard, one 28.7" dbh incense cedar located in the front left yard of the subject property, and the removal of thirteen other non-significant sized trees of varying species located throughout the parcel. The appellant states that: (1) the noticing for tree removal was inadequate, (2) the house can be redesigned or moved to save the 20.7" dbh coast live oak tree and a smaller 6.9" dbh coast live oak tree proposed for removal, (3) too many trees in general are proposed for removal, and (4) the tree replacement standards for this project are inadequate. The appellant states that replacement trees should be of sufficient size and number to replenish the tree canopy within 10-years' time.

RECOMMENDATION

That the Planning Commission deny the appeal and uphold the Community Development Director's decision to approve the Grading Permit, County File Number PLN 2017-00262, by making the findings for approval and imposing the conditions of approval included in Attachment A of this staff report.

SUMMARY

On November 10, 2017, the Community Development Director approved the above mentioned Grading Permit. On November 27, 2017, an appeal to the decision was

filed stating that the too many trees are proposed for removal, tree removal activities were not noticed correctly, that the house could and should be redesigned to save oak trees #24 and #25, and that the tree replacement standards for this project are inadequate.

Planning has reviewed the application and has found that: (1) the proposed grading and related tree removal activities, as conditioned, would not have a significant effect on the environment, (2) the project complies with all applicable development standards of the R-1/S-100 zoning district, (3) the project is consistent with the Low Density Residential Urban General Plan land use designation of the neighborhood, (4) the project complies with the Land Clearing and Grading Ordinance, (5) the removal of the significant trees was noticed correctly under the Grading Ordinance and, (6) the tree removal is necessary to facilitate the construction of the proposed project due to the heavily wooded nature of the project parcel.

The project has received conditional approval by the Building Department, Department of Public Works, Geotechnical Section, and Menlo Park Fire Protection District.

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PLANNING AND BUILDING DEPARTMENT**

DATE: February 14, 2018

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SUBJECT: Consideration of an appeal of the Community Development Director's decision to approve a Grading Permit, pursuant to Section 9280 of the San Mateo Ordinance Code, to allow 590 cubic yards (c.y.) of grading to construct a new residence and basement. The property is located at 900 Menlo Oaks Drive in the unincorporated Menlo Oaks area of San Mateo County.

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PROPOSAL

The appellant has appealed staff's decision to approve a Grading Permit to allow 590 c.y. of grading, composed of 540 c.y. of cut and 50 c.y. of fill, in association with the excavation and construction of a 990 sq. ft. subterranean basement and a new 5,043 sq. ft. single-family residence. The grading and construction of the new residence will involve the removal of three significant trees including: one 20.9" diameter at breast height (dbh) Irish yew located mid-parcel, one 20.7" dbh coast live oak located mid-parcel in the left side yard, one 28.7" dbh incense cedar located in the front left yard of the subject property, and the removal of thirteen other non-significant sized trees of varying species located throughout the parcel. The appellant states that: (1) the noticing for tree removal was inadequate, (2) the house can be redesigned or moved to save the 20.7" dbh coast live oak tree and a smaller 6.9" dbh coast live oak tree proposed for removal, (3) too many trees in general are proposed for removal, and (4) the tree replacement standards for this project are inadequate. The appellant states that replacement trees should be of sufficient size and number to replenish the tree canopy within 10-years' time.

RECOMMENDATION

That the Planning Commission deny the appeal, and uphold the Community Development Director's decision to approve the Grading Permit, County File Number PLN 2017-00262, by making the findings for approval and imposing the conditions of approval included in Attachment A of this staff report.

BACKGROUND

Report Prepared By: Laura Richstone, Project Planner, Telephone 650/363-1829

Appellant: John Danforth

Applicant: Eugene Sakai and Sean Rinde for Studio S Squared Architecture

Owner: Rohan Mahadevan

Location: 900 Menlo Oaks Drive, Menlo Oaks

APN: 062-160-090

Parcel Size: 31,193 square feet

Existing Zoning: R-1/S-100 (Single-Family Residential/Menlo Oaks Combining District)

General Plan Designation: Low Density Residential Urban

Sphere-of-Influence: Menlo Park

Existing Land Use: Single-Family Residential

Water Supply: California Water Service – Bear Gulch

Sewage Disposal: West Bay Sanitary District

Flood Zone: Zone “X” (Area of Minimal Flooding); Panel No. 06081C0306E, effective date October 16, 2012

Environmental Evaluation: This project is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15303, Class 3, consisting of the construction and location of limited numbers of new, small facilities or structures; in this case, a single-family residence in a residential zone.

Setting: The subject parcel is located in the unincorporated residential community of Menlo Oaks. The subject parcel is relatively flat, approximately 100 feet wide, heavily forested, and developed with an existing single-family residence. A total of 40 trees of varying species consisting of 23 significant-sized trees and 17 non-significant sized trees are located throughout the 31,193 sq. ft. parcel. Adjacent parcels are similarly forested and developed with single-family residences.

Chronology:

<u>Date</u>	<u>Action</u>
August 21, 2017	- Application submitted for 590 c.y. of grading and the removal of 3 significant and 13 non-significant sized trees to construct a new single-family residence and subterranean basement.
September 29, 2017	- Application is deemed complete.

- October 2, 20107 - Public notice sent out. Public comment period opens.
- October 18, 2017 - Public comment period closed. Seventeen comments were received by Planning Staff.
- October 18, 2017 - Planning Staff requests a revised arborist report to address issues raised during the public comment period.
- October 25, 2017 - Applicant submits revised arborist report dated October 24, 2017.
- November 10, 2017 - Project approved by the Community Development Director. Decision letter sent to the applicant and all interested parties who had comments on the project.
- November 27, 2017 - Appeal filed by John Danforth. Subsequently, the applicant entered into discussions with the appellant regarding tree replacement.
- January 24, 2018 - Planning Commission hearing.

DISCUSSION

A. KEY ISSUES

1. Appellant's Basis for Appeal

The appellant submitted an appeal letter in opposition to the Community Development Director's decision to approve the Grading Permit, PLN 2017-00262. The appellant disagrees with the decision to allow the grading activities and associated removal of three significant and 13 non-significant sized trees based on the following concerns. The key points to the appellant's appeal are outlined below followed by staff's response.

a. Inadequate Notice of Tree Removal

The appellant contends that the applicant should be required to obtain a Tree Removal Permit for this project and states that applications for Grading Permits should not eliminate or reduce the public noticing requirements found in the Significant Tree Ordinance. Furthermore, the appellant states that the noticing regarding the trees proposed for removal was inadequate.

Staff Response:

When Tree Removal and Grading Permits are Required

When a request for a Grading Permit includes significant tree removal activities, the Planning and Building Department evaluates the proposed tree removal as part of the Grading Permit. A separate Tree Removal Permit is not required. This practice is authorized by Section 12,020.1(e), *Exemptions*, of the San Mateo County Significant Tree Ordinance, which states that *...No permits shall be required under this Part [the Significant Tree Ordinance of San Mateo County] in the following circumstances: Tree cutting which has been authorized by the Planning Commission, Design Review Committee, or Community Development Director as part of a permit approval process in which the provisions of the Part have been considered and applied.*

Grading Permits are required when a licensed civil engineer estimates that 250 c.y. or more of cut and fill, combined, is expected to accommodate a proposed project. The current project, proposes a total 590 c.y. of grading, and thus requires a Grading Permit. Through its review and approval of the required Grading Permit, the Planning and Building Department has considered and applied the provisions of the Significant Tree Ordinance. Thus, in accordance with Section 12,020.1, the proposed project does not require a separate Tree Removal Permit. A Tree Removal Permit would only be required if the proposed project did not need a Grading Permit (for example, if the project required less than 250 c.y. of grading).

In cases such as these, where a Grading Permit is required rather than a Tree Removal Permit, the Planning and Building Department provides the public notice required pursuant to the Grading and Land Clearing Ordinance. The differences in notice requirements are detailed below.

Noticing Required for Tree Removal Permits

Per Section 12,021.2 (*Posting Notice of Application*) of the Significant Tree Ordinance, public noticing for a Tree Removal Permit shall consist of a posted *notice of application... on each tree for which a permit is required and [in a] conspicuous location clearly visible to the public.* In addition, Section 12,021.2 states that the posted tree removal application notice must *indicate the date, [provide] a brief description of the [trees to be removed], identify the subject property, [identify] the address to which comments may be directed and from which further information may be obtained, and [provide] the final date of receipt for comments.* As a courtesy, the County also mails a notice of tree removal application to all property owners within a 100-foot radius of the project site. This courtesy notice to neighbors is not required by the Significant Tree Ordinance.

Noticing Required for Grading Permits

Under the Land Clearing and Grading Ordinance (Grading Ordinance), public noticing requirements for a Grading Permit must include the same information as that required for a Tree Removal Permit notice (e.g., description, project location, planner contact information, etc.). Section 9289 of the Grading Ordinance establishes the following noticing requirements: *Ten (10) days prior to the action by the Planning Director public noticing for Grading Permits consists of a mailed notice to all property owners within three hundred (300) feet of the exterior limits of the property for which the application is proposed and the date on or after which the application will be acted upon.* The notice also includes a project description that identifies the amount of grading proposed and any related significant tree removal activities. Unlike the Significant Tree Ordinance, the Grading Ordinance does not require that a poster be placed on the site. As noted above, the Grading Ordinance requires a mailed notice to property owners in a 300-foot radius, while the Significant Tree Ordinance has no such requirement (although County practice is to provide a courtesy notice within a 100-foot radius).

Public Notice Sent for this Application

Per the Grading Ordinance, the public notice for this project was mailed to all homeowners within 300 feet of the subject parcel, as well as to the Menlo Oaks Tree Advocacy (MOTA) and the Menlo Oaks District Association (MODA) on October 2, 2017. Following the public noticing, MODA and MOTA requested and received the arborist report (dated June 6, 2017) that identified each tree proposed for removal in addition to the required mailed public notice of grading activities. The mailed notice (Attachment F) specified the proposed grading quantities, identified the significant trees to be removed by size and species, provided the assigned planner's contact information, and prompted any member of the public to contact the planner if they had any questions or concerns about the proposed grading and tree removal activities.

During the comment period, the Planning Department collected all comments received, answered clarifying questions about the project, and provided copies of the arborist report and tree protection plan upon request to interested members of the public. All comments were formally summarized and addressed in the Community Development Director's decision letter, dated November 10, 2017 (Attachment G).

Additional Noticing Requested

The different noticing requirements for grading and tree removal permits, and the appellant's desire to apply both noticing requirements

in instances where grading will result in tree removal, was discussed at the January 10, 2018 Planning Commission meeting. During that discussion, the Community Development Director identified that updates to the tree removal regulations currently underway will provide an opportunity to clarify noticing requirements. In the meantime, the Community Development Director agreed to require on-site posting of tree removal requests associated with grading permit applications.

The Planning and Building Department's general practice is to not change the regulations that apply to a project after a permit application has been submitted. Nevertheless, following the January 10, 2018 Planning Commission meeting, staff suggested to the applicant that he voluntarily post a notice on-site identifying the proposed tree removals. As of the writing of this report, a tree removal notice has been posted on the project site and the significant trees proposed for removal have been wrapped with caution tape to increase their visibility.

b. Objection to the Removal of Oak Trees #24 and #25 Due to Tree Canopy Impacts

The appellant objects to the total number of significant and non-significant trees proposed for removal. Specifically, the appellant objects to the proposed removal of the 20.7" dbh significant oak tree (tree #24 shown on the Tree Protection Plan) and the removal of the 6.9" dbh non-significant oak tree (tree #25). The appellant states that these oak trees are critical to the tree canopy in the immediate area due to: (1) the large number of non-significant trees proposed for removal, (2) oak tree #25's potential to grow into a mature oak tree, and (3) due to the large number of significant trees removed throughout the Menlo Oaks neighborhood to accommodate various construction projects.

Staff Response:

Significant Tree Ordinance Criteria

Section 12,012 of the Significant Tree Ordinance defines a significant tree as any live wood plant with a single stem or trunk with a dbh of 12" or larger. All trees meeting this size threshold are protected and require a discretionary permit for removal. For the Menlo Oaks Combining District (R-1/S-100), trees that fall under the 12" dbh size threshold are not protected, do not require a permit to be removed, and can be removed by right.

Removal of Multiple Oaks

In addition to the removal of three significant trees, the original project application also included the removal of 13 non-significant trees of various species located throughout the parcel. Though these smaller non-significant sized trees are not protected by the Significant Tree Ordinance, in response to public comments, the County required as a condition of permit approval in the decision letter (dated November 10, 2017), that the applicant preserve two non-significant sized oak trees (#3 & #11) originally proposed for removal (see Condition of Approval No. 12). The Planning Department determined that non-significant oak tree #25 could not be preserved because it is within the footprint of the proposed development. The Planning Department further determined that significant oak tree #24 could not be saved due its location. Oak tree #25 is located immediately adjacent to the proposed light well for the basement, in an area of high disturbance, and where severe root loss and damage from grading and construction activities is expected (see Section A.1.c below for further discussion).

Removal of Other Trees within the Menlo Oaks Neighborhood

Though other recently approved projects within the Menlo Oaks neighborhood may have necessitated the removal of trees, these projects are subject to the rules and regulations contained within the County's Significant Tree Ordinance. If these projects involved the removal of significant sized trees, as defined by the ordinance, they would have been required to obtain a discretionary permit from the County. Prior to approval, any such permits would have required public notice, public comment, and County review an analysis. All such permits would be subject to appeal.

Tree Canopy Concerns

In response to comments received during the comment period, Planning Staff requested that the applicant provide an updated arborist report to address the comments. This report, prepared by Kielty Arborist Services LLC, was received by the Planning Department on October 25, 2017. The report noted that oak trees #24 and #25 are not visible from the street and that their removal and subsequent reduction in tree canopy would only be noticeable to immediately adjacent neighbors. In response to this appeal, a tree canopy report prepared by Kielty Arborist Services on December 15, 2017 (see Attachment J) estimated that all significant trees located on the subject site provided 13,896.5 sq. ft. of tree canopy coverage. The report did not assess the canopy coverage provided by the non-significant trees located on the parcel. The removal of significant trees #21, #23, and #24 would constitute a 1,134.3 sq. ft. (or 8%) loss of

significant tree canopy provided by significant trees. The removal of significant oak tree #24 would have a low impact on the tree canopy of the site, as it provides 314.2 sq. ft. (or 2.26%) of the total significant tree canopy. While the removal of these three significant trees would reduce the overall tree canopy of the 31,000 sq. ft. parcel, replacement trees would be required per County regulations (see Section 1.e below for further discussion) to compensate over time for the canopy reduction.

c. Danger to the Proposed Structure

The appellant states that the proposed residence should be redesigned to save oak trees #24 and #25, contending that if the proposed residence was redesigned, the trees would not pose a danger to the structure. The appellant also notes that houses in the Menlo Oaks area are regularly built near existing trees, and that there is no reason why this project cannot be built near these tree without removing them.

Staff Response:

Oak Tree #25

The applicant is proposing to remove non-significant oak tree #25 because it is within the development footprint of the proposed back patio, and because the site arborist recommended its removal. The arborist report dated June 6, 2017, and a revised arborist report dated October 24, 2017, recommended that non-significant oak tree #25 should be removed regardless of if a new house it built or not because the tree is heavily suppressed by adjacent redwood trees and will continue to grow at a lean toward the location of the existing and proposed home. Staff preformed a site visit on December 8, 2017 and noted that coast live oak tree #25 is growing under the canopy of the larger coast live oak tree #24 and is leaning approximately 15 degrees toward the location of the existing and proposed residence (see Attachment K). Due to the non-significant status of oak tree #25, which means that County approval is not required for its removal, as well as the lean of the tree and the recommendation of the site arborist, staff supports the applicant's proposal to remove this tree.

Oak Tree #24

In response to comments received during the comment period, staff requested a revised arborist report that assessed whether significant oak tree #24 could be preserved and what risks (if any) were associated with preserving the tree. As noted in the revised arborist report dated October 24, 2017 (Attachment I), oak tree #24 is suppressed by adjacent redwood trees #26 and #27 and as a result is

growing at a lean toward the existing house. The report concluded that there is no way to correct the lean of oak tree #24 without removing redwood trees #26 and #27. The report states that if oak tree #24 were to be retained it would need to be pruned yearly to provide a 6-foot vertical fire clearance and to reduce the heavy end weight associated with the tree's lean.

The report also noted that the location of the proposed light well would be immediately adjacent to the trunk of significant oak tree #24 and that if the tree was retained it would experience severe root loss well beyond the maximum advisable root loss of 25% (arborist ANSI Industry Standards). The report states that the anticipated root loss would affect the tree's buttress roots, would cause the tree to become unstable, and have a higher risk of failure. The arborist concluded that the only way to preserve significant oak tree #24 is to redesign the proposed residence and to ensure no excavation would occur within 15 feet of significant tree #24.

d. The House can be Repositioned to Save the Oak Trees

The appellant states that the proposed house can be moved back into the lot to accommodate both the planned construction and the protection and preservation of oak trees #24 and #25.

Staff Response:

Locate the Structure Closer to the Front Property Line

As proposed, the project would retain the existing driveway, the 89'7" front yard setback of the existing residence, and place the proposed new residence in roughly the same location as the existing residence. Review of the plans submitted to the Planning Department on September 28, 2017, reveal that the placement of the proposed residence is constrained due to the location of the existing U-shaped driveway and the location of several existing significant oak and redwood trees in the rear and front yards of the project parcel. Shifting the proposed structure closer to the front property line to provide at 15-foot buffer zone around significant oak tree #24 would likely require reconfiguration of the existing driveway. Reconfiguring the driveway would impact the 27.9" dbh significant valley oak tree #5 (which is located 10 feet from the corner of the existing residence), three significant neighboring redwood trees located near the front left property line, and may impact the 23.4" dbh significant coast live oak tree #7 located in the middle of the U-shaped driveway.

Locate the Structure Deeper into the Parcel

The rear half of the parcel is heavily wooded with significant oak and redwood trees. The location and size of these trees limit where the proposed residence can be placed. Locating the proposed structure deeper into the lot would impact significant redwood tree #26 (52.4" dbh), significant redwood tree #27 (32.1" dbh), and significant coast live oak tree #28 (26.5" dbh). Measured from the edge of the light well, as currently proposed, the proposed structure will be located 20 feet from the trunk of redwood tree #26 and 25 feet from the trunk of redwood tree #27. Measured from the edge of the back patio, the proposed structure will be located approximately 22 feet from the trunk of oak tree #28. Locating the proposed residence closer to the trees in the rear yard may cause the structure to encroach into the driplines and root zones of the redwood and oak trees. While the arborist did not assess what the potential impacts to trees #26, #27, and #28 would be if the house was moved further back into the lot, the arborist did recommend that a minimum distance of 25 feet from the trunks of the redwood trees remain protected and unchanged. Moving the proposed house closer to the redwood and oak trees would encroach into that 25-foot buffer zone and may impact the stability of the redwood trees due to their relatively shallow root systems.

The applicant states that the design of the proposed structure and heavily wooded nature of the lot constrains where the proposed house can be placed. The proposed residence has been designed to reduce impacts to existing trees on the lot and save as many significant trees as possible while still allowing the principally permitted land use of a single-family residence. The location of the existing trees in relation to the proposed new residence, and the heavily wooded nature of the lot, constrains where a new residence can be located. Locating the new structure in roughly the same footprint of the existing residence avoids impacts to other existing significant trees located on the parcel.

e. Tree Replacement is Inadequate

The appellant states that more replacement trees should be required as a condition of approval and that the replanting requirement of three 15-gallon size oak trees is insufficient. Specifically, the appellant contends that tree replantings should be of a specific size and quantity to sufficiently replenish the tree canopy in 10-years' time. The appellant states that Palo Alto and other local jurisdictions utilize a canopy-based tree replacement standard and that the County should use the canopy-based standard for this project and all tree removal projects in the future.

Staff Response:

Tree Replacement Ratios Required by the Significant Tree Ordinance

Section 12,024(a) of the Significant Tree Ordinance states that *outside of the Residential Hillside/Design Review District (RH/DR), replacement of trees removed shall be with plantings of trees acceptable to the Community Development Director.* The Significant Tree Ordinance is not specific on required tree replanting ratios or appropriate tree species for parcels located outside of the RH/DR Zoning District. Historically, the Planning Department has referred to the Significant Tree Removal Application form as a guideline for these standards. Per the Significant Tree Removal Application form, Bayside Non-Design Review Districts require a 1:1 replacement ratio with a minimum 15-gallon size tree unless otherwise adjusted by the Community Development Director. The application form further states that any native tree species removed must be replaced with a native tree species.

The subject Grading Permit, which includes the removal of three significant trees (one non-native Irish yew tree, one native coast live oak tree, and one native incense cedar tree) applied the provisions of the Significant Tree Removal Ordinance and the Significant Tree Removal Application form listed above. Under these size and replanting ratios, the applicant is required to replant two 15-gallon trees of any native species and one 15-gallon tree of any native or exotic species. The approved Grading Permit included a condition requiring the replanting of three 15-gallon native oak tree species as replacement for the removal of the three significant trees. Condition of Approval No. 19 was also included in the initial Grading Permit approval. This condition of approval required that the location and placement of the required tree replantings be determined and overseen by the site arborist to ensure that the replacement trees are planted in an area that is best suited for their long term viability. Per this condition of approval, a signed and dated letter from the site arborist is required prior to the building permit final inspection that verifies that the arborist selected an appropriate location for the replacement trees and supervised their replanting.

Tree Replacement in Other Jurisdictions

Other jurisdictions take a variety of approaches to tree regulation and management, including alternative tree replacement requirements that account for tree canopy or other factors. Staff is studying these alternatives in order to inform the tree regulation update currently underway.

In the meantime, the existing Significant Tree Ordinance remains the applicable standard of review. As described above, the 1:1 replacement ratio using three 15-gallon size replacement trees satisfies these standards. With regard to the tree canopy standard suggested by the appellant, a report prepared by the site arborist on December 15, 2017, estimated that ten 24-inch box trees would need to be planted to replace the tree canopy lost within 10-years' time.

2. Project Conformance with County Regulations

a. Conformance with the General Plan

San Mateo County General Plan Policies 2.17 (*Regulate Development to Minimize Soil Erosion and Sedimentation*) and 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) require the regulation of excavation, grading, filling, and land clearing activities to protect against accelerated soil erosion and sedimentation to protect and enhance natural plant communities. The project seeks to reduce impacts to as many mature oak and redwood trees on the lot as possible. The proposed residence has been placed and designed to preserve numerous redwood and oak trees in the rear and front yards of the property. The project seeks to protect and minimize impacts to protected trees through the proposed tree protection plan, oversight from the site arborist, and tree protection best practices. The project also minimizes soil erosion, both during construction and post-construction, through the proposed Erosion and Sediment Control Plan and Drainage Plan. The project plans have been reviewed and approved by the Geotechnical Section and the Department of Public Works. Comments and recommendations of these reviewing agencies have been addressed by the applicant or included as conditions of approval to ensure that the project will comply with all policies and will prevent soil erosion. Additionally, adherence to the standard "Best Practices" and site-specific recommendations and conditions from the aforementioned agencies, proposed grading activities will minimize soil erosion.

Though Grading Permits do not require a separate Tree Removal Permit to remove significant trees (per Section 12,020.1 of the Significant Tree Ordinance), the removal of such trees is an evaluative process which seeks to ensure that proposed tree removal is minimized and necessary to utilize a property in its intended manner. The trees proposed for removal are either located within the footprint of the proposed development, immediately adjacent to the proposed development, in decline, or are suppressed by neighboring trees and are leaning toward the location of the existing and proposed residence. As stated in Section A.1 and Section B.3 of this report, the Planning Department has considered and applied the provisions of the

Significant Tree Removal Ordinance which implements this General Plan Policy in its review of this application.

b. Conformance with the Zoning Regulations

This project is located in the Single-Family Residential/Menlo Oaks Zoning District (R-1/S-100). The proposed single-family residence’s compliance with the district’s development standards as required by Section 6300.9.00 is detailed in the table below:

Development Standards	Zoning Requirements	Proposal
Building Site Area	20,000 square feet	31,193 square feet
Minimum Site Width	75 feet	100 feet
Minimum Setbacks		
Front	40 feet	89'-7"
Rear	20 feet	150'-4"
Left Side	10 feet	11'-2"
Right Side	10 feet	11'-2"
Maximum Height	30 feet	20'-6"
Maximum Lot Coverage	25%	17%
Maximum Building Floor Area (FAR)*	9,000 square feet	5,043 square feet
<p>* Per Section 6300.9.60 of the Zoning Regulations, the area of all garages and carports that exceed 400 sq. ft. is counted toward the maximum allowed FAR. The proposed 990 sq. ft. sub-grade basement is not counted toward the maximum allowed FAR per San Mateo County Planning Basement Policy.</p>		

c. Conformance with the Grading Regulations

The following findings must be made in order to issue a Grading Permit for this project. Staff’s review of the project is discussed below:

- (1) *That the granting of the permit will not have a significant adverse effect on the environment.*

The grading plan has been prepared by a licensed civil engineer and has been reviewed and preliminarily approved by the Department of Public Works. The project site has also undergone a geotechnical study prepared by ROMIG Engineers Inc., which has been reviewed and preliminarily approved by the County’s Geotechnical Section for soil stability. The report from ROMIG Engineers Inc., provides detailed recommendations

about the proposed development. These specific recommendations and recommendations from other reviewing agencies have been integrated into this grading permit as conditions of approval. These conditions of approval will prevent a significant adverse impact on the environment.

- (2) *That the project conforms to the criteria of Chapter 8, Division VII of the San Mateo County Ordinance Code, including the standards referenced in Section 8605.*

Proposed grading activities meet the (1) Erosion and Sediment Control, (2) Grading, (3) Geotechnical Reports, (4) Dust Control Plans, (5) Fire Safety, and (6) Time Restriction standards referenced in Section 8605 of the Grading and Land Clearing Ordinance. Erosion and sediment control measures will be inspected and must remain in place during grading, demolition, and construction activities. A dust control plan must be submitted for approval and implemented before the issuance of the grading "hard card." The proposed grading plan was prepared by a licensed civil engineer and reviewed for adequacy by the Department of Public Works. As mentioned above, a geotechnical report was also prepared for this site and reviewed by the County's Geotechnical Section. Due to the County's Winter Grading Moratorium, grading is only allowed between April 30 and October 1. If the applicant wishes to preform grading activities during the wet season, they must apply for an exception from the Winter Grading Moratorium, and will be subject to more stringent erosion control measures, monitoring, and inspections.

- (3) *That the project is consistent with the General Plan.*

The General Plan designation for this site is Low Density Residential Urban. The proposed construction and associated grading for a new single family residence is consistent with the land use allowed by this General Plan designation. As discussed in the General Plan Compliance, Section B.1 of this report, this project, as conditioned, complies with all applicable General Plan goals and policies.

3. Owner's Response to Community Concerns

In an effort to respond the community's concerns, the owner (Mr. Mahadevan) requested that the site arborist meet with the appellant (Mr. Danforth) to re-examine the possibility of retaining oak trees #24 and #25. However, the arborist re-confirmed that these trees will not survive the proposed excavation activities and recommended their removal.

In response to concerns regarding the removal of native oak trees and the associated reduction in tree canopy, Mr. Mahadevan has proposed to increase the quantity of replacement trees. The original conditions of approval contained in the November 10, 2017 Grading Permit approval letter required the replanting of three 15-gallon native oak tree species. Mr. Mahadevan has proposed to replant a total of six 15-gallon native oak tree species and to incorporate these trees into a landscape plan, per the direction of a professional arborist and landscaper to ensure the long term viability of these trees. Condition of Approval No. 18 has been revised to reflect this higher tree replacement ratio.

B. ALTERNATIVES

If the Planning Commission finds that modifications to the proposal are needed to bring the project into compliance with the Significant Tree Ordinance, the Land Clearing and Grading Ordinance, or any other applicable regulations, the Planning Commission may specify that these changes be included in the building plans and evaluated by staff before building permit issuance, or may request a continuance to allow the changes to be incorporated into the plans being presented before the Planning Commission at a subsequent hearing.

Alternatively, the Planning Commission may uphold the appeal, and deny approval of the proposal as presented.

C. ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303, Class 3, consisting of the construction and location of limited numbers of new, small facilities or structures; in this case, a single-family residence in a residential zone.

D. REVIEWING AGENCIES

Department of Public Works
Building Inspection Section
Geotechnical Section
Menlo Park Fire Protection District

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
- B. Appeal Statement
- C. Vicinity Map
- D. Project Site Plans, Floor Plans, Elevations, Civil Plans, Tree Protection Plan
- E. Project Notification Letter
- F. Letter of Approval, dated November 10, 2017
- G. Kielty Tree Survey, dated June 6, 2017
- H. Kielty Tree Survey, dated October 24, 2017

- I. Kiely Tree Canopy Survey, dated December 15, 2017
- J. Site Photos
- K. Correspondence from Interested Members of the Public

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2017-00262 Hearing Date: February 14, 2018

Prepared By: Laura Richstone
Project Planner

For Adoption By: Planning Commission

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the project is exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act Guidelines, consisting of the construction and location of limited numbers of new, small facilities or structures; in this case, a single-family residence in a residential zone.

Regarding the Grading Permit, Find:

2. That the granting of the permit will not have a significant adverse effect on the environment. As discussed in this staff report, the project has received preliminary approval from the Department of Public Works and the Geotechnical Section and site specific recommendations have been incorporated as conditions of approval to address any adverse environmental effects.
3. That the project conforms to the criteria of Chapter 8, Division VII, of the San Mateo County Ordinance Code, including the standards referenced in Section 8605. Planning Staff, the Geotechnical Section, and the Department of Public Works have reviewed the project and have determined it conforms to the criteria of Chapter 8, Division VII, of the San Mateo County Ordinance Code, including the standards referenced in Section 8605 and the San Mateo County General Plan, including the timing of grading activities, and implementation of dust control and erosion and sediment control measures.
4. That the project is consistent with the General Plan. The subject site has a General Plan land use designation of Low Density Residential Urban. The proposed single-family residence remains consistent with the allowed density and use of the designation. As proposed and conditioned, the project complies with General Plan Policy 2.23 (*Regulate Excavation, Grading, Filling, and Land Clearing Activities Against Accelerated Soil Erosion*) and Policy 2.17 (*Erosion and Sedimentation*) because the project includes measures and conditions to address each of these items.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal as described in the plans, supporting materials, and reports submitted on February 14, 2018. Minor revisions or modifications to the project shall be subject to review and approval of the Community Development Director, if they are consistent with the intent of, and in substantial conformance with, this approval.
2. This approval shall be valid for one (1) year from the date of this permit and shall be issued concurrently with the Building Permit (BLD 2017-01804) for the new single-family residence and basement. If the Grading Permit (issued as the “hard card” with all necessary information filled out and signatures obtained) has not been issued within this time period, this approval will expire. No grading activities shall commence until all permits have been issued. An extension of this approval will be considered upon written request and payment of applicable fees sixty (60) days prior to expiration.
3. No grading shall be allowed during the winter season (October 1 to April 30) or during any rain event to avoid potential soil erosion unless a prior written request by the applicant is submitted to the Community Development Director in the form of a completed Application for an Exception to the Winter Grading Moratorium at least two (2) weeks prior to the projected commencement of grading activities stating the date when grading will begin for consideration, and approval is granted by the Community Development Director.

The site is considered a Construction Stormwater Regulated site. Any grading activities conducted during the wet weather season (October 1 to April 30) pursuant to prior authorization from the Community Development Director will also require monthly erosion and sediment control inspections by the Building Inspection Section.

4. Prior to the issuance of the grading permit “hard card,” the applicant shall submit a dust control plan for review and approval by the Planning and Building Department. The plan, at a minimum shall include the following measures:
 - a. Water all construction and grading areas at least twice daily.
 - b. Cover all trucks hauling soil, sand, and other loose material or require all trucks to maintain at least 2 feet of freeboard.
 - c. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
5. Per Section 8605.5 of San Mateo County’s Grading and Land Clearing Ordinance, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.

6. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The engineer's responsibilities shall include those relating to non-compliance detailed in Section 8606.5 of the Grading Ordinance.
7. Prior to the beginning of any construction, the applicant shall implement the approved erosion and sediment control plan and tree protection plan, which shall be maintained throughout the duration of the project. The goal of the Tree Protection Plan is to prevent significant trees, as defined by San Mateo County's Significant Tree Ordinance, Section 12,000, from injury or damage related to construction activities. The goal of the Erosion and Sediment Control Plan is also to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and the use passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
 - h. Performing clearing and earth moving activities only during dry weather.
 - i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.

- j. Limiting construction access routes and stabilize designated access points.
 - k. Avoiding tracking dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction Best Management Practices.
 - m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction
8. All grading and erosion and sediment control measures shall be in accordance to the plans prepared by ROMIG Engineers, Inc., dated September 28, 2017, and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved grading plan shall be prepared and signed by the engineer, and shall be submitted to the Department of Public Works and the Planning Department concurrently prior to commencing any work pursuant to the proposed revision.
9. It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.
10. For the final approval of the Grading Permit, the applicant shall ensure the performance of the following activities within thirty (30) days of the completion of grading:
- a. The engineer shall submit written certification to the Department of Public Works and the Geotechnical Section that all grading has been completed in conformance with the approved plans, conditions of approval, and the Grading Ordinance.
 - b. All applicable work during construction shall be subject to observation and approval by the geotechnical consultant. Section II of the Geotechnical Consultant Approval form must be submitted to the County's Geotechnical Engineer and Current Planning Section.
11. Erosion control and tree protection inspections are required prior to the issuance of a building permit for grading, construction, and demolition purposes, as the project requires the protection of significant trees. Once all review agencies have approved the Building Permit (BLD 2017-01804), the applicant will be notified that an approved job copy of the Erosion Control and Tree Protection Plans are ready for pick-up at the planning counter of the Planning and Building Department. Once the Erosion Control and Tree Protection measures have been installed per the approved plans, please contact Jeremiah Pons, Building/Erosion Control Inspector, at 650/599-1592 or jpons@smcgov.org, to schedule a pre-site inspection. A \$144.00 inspection fee will be added to the building permit for the

inspection. If this initial pre-site inspection is not approved, an additional inspection fee will be assessed for each required re-inspection until the erosion control and tree protection measures are deemed adequate by the Building Inspection Section.

12. Non-significant oak trees #3 and #11, identified on the Erosion Control and Tree Protection plans, shall be retained and protected. Tree protection measures shall include tree protection fencing that extends to the driplines of the trees. Where tree protection fencing does not cover the entire root zone of the trees, a landscape buffer of wood chips spread at a depth of 6" shall be placed where foot traffic is expected to be heavy.
13. All excavation for the foundation near the 27.9" dbh valley oak (tree #5 identified in the arborist report), and the 18" dbh cedar (tree #12) shall be done by hand. The site arborist shall oversee and document all root cutting of roots measuring 2" or more in diameter. Roots left exposed for a period of time shall be covered with layers of burlap and kept moist.
14. No roots measuring over 2" in diameter or greater shall be cut without the consent and approval of the site arborist.
15. Any excavation within 30 feet of the 35" dbh redwood tree (tree #18) shall be inspected and overseen by the site arborist.
16. Trenching for irrigation, electrical, drainage or any other reason shall be hand dug when beneath the driplines of protected trees.
17. Storage of construction vehicles, equipment, and materials shall be limited to the existing driveway and front walkway areas when feasible. Storage of construction vehicles, equipment, and materials is prohibited within the driplines of protected trees.
18. The applicant shall plant on site a total of six native oak tree species using at least 15-gallon size stock to replace the trees removed. Staff verification that the tree planting has occurred is required prior to the final building inspection of the new home.
19. The location and placement of the required oak tree plantings shall be determined and overseen by the site arborist to ensure that the trees are planted in an area best suited for long term viability and growth of the trees. A signed and dated letter from the site arborist verifying that they selected an appropriate location and supervised the plantings shall be required prior to final inspection of construction authorized by Building Permit (BLD 2017-01804).
20. The existing shed in the rear of the subject property shall be removed by hand, in accordance with the arborist report, to prevent impacts to the adjacent coast live oak trees.

Building Inspection Section

21. This project shall require a building permit.
22. This project requires a geotechnical/soils report at the time of building permit submittal.

Geotechnical Section

23. The construction of the proposed residence shall include the recommendations from the project geotechnical engineer as well as include scheduled on site review by the project engineer during all required aspects of construction. The project geotechnical engineer shall complete and sign the County of San Mateo form for project design review and post construction observations.

Department of Public Works

24. Prior to the issuance of the building permit or planning permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.
25. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
26. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right of-way.

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Dear San Mateo County Planning and Building Department and Supervisor Horsley,

Please accept these further objections to the tentative decision rendered by the Planning and Building Department on the grading permit for 900 Menlo Oaks Drive. The lot at issue is across the street from me and one house over. Another very large pending project is right next door to it at 910 Menlo Oaks Drive, adding to the planned damage to our tree canopy.

Given the importance of these issues to our neighborhood, the holiday weekend, and the fact that the head of MODA and MOTA has been ill, I hope you will accept late objections to your decision -- not cut them off today as planned. At the very least, I hope you will accept the comments of those who join in these objections.

1. Lack of posted or other notice of specific trees to be removed. It seems highly illogical that a grading permit application should reduce or eliminate the requirement that removal of a protected tree requires reasonable notice of the specific tree to be removed. No such notice was given here, either to those with mailed notice or to those who walk by the property. There appears to be no law or regulation that permits the limited notice that has occurred here (just because planned tree removal is coupled with planned grading). Certainly none is cited in the preliminary decision. I object on this basis.

2. Need to save smaller oak in front of the proposed new house. There are two oaks in front of the proposed new house, one that is fairly young (but still vigorous and quite important) and one very substantial one that is quite old and has some structural issues. The preliminary decision approves removal of the younger oak, saying it needs to be removed to make way for a proposed light well to provide for a substantial planned basement. This decision is objectionable (and I hereby object) for the following several independent reasons:

-- that smaller oak tree is critical to the canopy in our immediate area and to the forested "look" of our street and Menlo Oaks. This tree is important now and will be even more important in the future. Its importance is increased by large number of trees to be removed on this project, and by huge other projects recently proposed or completed that have removed or threatened other significant oak in the neighborhood. These include one absolutely enormous project next door at 910 Menlo Oaks Drive -- and three others less than a block away, near Colby. And the importance of this smaller oak is also increased significantly by the fact that the older oak tree in front of it (closer to the street) has obvious structural issues and will obviously not live nearly as long as the younger, smaller, more vigorous tree;

-- there is an assertion without any evidence that the smaller tree might pose a risk to a new proposed structure. But houses in our neighborhood are built near existing trees all the time. There is no articulated or substantiated reason to see an unreasonable or heightened risk here. To the contrary, the young age of the tree suggests it is comparatively safe;

-- there is an assertion that the roots of that smaller tree will need to be cut to accommodate the proposed light well. But there has been no apparent effort to determine where the roots of this tree really are; and

-- there is an assertion with no analysis or evidence that the house cannot be moved back into the lot sufficiently to accommodate both the planned light well and the existing tree. But a few feet is all that is needed. That is a small compromise considering the large number of other trees to be removed. Alternatives to the removal of protected oak trees should always be considered. That did not happen here.

3. Need for more adequate replacement trees as a condition to other portions of this discretionary permit. The county has discretion over this permit, which seeks to remove a very large number of healthy trees (over and above the oak discussed above) from a heavily forested area. In exercising its discretion, the county can and should condition removal of these trees on the planting of new trees that in size and number are sufficient to replenish the canopy in ten years. That is the standard for tree replacement that Palo Alto and other local jurisdictions use. It can and should be used here. This is a highly unique neighborhood that is rapidly losing its trees -- the source of its uniqueness. A few 15 gallon replacements (as proposed here) will not come even close to fixing this problem. The cost of adequate replacements is relatively trivial. Certainly it is trivial given the value of the land at 900 Menlo Oaks (over \$3million) and the likely added value of the proposed building project (probably at least the same).

Respectfully submitted,
John Danforth

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

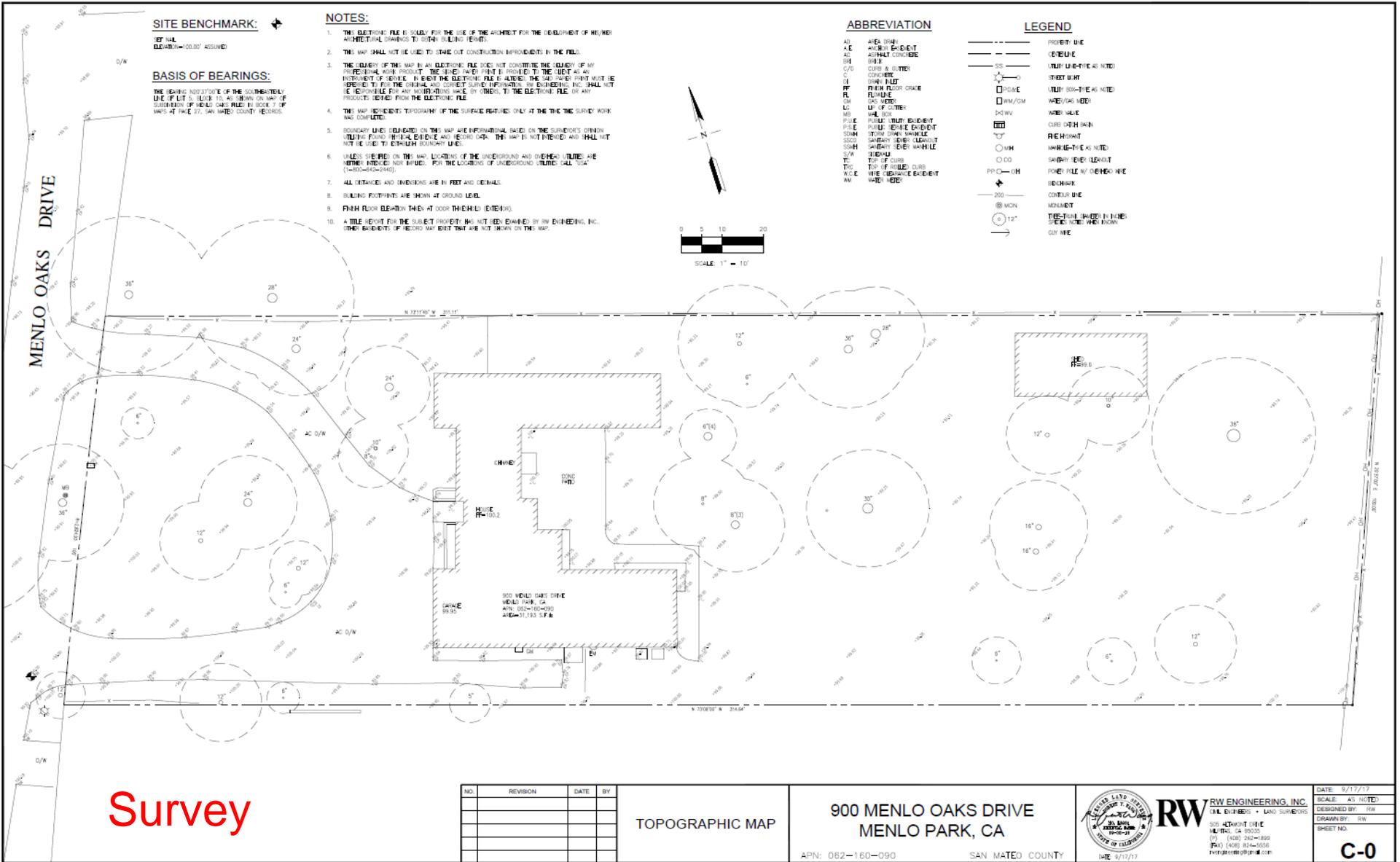


San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



SITE BENCHMARK: ↗
 SET NAIL
 ELEVATION=100.00' ASSUMED

BASIS OF BEARINGS:
 THE BEARING AND DISTANCE OF THE SOUTH-EASTERLY
 LINE OF LOT 2, BLOCK 10, AS SHOWN ON ONE OF
 SEVERAL MAPS FILED IN BOOK 7 OF
 MAPS AT PAGE 27, SAN MATEO COUNTY RECORDS.

- NOTES:**
1. THIS ELECTRONIC FILE IS SOLELY FOR THE USE OF THE ARCHITECT FOR THE DEVELOPMENT OF RECORDS AND IS NOT INTENDED TO BE USED FOR CONSTRUCTION IMPROVEMENTS IN THE FIELD.
 2. THE MAP SHALL NOT BE USED TO STATE OUT CONSTRUCTION IMPROVEMENTS IN THE FIELD.
 3. THE QUALITY OF THIS MAP IS AN ELECTRONIC FILE DOES NOT CONSTITUTE THE QUALITY OF ANY INSTRUMENT OF SERVICE. IN BEST THE ELECTRONIC FILE IS ALIGNED THE MAP FOR PRINT MUST BE SPECIFIC TO THE ORIGINAL AND CORRECT SURVEY INFORMATION. RW ENGINEERING, INC. SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATIONS MADE BY OTHERS TO THE ELECTRONIC FILE OR ANY PRODUCTS DERIVED FROM THE ELECTRONIC FILE.
 4. THIS MAP REPRESENTS TOPOGRAPHY OF THE SURFACE FEATURES ONLY AT THE TIME THE SURVEY WORK WAS COMPLETED.
 5. BOUNDARY LINES INDICATED ON THIS MAP ARE INFORMATIONAL BASED ON THE SURVEYOR'S OPINION WITHIN FILING JURISDICTION AND RECORD DATE. THIS MAP IS NOT INTENDED AND SHALL NOT BE USED TO ESTABLISH BOUNDARY LINES.
 6. UNLESS SPECIFIED ON THIS MAP, LOCATIONS OF THE UNDERGROUND AND OVERHEAD UTILITIES ARE NEITHER INTENDED NOR INTENDED FOR THE LOCATIONS OF UNDERGROUND UTILITIES CALL USA (1-800-440-2943).
 7. ALL DISTANCES AND DIMENSIONS ARE IN FEET AND DECIMALS.
 8. BUILDING FOOTPRINTS ARE SHOWN AT GROUND LEVEL.
 9. FINISH FLOOR ELEVATION TABLE AT BOOK THREE HUNDRED EIGHTY.
 10. A TITLE REPORT FOR THE SUBJECT PROPERTY HAS NOT BEEN EXAMINED BY RW ENGINEERING, INC. OTHER EASMENTS OF RECORD MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.

- ABBREVIATION**
- AD AREA DRAIN
 - A.E. AREA EXISTENT
 - AC ADJUSTED CONCRETE
 - BR BRICK
 - C/O CURB & GUTTER
 - CO CONCRETE
 - I IRON
 - IR IRON RAILROAD GRADE
 - FL FURNACE
 - OR OIL
 - UP UP-LETTER
 - MB MAIL BOX
 - PAE PUBLIC UTILITY EXISTENT
 - SEW SANITARY EXISTENT
 - SSD SANITARY DRAIN LEAVES
 - SSD SANITARY DRAIN LEAVES
 - S/S SANITARY
 - S/S SANITARY
 - TOP TOP OF CURB
 - TOP TOP OF RAILROAD CURB
 - AC.E. AREA EXISTENT
 - WH WATER

- LEGEND**
- PROPERTY LINE
 - CENTER LINE
 - UTILITY LINE AS NOTED
 - STREET GRAB
 - UTILITY BOX-TYPE AS NOTED
 - WATER MAIN
 - WATER MAIN
 - CURB (WITH PAIR)
 - RAILROAD
 - SANITARY DRAIN LEAVES
 - SANITARY DRAIN LEAVES
 - POWER POLE W/ OVERHEAD WIRE
 - BENCHMARK
 - 200' CONTOUR LINE
 - MOVEMENT
 - TREE-TYPE AND IN-LINE
 - SEE NOTES WHEN NECESSARY
 - GUY WIRE



Survey

NO.	REVISION	DATE	BY

TOPOGRAPHIC MAP

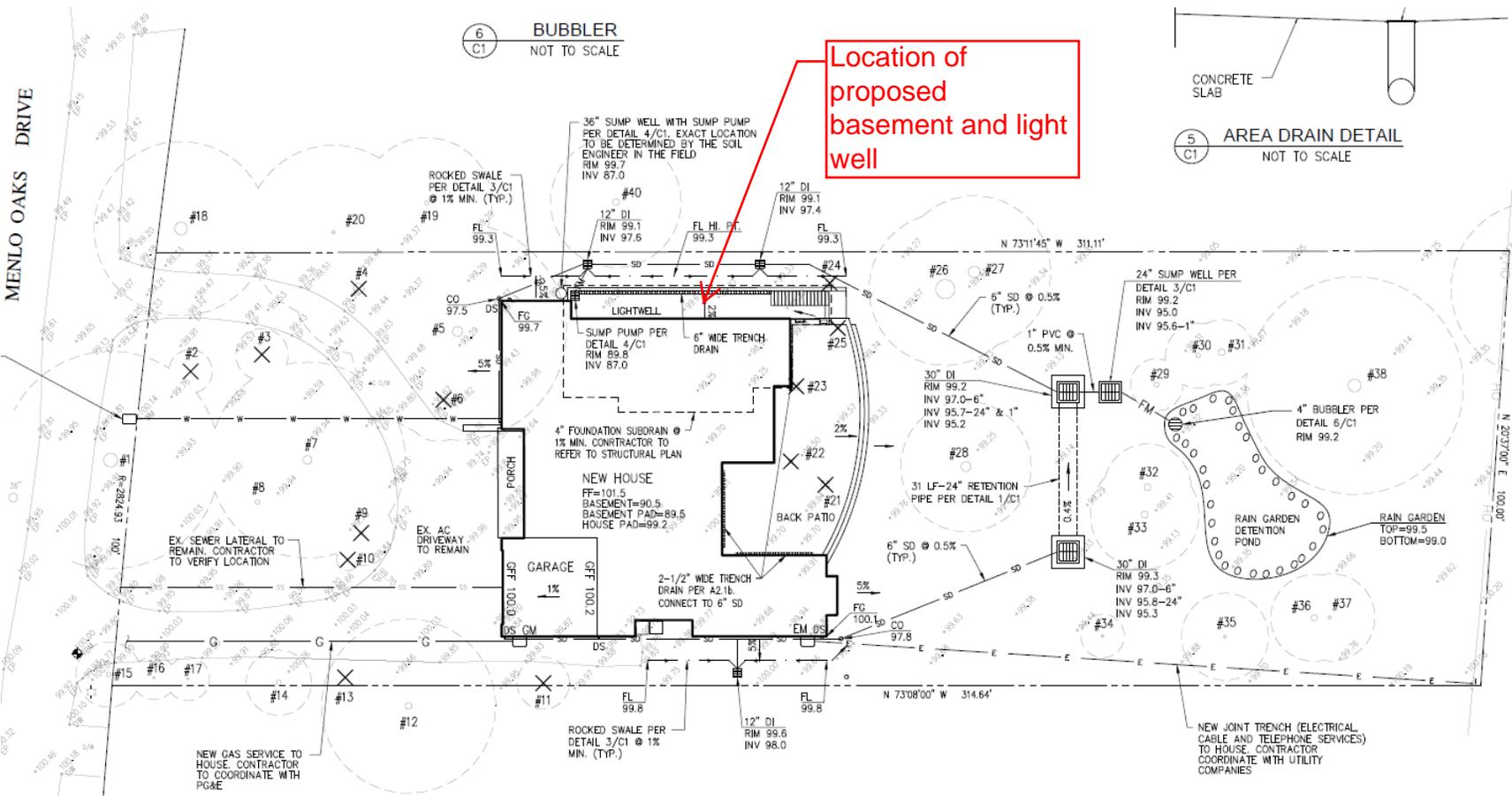
900 MENLO OAKS DRIVE
 MENLO PARK, CA
 APN: 062-160-090 SAN MATEO COUNTY

RW ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 516 ALVARADO DRIVE
 MENLO PARK, CA 94025
 (774) 433-2302-8999
 (PAX) (415) 874-2036
 RWENGINEERING@GMAIL.COM

DATE: 6/17/17
 SCALE: AS NOTED
 DESIGNED BY: RW
 DRAWN BY: RW
 SHEET NO.:
C-0

San Mateo County Planning Commission Meeting

Owner/Applicant: _____ Attachment: _____
 File Numbers: _____



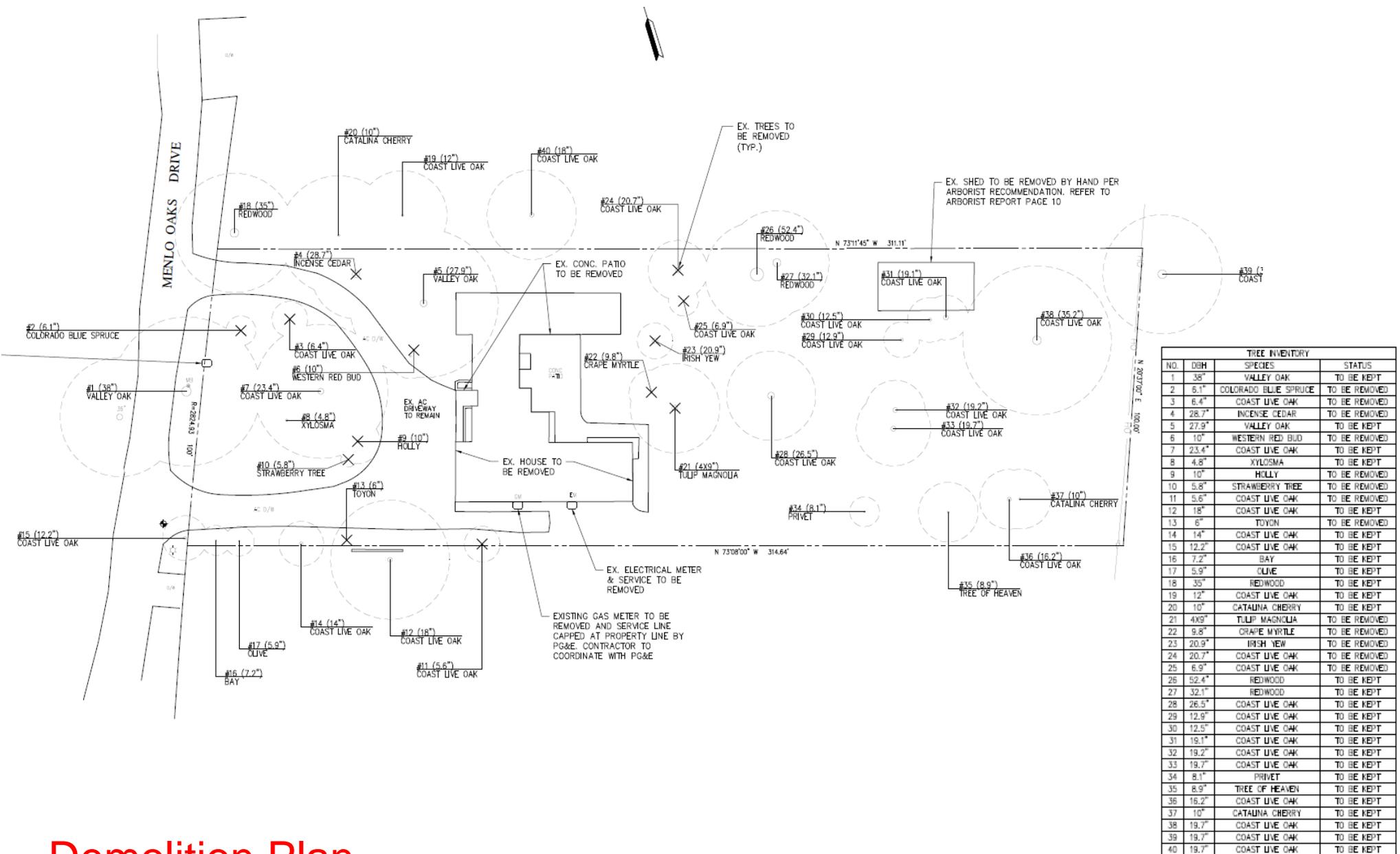
TREE INVENTORY			
NO.	DBH	SPECIES	STATUS
1	38"	VALLEY OAK	TO BE KEPT
2	6.1"	COLORADO BLUE SPRUCE	TO BE REMOVED
3	6.4"	COAST LIVE OAK	TO BE REMOVED
4	28.7"	INCENSE CEDAR	TO BE REMOVED
5	27.9"	VALLEY OAK	TO BE KEPT
6	10"	WESTERN RED BUD	TO BE REMOVED
7	23.4"	COAST LIVE OAK	TO BE KEPT
8	4.8"	XYLOSMA	TO BE KEPT
9	10"	HOLLY	TO BE REMOVED
10	5.8"	STRAWBERRY TREE	TO BE REMOVED
11	5.6"	COAST LIVE OAK	TO BE REMOVED
12	18"	COAST LIVE OAK	TO BE KEPT
13	6"	TOYON	TO BE REMOVED
14	14"	COAST LIVE OAK	TO BE KEPT
15	12.2"	COAST LIVE OAK	TO BE KEPT
16	7.2"	BAY	TO BE KEPT
17	5.9"	OLIVE	TO BE KEPT
18	35"	REDWOOD	TO BE KEPT
19	12"	COAST LIVE OAK	TO BE KEPT
20	10"	CATALINA CHERRY	TO BE KEPT
21	4X9"	TULIP MAGNOLIA	TO BE REMOVED
22	9.8"	CRAPE MYRTLE	TO BE REMOVED
23	20.9"	IRISH YEW	TO BE REMOVED
24	20.7"	COAST LIVE OAK	TO BE REMOVED
25	6.9"	COAST LIVE OAK	TO BE REMOVED
26	52.4"	REDWOOD	TO BE KEPT
27	32.1"	REDWOOD	TO BE KEPT
28	26.5"	COAST LIVE OAK	TO BE KEPT
29	12.9"	COAST LIVE OAK	TO BE KEPT
30	12.5"	COAST LIVE OAK	TO BE KEPT
31	19.1"	COAST LIVE OAK	TO BE KEPT
32	19.2"	COAST LIVE OAK	TO BE KEPT
33	19.7"	COAST LIVE OAK	TO BE KEPT
34	8.1"	PRIVET	TO BE KEPT
35	8.9"	TREE OF HEAVEN	TO BE KEPT
36	16.2"	COAST LIVE OAK	TO BE KEPT
37	10"	CATALINA CHERRY	TO BE KEPT
38	19.7"	COAST LIVE OAK	TO BE KEPT
39	19.7"	COAST LIVE OAK	TO BE KEPT
40	19.7"	COAST LIVE OAK	TO BE KEPT

Grading & Drainage Plan

San Mateo County Planning Commission Meeting

Owner/Applicant: _____ Attachment: _____

File Numbers: _____



Demolition Plan

San Mateo County Planning Commission Meeting

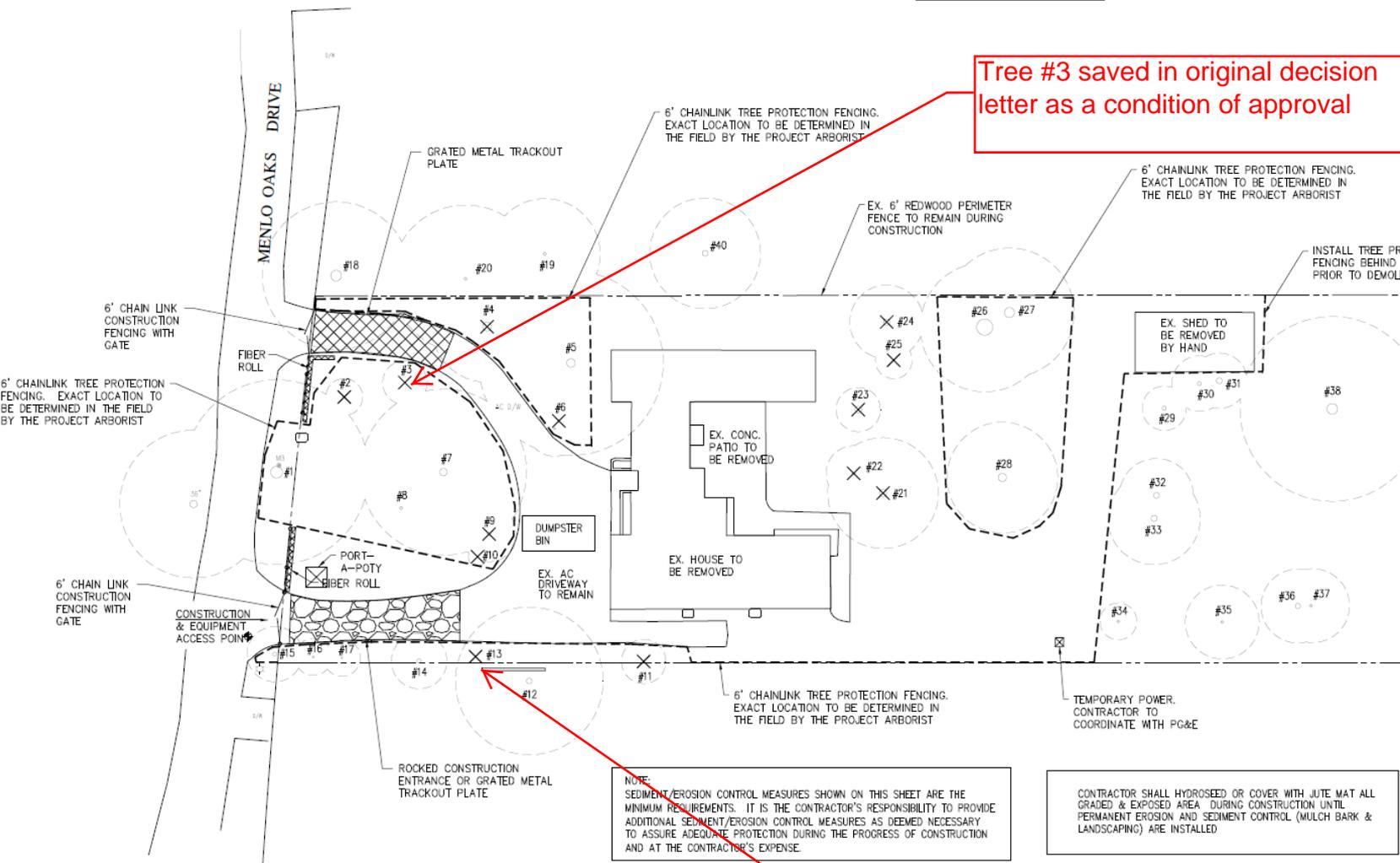
Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Tree #3 saved in original decision letter as a condition of approval

Tree #13 saved in original decision letter as a condition of approval



TREE INVENTORY			
NO.	DBH	SPECIES	STATUS
1	38"	VALLEY OAK	TO BE KEPT
2	6.1"	COLORADO BLUE SPRUCE	TO BE REMOVED
3	6.4"	COAST LIVE OAK	TO BE REMOVED
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5	27.9"	VALLEY OAK	TO BE KEPT
6	10"	WESTERN RED BUD	TO BE REMOVED
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8	4.8"	XYLOSMA	TO BE KEPT
9	10"	HOLLY	TO BE REMOVED
10	5.8"	STRAWBERRY TREE	TO BE REMOVED
11	5.6"	COAST LIVE OAK	TO BE REMOVED
12	18"	COAST LIVE OAK	TO BE KEPT
13	6"	TOYON	TO BE REMOVED
14	14"	COAST LIVE OAK	TO BE KEPT
15	12.2"	COAST LIVE OAK	TO BE KEPT
16	7.2"	BAY	TO BE KEPT
17	5.9"	OLIVE	TO BE KEPT
18	35"	REDWOOD	TO BE KEPT
19	12"	COAST LIVE OAK	TO BE KEPT
20	10"	CATALINA CHERRY	TO BE KEPT
21	4X9"	TULIP MAGNOLIA	TO BE REMOVED
22	9.8"	GRAPE MYRTLE	TO BE REMOVED
23	20.9"	IRISH YEW	TO BE REMOVED
24	20.7"	COAST LIVE OAK	TO BE REMOVED
25	6.9"	COAST LIVE OAK	TO BE REMOVED
26	52.4"	REDWOOD	TO BE KEPT
27	32.1"	REDWOOD	TO BE KEPT
28	26.5"	COAST LIVE OAK	TO BE KEPT
29	12.9"	COAST LIVE OAK	TO BE KEPT
30	12.5"	COAST LIVE OAK	TO BE KEPT
31	19.1"	COAST LIVE OAK	TO BE KEPT
32	19.2"	COAST LIVE OAK	TO BE KEPT
33	19.7"	COAST LIVE OAK	TO BE KEPT
34	8.1"	PRIVET	TO BE KEPT
35	8.9"	TREE OF HEAVEN	TO BE KEPT
36	16.2"	COAST LIVE OAK	TO BE KEPT
37	10"	CATALINA CHERRY	TO BE KEPT
38	19.7"	COAST LIVE OAK	TO BE KEPT
39	19.7"	COAST LIVE OAK	TO BE KEPT
40	19.7"	COAST LIVE OAK	TO BE KEPT

NOTE: SEDIMENT/EROSION CONTROL MEASURES SHOWN ON THIS SHEET ARE THE MINIMUM REQUIREMENTS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ADDITIONAL SEDIMENT/EROSION CONTROL MEASURES AS DEEMED NECESSARY TO ASSURE ADEQUATE PROTECTION DURING THE PROGRESS OF CONSTRUCTION AND AT THE CONTRACTOR'S EXPENSE.

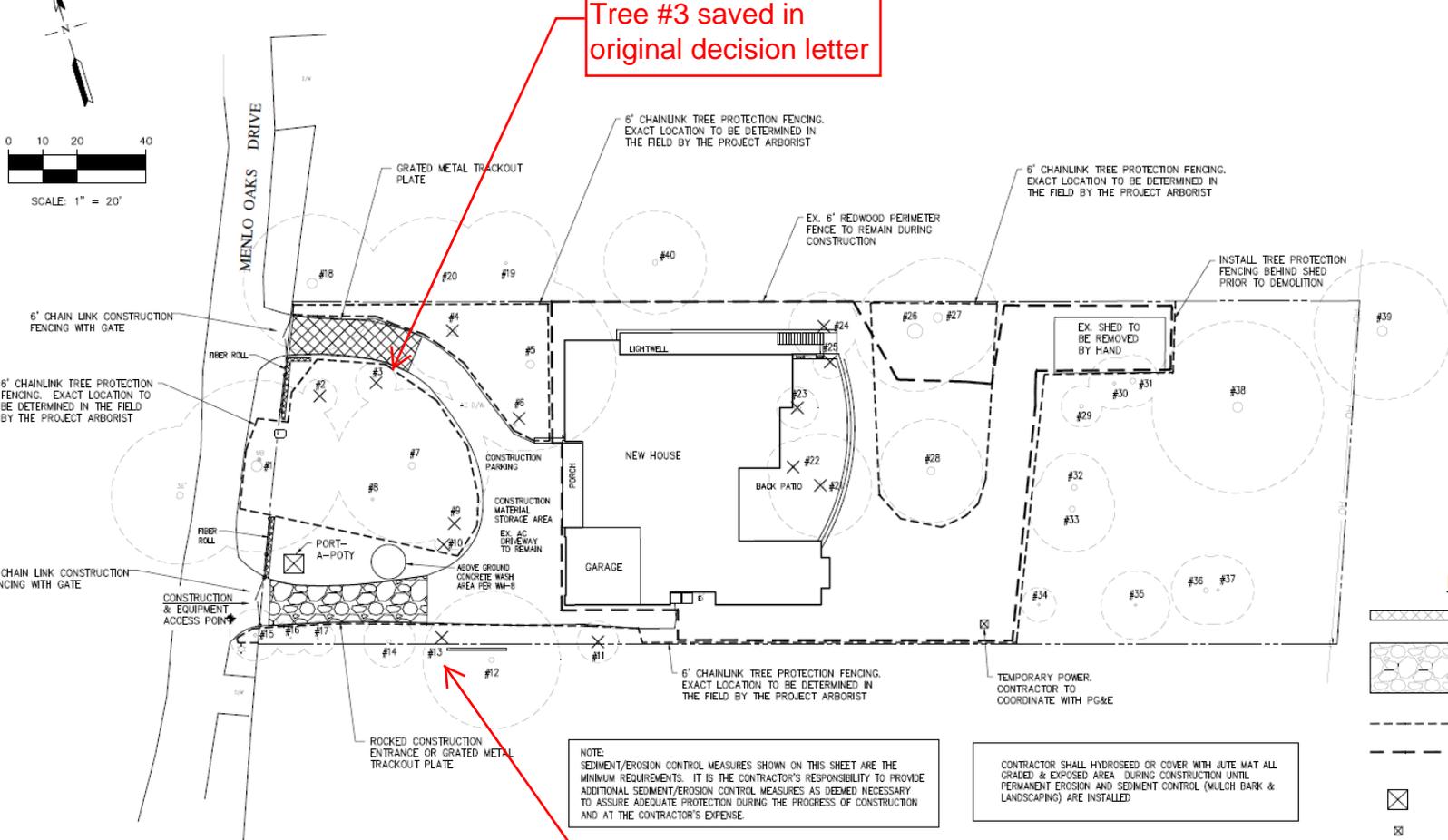
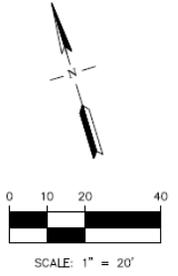
CONTRACTOR SHALL HYDROSEED OR COVER WITH JUTE MAT ALL GRADED & EXPOSED AREA DURING CONSTRUCTION UNTIL PERMANENT EROSION AND SEDIMENT CONTROL (MULCH BARK & LANDSCAPING) ARE INSTALLED.

Demolition

Erosion Control Plan

San Mateo County Planning Commission Meeting

Owner/Applicant: _____ Attachment: _____
 File Numbers: _____



TREE INVENTORY			
NO.	DBH	SPECIES	STATUS
1	38"	VALLEY OAK	TO BE KEPT
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12	18"	COAST LIVE OAK	TO BE KEPT
13	6"	TOYON	TO BE REMOVED
14	14"	COAST LIVE OAK	TO BE KEPT
15	12.2"	COAST LIVE OAK	TO BE KEPT
16	7.2"	BAY	TO BE KEPT
17	5.9"	OLIVE	TO BE KEPT
18	35"	REDWOOD	TO BE KEPT
19	12"	COAST LIVE OAK	TO BE KEPT
20	10"	CATALINA CHERRY	TO BE KEPT
21	4X9"	TULIP MAGNOLIA	TO BE REMOVED
22	9.8"	CRAPE MYRTLE	TO BE REMOVED
23	20.9"	IRISH YEW	TO BE REMOVED
24	20.7"	COAST LIVE OAK	TO BE REMOVED
25	6.9"	COAST LIVE OAK	TO BE REMOVED
26	52.4"	REDWOOD	TO BE KEPT
27	32.1"	REDWOOD	TO BE KEPT
28	26.5"	COAST LIVE OAK	TO BE KEPT
29	12.9"	COAST LIVE OAK	TO BE KEPT
30	12.5"	COAST LIVE OAK	TO BE KEPT
31	19.1"	COAST LIVE OAK	TO BE KEPT
32	19.2"	COAST LIVE OAK	TO BE KEPT
33	19.7"	COAST LIVE OAK	TO BE KEPT
34	8.1"	PRIVET	TO BE KEPT
35	8.9"	TREE OF HEAVEN	TO BE KEPT
36	16.2"	COAST LIVE OAK	TO BE KEPT
37	10"	CATALINA CHERRY	TO BE KEPT
38	19.7"	COAST LIVE OAK	TO BE KEPT
39	19.7"	COAST LIVE OAK	TO BE KEPT
40	19.7"	COAST LIVE OAK	TO BE KEPT

LEGEND

- FIBER ROLL
- CONSTRUCTION ENTRANCE
- TREE PROTECTION FENCING
- LIMIT OF CONSTRUCTION, GRADING, AND DISTURBED AREA
- PORT-A-POTY
- TEMPORARY POWER POLE
- CONSTRUCTION CHAIN-LINK FENCING

NOTE: SEDIMENT/EROSION CONTROL MEASURES SHOWN ON THIS SHEET ARE THE MINIMUM REQUIREMENTS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ADDITIONAL SEDIMENT/EROSION CONTROL MEASURES AS DEEMED NECESSARY TO ASSURE ADEQUATE PROTECTION DURING THE PROGRESS OF CONSTRUCTION AND AT THE CONTRACTOR'S EXPENSE.

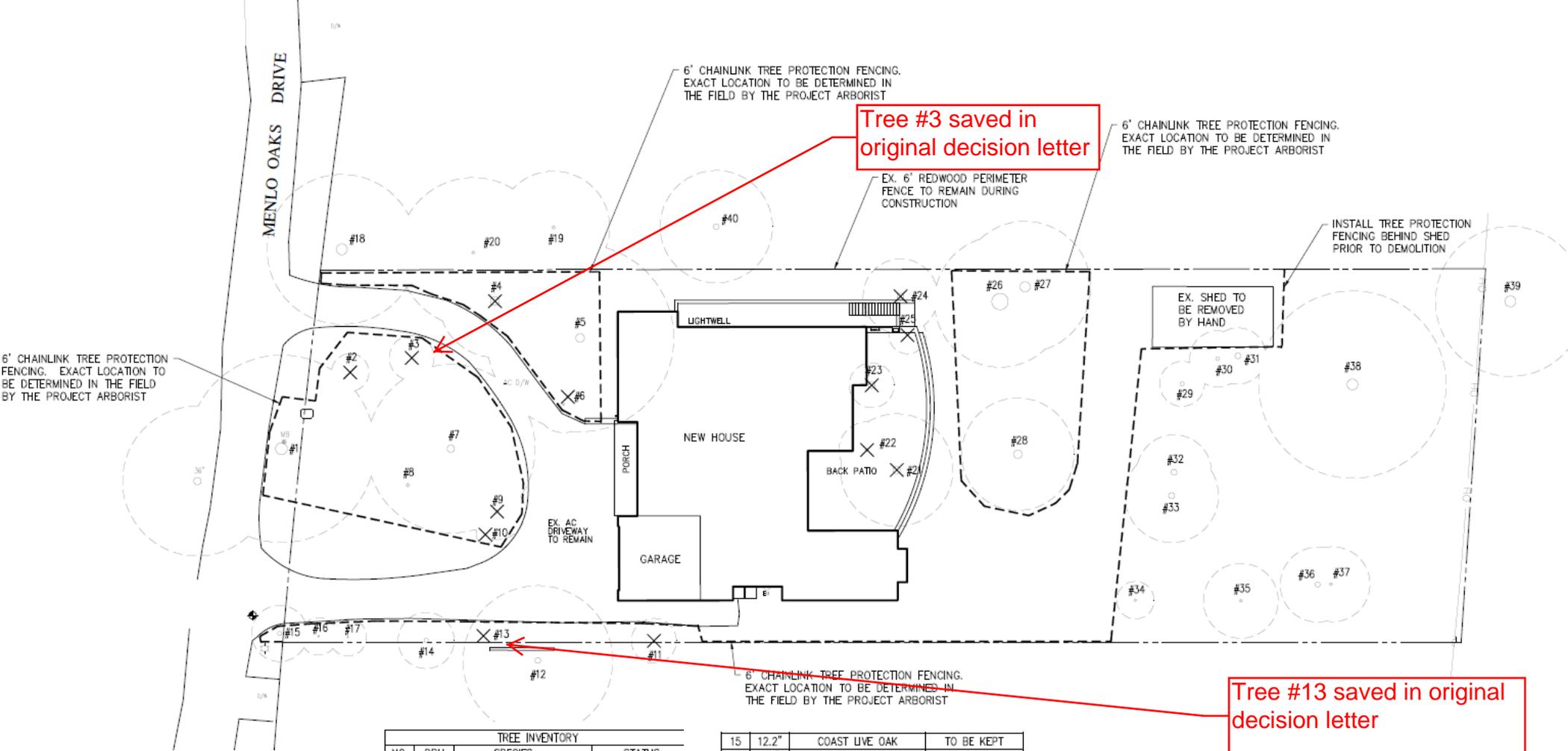
CONTRACTOR SHALL HYDROSEED OR COVER WITH JUTE MAT ALL GRADED & EXPOSED AREA DURING CONSTRUCTION UNTIL PERMANENT EROSION AND SEDIMENT CONTROL (MULCH BARK & LANDSCAPING) ARE INSTALLED.

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Tree #3 saved in original decision letter

Tree #13 saved in original decision letter

TREE INVENTORY			
NO.	DBH	SPECIES	STATUS
1	38"	VALLEY OAK	TO BE KEPT
2	6.1"	COLORADO BLUE SPRUCE	TO BE REMOVED
3	6.4"	COAST LIVE OAK	TO BE REMOVED
4	28.7"	INCENSE CEDAR	TO BE REMOVED
5	27.9"	VALLEY OAK	TO BE KEPT
6	10"	WESTERN RED BUD	TO BE REMOVED
7	23.4"	COAST LIVE OAK	TO BE KEPT
8	4.8"	XYLOSMA	TO BE KEPT
9	10"	HOLLY	TO BE REMOVED
10	5.8"	STRAWBERRY TREE	TO BE REMOVED
11	5.6"	COAST LIVE OAK	TO BE REMOVED
12	18"	COAST LIVE OAK	TO BE KEPT
13	6"	TOYON	TO BE REMOVED
14	14"	COAST LIVE OAK	TO BE KEPT

15	12.2"	COAST LIVE OAK	TO BE KEPT
16	7.2"	BAY	TO BE KEPT
17	5.9"	OLIVE	TO BE KEPT
18	35"	REDWOOD	TO BE KEPT
19	12"	COAST LIVE OAK	TO BE KEPT
20	10"	CATALINA CHERRY	TO BE KEPT
21	4x9"	TUUP MAGNOLIA	TO BE REMOVED
22	9.8"	CRAPE MYRTLE	TO BE REMOVED
23	20.9"	IRISH YEW	TO BE REMOVED
24	20.7"	COAST LIVE OAK	TO BE REMOVED
25	6.9"	COAST LIVE OAK	TO BE REMOVED
26	52.4"	REDWOOD	TO BE KEPT
27	32.1"	REDWOOD	TO BE KEPT
28	26.5"	COAST LIVE OAK	TO BE KEPT
29	12.9"	COAST LIVE OAK	TO BE KEPT
30	12.5"	COAST LIVE OAK	TO BE KEPT

31	19.1"	COAST LIVE OAK	TO BE KEPT
32	19.2"	COAST LIVE OAK	TO BE KEPT
33	19.7"	COAST LIVE OAK	TO BE KEPT
34	8.1"	PRIVET	TO BE KEPT
35	8.9"	TREE OF HEAVEN	TO BE KEPT
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38	19.7"	COAST LIVE OAK	TO BE KEPT
39	19.7"	COAST LIVE OAK	TO BE KEPT
40	19.7"	COAST LIVE OAK	TO BE KEPT

Tree Protection Plan

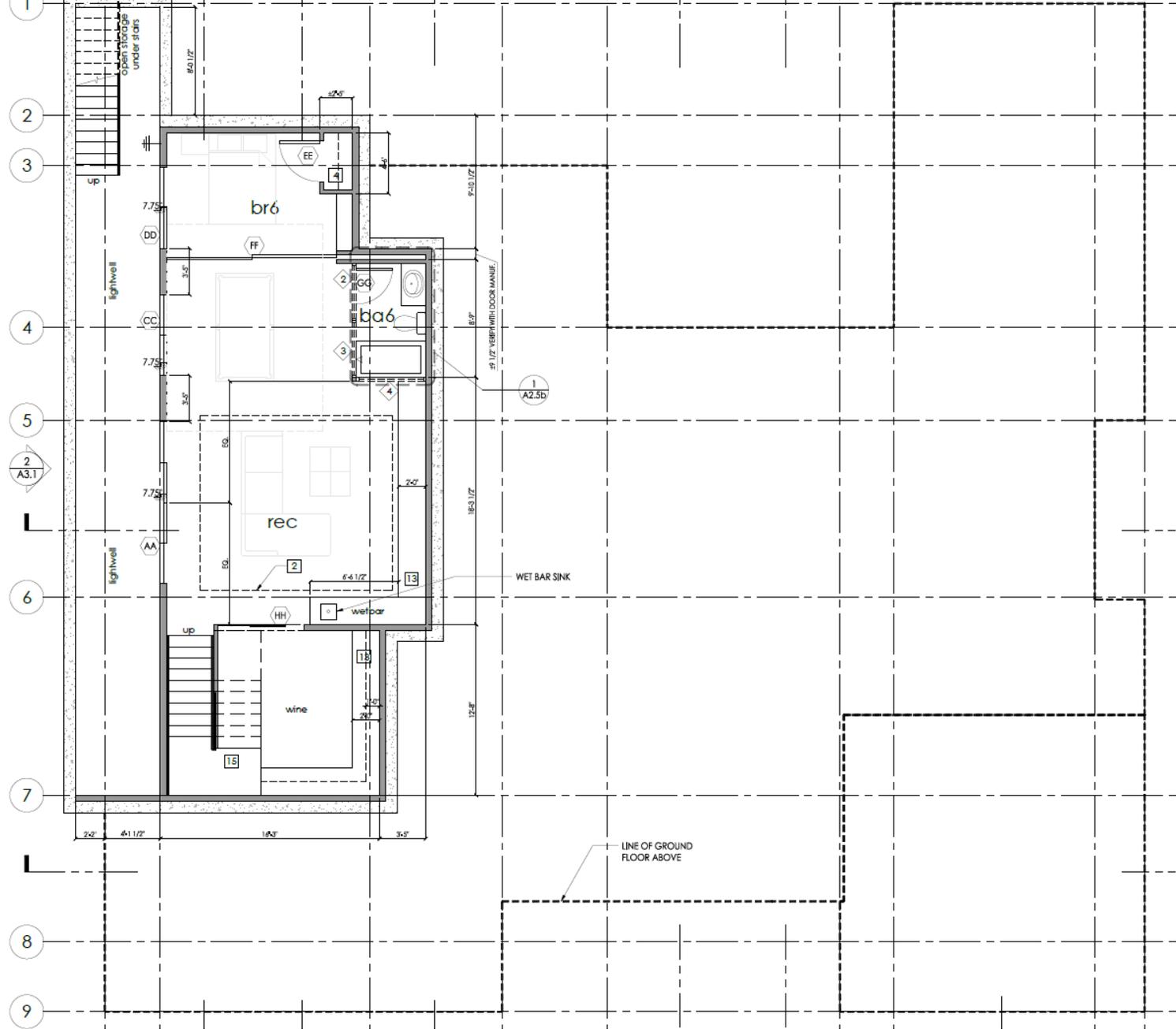
San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Basement Floor Plan



San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

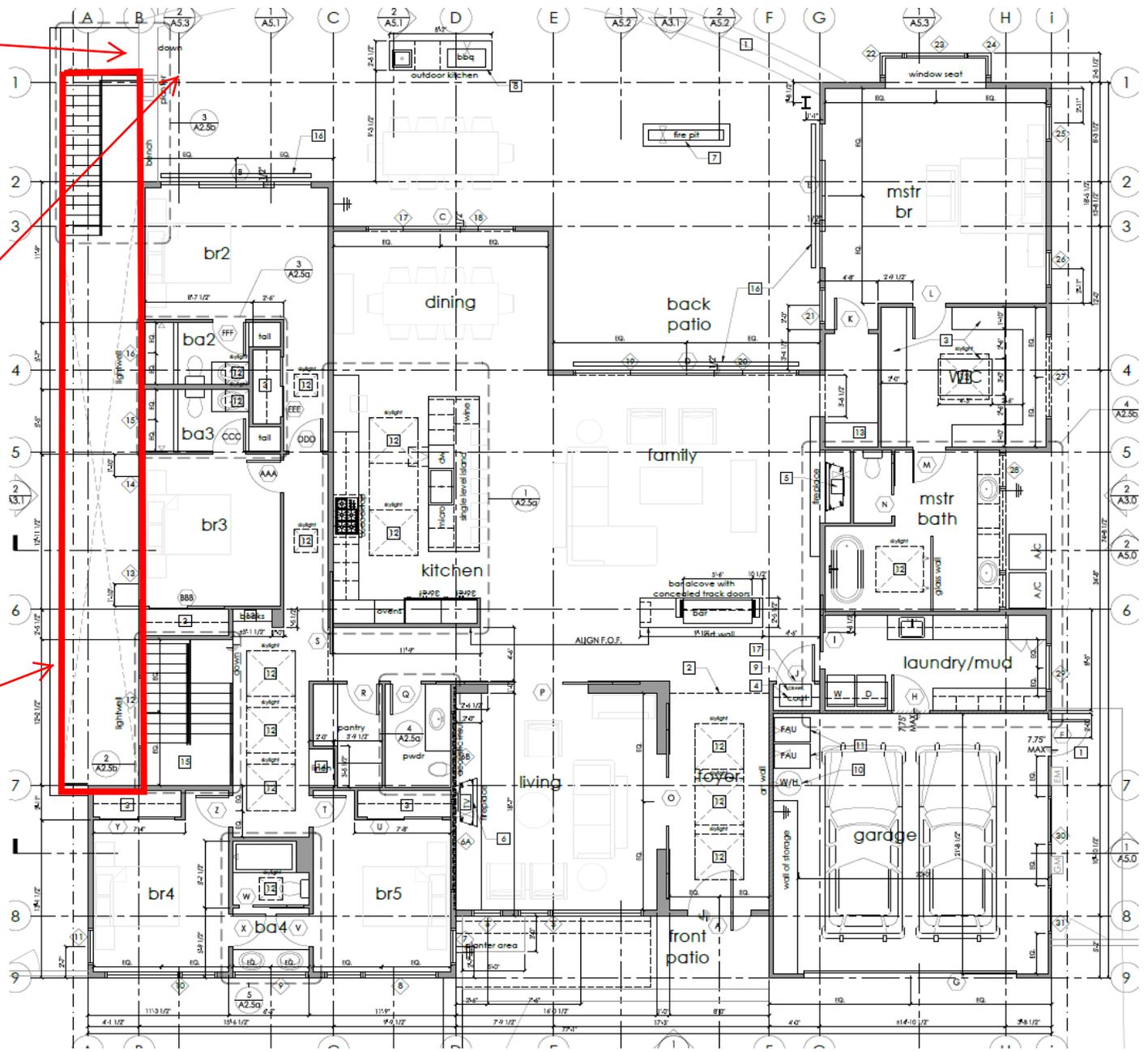
File Numbers: _____

Approximate location of Tree 24

Approximate location of Tree 25

Basement Light Well

First Floor Plan

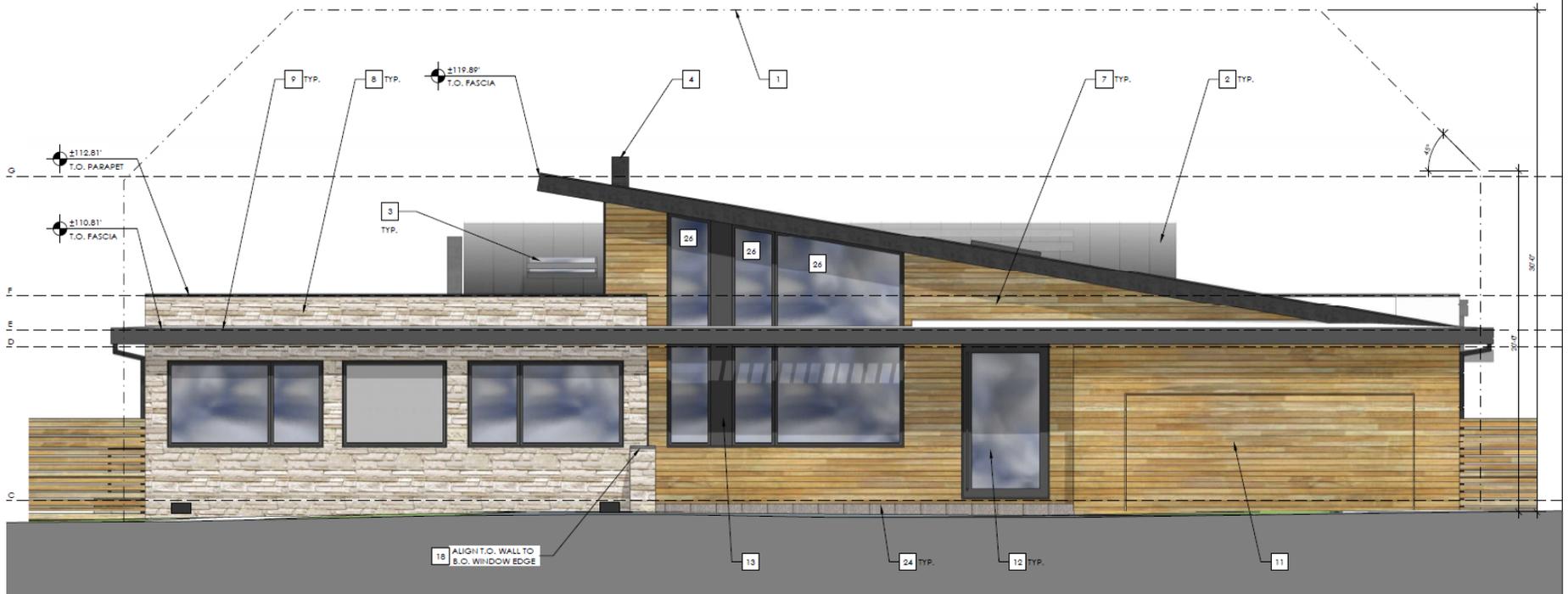


San Mateo County Planning Commission Meeting

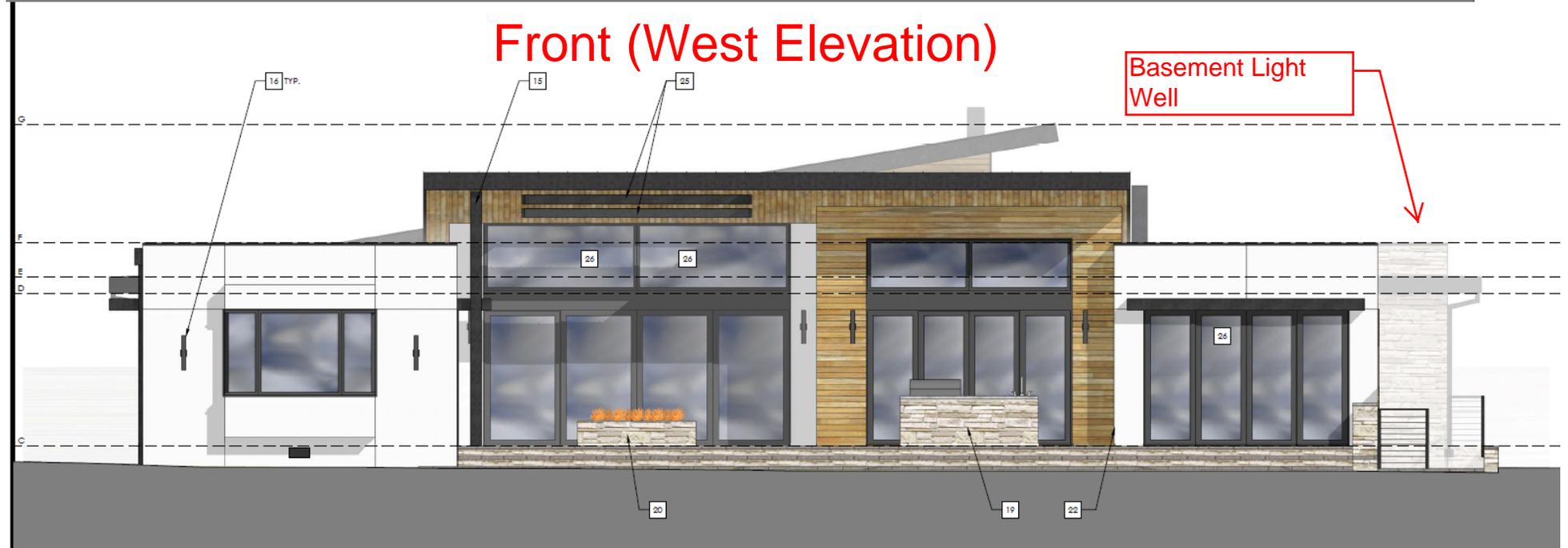
Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Front (West Elevation)



Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Rear (East Elevation)



Right Side (South Elevation)

Basement Light Well



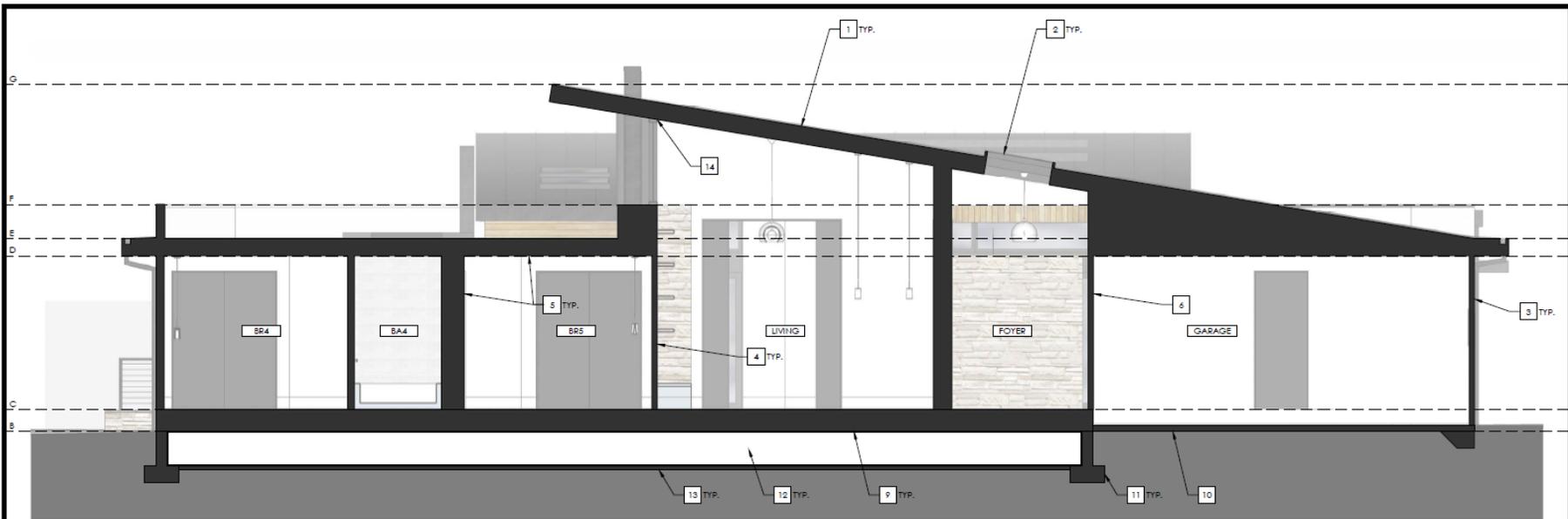
Left Side (North Elevation)

San Mateo County Planning Commission Meeting

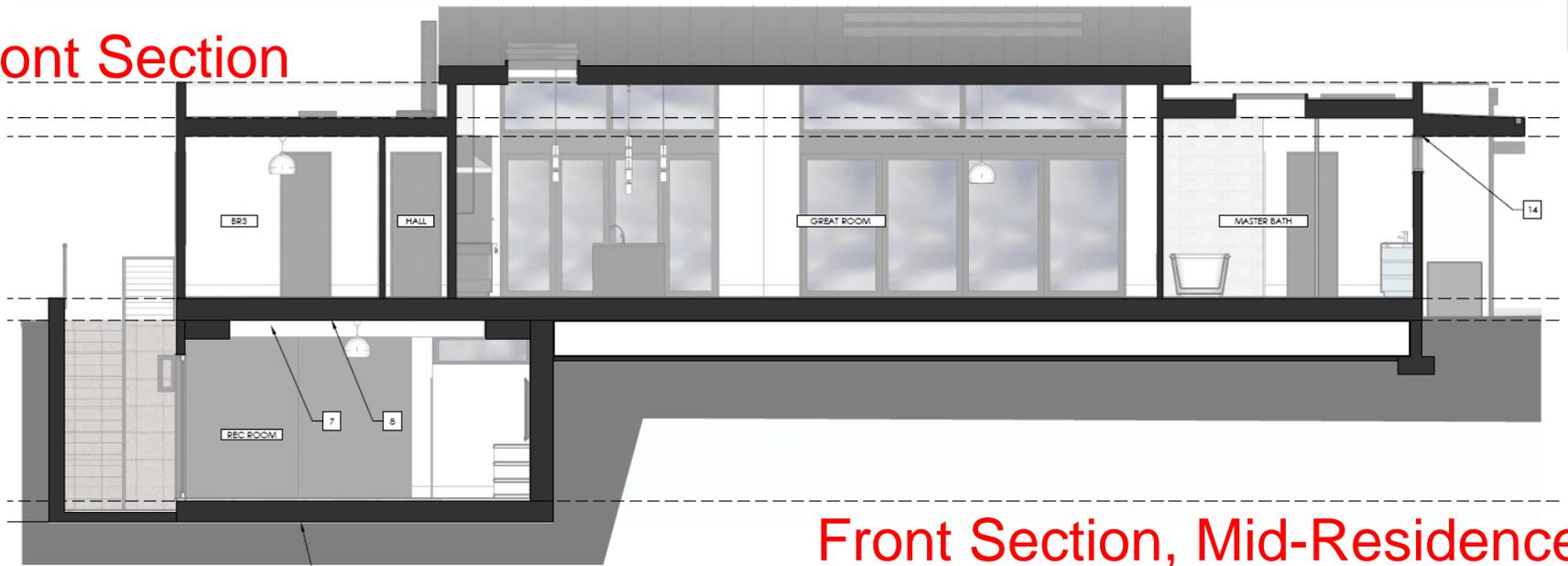
Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Front Section



Front Section, Mid-Residence

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Right Side Section



Left Side Section with Basement

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



County of San Mateo

Planning & Building Department

455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849

Mail Drop PLN122
plngbldg@smcgov.org
www.co.sanmateo.ca.us/planning

NOTICE OF GRADING PERMIT APPLICATION

MAILING DATE: 10/02/2017
DATE FILED: 06/21/2017
PLANNING CASE NO.: PLN2017-00262
OWNER: MAHADEVAN ROHAN
PROJECT TITLE: GRADING FOR NEW SFD
PROJECT LOCATION: 900 MENLO OAKS DR
APN: 062160090

PROJECT DESCRIPTION:

Grading permit for 590 cu/yds of excavation to include 540 cu/yds of cut and 50 cu/yds of fill associated with the demolition of an existing house & excavation of a basement for a new house (BLD2017-01804). Plans indicate that 490 cu/yds of material will be off-hauled; Includes the removal of three significant trees including one 20.9-inch Irish Yew, one 20.7-inch Coast Live Oak and one 28.7-inch Incense Cedar tree (non-oaks) & 11 non-significant (<12" DBH) of varying species.

It is the policy of the Planning and Building Department to inform all property owners within 300 feet of the project site be notified when an application for a Grading Permit has been submitted.

This office will act on the above application on or after October 18, 2017.

If you would like to comment on this project or have any questions regarding this matter, please contact:

Laura Richstone, Project Planner
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063

Telephone: 650-363-1829
Email: lrichstone@smcgov.org

By contacting the above Planner you may also ask to receive a copy of our decision on this project when it is issued and information about appeal procedures.

myreports/reports//Production/smcgov/NoticeOfGradingPermitApplication_V1.rpt

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

November 10, 2017

Eugene Sakai
1000 South Winchester Boulevard
San Jose, CA 95128

Dear Mr. Sakai:

SUBJECT: Grading Permit Associated With the Construction of New Residence and
Subterranean Basement
900 Menlo Oaks, Menlo Park (Unincorporated San Mateo County)
APN 062-160-090; County File No. PLN 2017-00262

Staff has completed its review of your application for a staff level Grading Permit to allow 590 cubic yards (c.y.) of grading composed of 540 c.y. of cut and 50 c.y. of fill in association with the excavation and construction of a subterranean basement and new single-family residence. The approximately 990 sq. ft. basement will require 475 c.y. of cut, the construction of the house will require an additional 55 c.y. of cut, and the surrounding site work will require 10 c.y. of cut and 50 c.y. of fill.

The subject parcel is approximately 31,193 sq. ft. in size, well wooded, and will require the removal of three significant¹ sized trees including one 20.9-inch dbh Irish yew, one 20.7-inch dbh coast live oak and one 28.7-inch dbh incense cedar. In addition, the applicant has also proposed to remove ten non-significant sized trees -located throughout the property- of various species ranging in size from 5.6 inches dbh to 10 inches dbh. Kielty Arborist Services LLC, a consulting arborist, was retained by the applicant and performed three separate site visits (August 18, 2016, June 6, 2017, and October 24, 2017) to assess the health of the trees on the subject property, to evaluate what would be required to save the significant trees proposed for removal, and provide appropriate protection measure recommendations ensuring that all remaining trees would not be unduly impacted by the proposed construction and grading activities. These protection measures have been considered by the County and are incorporated as conditions of approval listed below. The project has been reviewed by the Department of Public Works, the Building Inspection Section's Geotechnical Engineer, Menlo Park Fire Protection District, and the Planning Department (Planning).

Public notification was sent out to property owners within 300 feet of the subject property on October 2, 2017. The comment period ended on October 17, 2017. Several public comments were received during this period. Public comments included: a desire to save the 20.7" oak tree that is proposed for removal, objections to removing the non-significant sized

¹ Per Section 12,012 of the Significant Tree Ordinance, Significant Trees are defined as trees 12-inches diameter at breast height (dbh) or larger.



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trees (especially the three non-significant sized oak trees), requests to impose more stringent tree protection and monitoring measures, concerns about traffic and noise, and a request for clarification of the tree removal noticing procedures when tree removals accompany grading permits. A detailed description of public comments received and Staff's responses are listed below:

Comment #1: *There is a lack of adequate mailed or posted notice associated with this permit. There is no notice that any trees are to be removed, the noticing does not specify the trees to be removed in a way that can be understood by a neighbor, nor is the arborist report available to those walking by or even to those who received mailed notices.*

Staff Response: When a request for a tree removal is also accompanied by a request for a Grading Permit the tree removal is "bundled" under the Grading Permit and a separate tree removal permit is not required (see Comment #9 for clarification of when a Grading Permit is required and why tree removals associated with a Grading Permit are exempt from the Significant Tree Ordinance). Because a separate Tree Removal Permit is not required when tree removals are associated with a Grading Permit, the public noticing required for a Tree Removal Permit (which consists of a 100-foot radius mailing notice and site poster identifying which trees are to be removed) is not required. Instead, public noticing is performed under the Grading Permit. Public noticing for a Grading Permit is contained within the Land Clearing and Grading Ordinance and consists of a County mailed notice to all home owners within a 300-foot radius of the project parcel, all home owners' associations, and/or interested community groups and parties. The notice itself includes a description of the proposed project, identifies the size and species of all significant sized trees proposed for removal and the amount of grading proposed. Public notice for the subject project was mailed out per the regulations to all neighbors and interested parties within a 300 foot radius of the subject parcel and identified the amount of grading proposed, the purpose of the grading, identified the size and species of protected trees proposed for removal, and provided the Project Planner's contact information and encouraged the public to contact the Planner if they had any questions or concerns about the project. Though it is not required that an arborist's report or tree protection plan be mailed with the public notice, such documents are available upon request from the Planning Department and the Project Planner. In addition, the Planner associated with the application in question is available to clarify any questions the public might have regarding the proposal.

Comment #2: *The 20.7" coast live oak is a protected tree, is in fair condition (as assessed by the applicant's arborist), and should not be removed. The proposed new house should be redesigned around this 20.7" oak to save the tree.*

Staff's Response: In response to this comment, Planning Staff requested that the applicant provide an updated arborist report that assessed if the tree in question could be saved and what would be required to save the tree. An updated arborist report from Kielty Arborist Services LLC was received by the Planning Department on October 24, 2017. This report assessed the roots of the tree, the long term viability of the tree if the house were built as first proposed, and what would be required to save the tree. The report noted that the light well for the proposed basement will be located immediately adjacent to the trunk of the existing

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tree and concluded that the applicant cannot save the tree and build the proposed project as currently designed. Significant root loss, destabilization, and the eventual death of the tree would occur if the applicant were to retain the tree and construct the proposed project. The report stated that in order to save the tree the project would have to be redesigned and that no excavation should be allowed within 15 feet of the subject tree. The arborist report also concluded that even if the project was redesigned the tree would still be a hazard to the proposed house and would be at risk of failure due to its lean. The report assessed if it was possible to correct the lean of the tree and concluded that the lean (which is a result of suppressed growing conditions caused by redwood trees #26 and #27) cannot be corrected. Planning requested that the applicant consider redesigning the proposed single-family house to save the tree. The applicant chose not to redesign the house and would like to move forward with the tree removal and the design of the house as proposed. The applicant has argued that due to the heavily wooded nature of the lot, and because the house is boxed in by existing trees in the front, rear, and side yards of the existing residence, that they are constrained on where and how they can place the new residence. The applicant contends that the proposed house has been designed to save as many significant trees as possible and that the proposed house is modest in size when compared with the relative size of the parcel and what is allowed by Zoning (see Comment #10). Staff has reviewed applicant's plans and agrees with their argument. The placement of the proposed house is in roughly the same footprint as the existing residence and is situated in such a way to preserve multiple large redwoods in the back of the property and multiple large oak trees in the front and rear yards of the parcel as well. The proposal saves as many trees as possible while still allowing the applicant to utilize their land in an economically viable way.

Comment #3: *Too many trees, both significant and non-significant in size, are proposed for removal. Current ordinances permit protection of significant groups of trees, including trees that otherwise fall below the size threshold for protection. This should apply in this permit application.*

Staff's Response: Out of the 40 trees identified on the project parcel, 13 trees were originally proposed for removal. Of the 13 trees proposed for removal, three trees are of a significant size (i.e. over 12" diameter at breast height). Significant trees # 23 and # 24 (the Irish yew and coast live oak tree) are within the development footprint of the proposed project and tree #4 (the incense cedar) is in decline, leans toward the existing home, and has been deemed a hazard by the arborist. Staff has determined that the removal of trees #23, #24, and #25 will allow the applicant to utilize their property in an economically viable manner while also protecting several other large oak and redwood trees located in the front and rear yard of the subject property.

Per the Significant Tree Ordinance, significant trees are trees measuring 12" or more dbh. Trees measuring 12" dbh or more are protected under this Ordinance and require a permit for removal. The ten non-significant sized trees proposed for removal are all under 12" dbh in size and are not protected under the Significant Tree Ordinance. Thus, even if the proposed project did not require a Grading Permit and was only subject to the Significant Tree Ordinance, the ten proposed for removal do not require a permit and can be removed by right without the need for public noticing. The ten non-significant trees proposed for

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removal consist of a mixture of one spruce, three coast live oaks, one western red bud, one holly, one strawberry, one toyon, one tulip magnolia, and one crape myrtle tree located throughout the parcel.

Section 12,016 of the Significant Tree Ordinance defines a community of trees as "a group of trees of any size which are ecologically or aesthetically related to each other such that the loss of several of them would cause a significant ecological, aesthetic, or environmental impact in the immediate area." While the Significant Tree Ordinance does identify tree communities as a valuable and distinctive natural resource, the Ordinance does not prohibit the removal of these trees. The Ordinance only requires that the removal of these types of trees be noticed and a permit be procured as outlined in Section 12,000. All the trees proposed for removal were included in the public noticing and have followed the permit requirements outlined in Section 12,000 of the Significant Tree Ordinance. In addition, Staff has determined that the ten dispersed trees of various species in scattered locations do not constitute a community of trees. The community of trees definition is meant to protect groups of young trees and/or groves of trees which will eventually mature into an aesthetically pleasing or ecologically important unit (i.e. a young grove of redwood trees, mixed pines/cypresses, willow trees etc.). Because many of the ten non-significant sized trees proposed for removal are suppressed by larger trees on the parcel, have poor form/vigor (as identified by the arborist) and are located throughout the parcel they do not function as an ecological unit, nor do they represent high quality habitat. Viewed within the larger context of the parcel, the proposed removal of the trees would have little aesthetic impact due to the heavily wooded nature of the parcel and due to their scattered locations throughout the parcel.

Though these trees are not protected under the Significant Tree Ordinance, Staff has heard the concerns of the neighborhood about removing the oaks (specifically younger oaks) and has conditioned this permit to retain two out of the three non-significant sized oak trees proposed for removal. Staff has determined that oak tree #3 (6.4" dbh) and oak tree #11 (5.6" dbh) shall be retained and protected by the applicant. Oak tree #25 could not be retained due to its location within the development foot print. As such, the proposed project will only involve the removal of 3 significant sized trees and 8 non-significant sized trees of various species. Condition 13 has been added to this permit to ensure the protection of oak trees #3 and # 11.

Comment #4: *We need to replenish the oak tree canopy that will be thinned. If there is any tree removal on this property, the property owner should be responsible for replanting oaks that will replenish the canopy to at least its existing condition in no more than ten years.*

Staff's Response: The revised arborist report submitted on October 24, 2017 estimated that the removal of oak tree # 24 would have a minimal impact on the total tree canopy of the project site and would constitute an estimated 3-5% reduction in the tree canopy. Though there is no requirement within the Significant Tree Ordinance that specifically requires the full replacement of tree canopies, the Ordinance does require tree replacements approved by the Community Development Director. Condition 19 has been added to this permit which shall

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require the applicant to plant a total of three (3) 15-gallon sized oak trees on site for the three (3) significant trees removed.

Comment #5: *The coast live oak tree in the front yard should be protected with extreme measures. There should be extra monitoring by the Planning and Building Department to ensure that protection fences and other mitigations measures are adhered to and not violated by the contractor and/or developer. Please consider limits on the size of equipment to be used and requirements as to where it will be driven and parked.*

Staff's Response: The coast live oak tree in the front yard is not proposed for removal. In accordance with recommendations by the site arborist, the applicant has submitted a tree protection plan for all trees on the property. The tree protection plan, which consists of tree protection fencing, landscape buffers, and prohibiting storage of construction materials within the driplines of protected trees, has been reviewed by Planning Staff and found to be adequate. A pre-site inspection, performed by County Staff is (and shall be) required to ensure that all tree protection measures are installed correctly before the start of any demolition and grading activities and before the construction of the new single-family house. Though inspections of tree inspection fencing will occur throughout the duration of the proposed project, the County cannot perform daily site visits for all construction projects within the unincorporated County. If you believe that tree protection fencing and/or other mitigation measures and conditions are not being adhered to please contact County Code Enforcement at (650) 363-4825. Code Enforcement will investigate all complaints and ensure that all conditions of approval and tree protection measures are adhered to. While the Planning Department cannot regulate the type or size of construction equipment used on a building site, no material stockpiles, storage, or construction parking shall be allowed under the driplines of protected trees (Condition 17).

Comment #6: *How will construction noise, construction parking, and future residence parking, impact the neighborhood. What will prevent construction equipment damage to neighboring fences and trees?*

Staff's Response: Construction noise is regulated by the San Mateo County Noise Ordinance. Per Section 4.88.360 of the Noise Ordinance, construction hours are limited to Mondays thru Fridays from 7:00 a.m. to 6:00 p.m. and on Saturdays from 9:00 a.m. to 5:00 p.m. Construction activities are prohibited on Sundays, Thanksgiving, and Christmas.

Construction parking impacts on the neighborhood are expected to be minimal. Parking for construction vehicles and equipment shall occur onsite and thus should not impact traffic flows. Personal vehicle parking for construction workers shall utilize onsite parking when available or utilize any legal on street parking spaces. On street parking shall be regulated by the associated parking rules for that neighborhood.

Parking for the proposed single-family house is regulated by Section 6117 of the San Mateo Zoning Regulations. Per the parking regulations, new single-family dwellings with two or more bedrooms are required to provide two covered parking spaces. The proposed single-family dwelling includes the construction of a two car garage and meets all garage size and

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turning radius requirements. This project is not expected to generate any long term parking impacts. The proposed project provides the mandated amount of parking and has a large "U" shaped driveway that extra vehicles could park on if needed.

In regards to protecting neighboring trees, the project's tree protection plan includes tree protection measures for trees located on neighboring properties whose driplines and roots extend onto the subject property. These protection measures include tree fencing, landscape buffers, and arborist oversight of any construction to occur within 30 feet of the redwood trees located to the left of the property. Though concerns about damage to shared fences is valid, the Planning Department is not responsible for any damages to neighboring or shared property that may occur as a result of construction activities. The project applicant and the contractor are solely responsible for any such damage. If any such damage were to occur it would become a civil issue to be resolved between the neighbor and the applicant and/or contractor.

Comment #7: *The loose language of the Tree Protection Plan is concerning. Developer's should be clearly told what is being required of them by using terms such as "shall" instead of "should". This way Developers will not be able to argue that a condition or note on the tree protection plan is merely a suggestion instead of a requirement.*

Staff's Response: The attached conditions of approval clearly detail the tree protection measures that must be adhered to. "Shall" is included in the attached conditions of approval in order to ensure that these conditions are not suggestions but requirements.

Comment #9: *What determines why some trees are rolled into grading permits, while others are not? Is this a standard procedure for grading permits? Why can trees be rolled into a grading permit to begin with, with no consideration given to keeping them as assets to the tree canopy?*

Staff's Response: Though most new house construction will require a certain amount of grading, not all grading activities associated with residential construction reach a level where a grading permit is required. Grading permits are only required when a licensed civil engineer estimates that 250 or more cubic yards of cut and fill (combined) is expected. When this occurs, a separate Grading Permit issued by the Planning Department is required. Any grading activities under 250 cubic yards are regulated by the associated building permit and no Planning permit is required. It is also assumed that there will be some amount of vegetative and/or tree cutting associated with grading activities. When there is no secondary, discretionary Planning review of grading activities (i.e. when grading quantities are less than 250 cubic yards) Planning will then require a separate discretionary Tree Removal Permit when trees are proposed for removal. When the estimated total grading triggers a grading permit, which then requires Planning Department discretionary review and approval, the associated tree removal gets bundled under the grading permit and no separate tree removal permit is required. Per Section 12,020.1(e) *Exemptions* of the Significant Tree Ordinance, Tree Removal Permits are not required when tree cutting is part of a permit approval process in which the provisions of the Significant Tree Ordinance have been considered and applied. Though no separate Tree Removal Permit is required, Planning still assesses proposed tree

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removal(s) and at times may require applicants to revise their plans to protect certain trees or reduce overall grading quantities. In addition, the Planning Department must still consider the regulations contained in the Significant Tree Ordinance. As stated in Comment #2, Staff has reviewed the proposed project with the provisions of the Significant Tree Ordinance in mind and have found that the proposed project saves as many trees as possible while still allowing the applicant to utilize their property in an economically viable way.

Comment #10: *Many large new houses are being built in the neighborhood. In particular, some of these houses have many bedrooms and multiple kitchens. What impact does the size of these houses (and in particular this house) have on the character of the neighborhood? What will ensure that these large structures are not converted into multifamily units or bed and breakfast inns?*

Staff's Response: The proposed new house and subterranean basement (which has prompted this grading permit) is located in the R-1 (Single-Family Residential)/ S-100 Zoning District. Per the Single-Family Residential Zoning District (Section 6160 of the San Mateo Zoning Regulations), multifamily dwelling units, such as apartments, duplexes, and bed and breakfast inns are not allowed uses within the R-1 District. As such, no new facilities can be constructed or converted into an apartment, duplex, and/or bed and breakfast within the R-1 District. If a multifamily dwelling unit is constructed illegally within the R-1 District, steps including violations, fines, and liens are placed on the property until the violation is rectified. Though no multifamily dwelling units are allowed in the R-1 District, there are instances in which an R-1 property can have more than one kitchen. This occurs when property owners propose to build ADUs (Accessory Dwelling Units) on their property. ADUs are allowed by right in the R-1 District and may be attached or detached from the main structure. An ADU must contain a kitchen and have independent exterior access. As such, an R-1 property can have more than one kitchen if the property has or proposes to construct an ADU. Though an ADU is allowed on the project parcel, no ADU is proposed with this project. The proposed project consists of one new single-family dwelling unit and will have only one kitchen.

Other than ensuring that the proposed new residence meets all zoning standards contained within the R-1/S-100 Zoning District, Planning cannot comment on the design of the residence or consider if it is in character with the surrounding neighborhood. The proposed residence is located on a 31,130 sq.ft. parcel and sits in roughly the same location as the existing house. As proposed, the new residence meets all development standards contained in the R-1/S-100 Zoning District (see below).

Standards	Required	Proposed
Front Yard Setback	40' minimum	89'-7"
Rear Yard Setback	20' minimum	150'-4"
Left Side Yard Setback	10' minimum	11'-2"
Right Side Yard Setback	10' minimum	11'-2"
Building Height	30' maximum	20'-6"

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Standards	Required	Proposed
Lot Coverage	25% maximum	17%
Floor Area Ratio (FAR)*	9,000 sq.ft. maximum	5,043 sq.ft.
<p><i>*Per Section 6300.9.60 of the Zoning Regulations the area of all garages and carports that exceeds 400 sq. ft. is counted towards the maximum allowed FAR</i></p> <p><i>* The sub-grade basement does not count towards maximum allowed FAR per San Mateo County Planning Policy.</i></p>		

Therefore, staff has **approved** your permit subject to the following required findings and conditions of approval.

FINDINGS

Staff found that:

For the Environmental Review

1. This project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, consisting of the construction and location of limited numbers of new, small facilities or structures; in this case, a single-family residence.

For the Grading Permit:

2. The granting of the permit will not have a significant adverse effect on the environment. This project has been reviewed by the Planning Department, Department of Public Works, Building Department, and Geotechnical Department for regulation compliance. The project, as proposed and conditioned, can be completed without significant impacts to the environment.
3. The project conforms to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605. Planning Staff, the Geotechnical Section, and the Department of Public Works have reviewed the project and have determined its conformance to the criteria of Chapter 8, Division VII, San Mateo County Ordinance Code, including the standards referenced in Section 8605 and the San Mateo County General Plan, timing of grading activity, implementation of erosion and sediment control measures, and dust control measures.
4. That the project is consistent with the General Plan. The subject site has a General Plan land use designation of Low Density Residential Urban. The proposed house and basement remains consistent with the allowed density and use of the designation. As proposed and conditioned, the project complies with General Plan Policy 2.23 (*Regulate*

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Excavation, Grading, Filling and Land Clearing Activities Against Accelerated Soil Erosion) and Policy 2.17 (*Erosion and Sedimentation*) because the project includes measures and conditions to control and address each of these items.

CONDITIONS OF APPROVAL:

1. This approval applies only to the proposal as described in the plans, supporting materials, and reports submitted on June 21, 2017. Minor revisions or modifications to the project shall be subject to review and approval of the Community Development Director, if they are consistent with the intent of, and in substantial conformance with, this approval.
2. This conditional approval shall be valid for one year from the date of this letter and shall be issued concurrently with the Building Permit (BLD 2017-01804) for the new single-family residence and basement. If the Grading Permit (issued as the "hard card" with all necessary information filled out and signatures obtained) has not been issued within this time period, this approval will expire. No grading activities shall commence until all permits have been issued. An extension of this approval will be considered upon written request and payment of applicable fees 60 days prior to expiration.
3. No grading shall be allowed during the winter season (October 1 to April 30) or during any rain event to avoid potential soil erosion unless prior written request by the applicant is submitted to the Community Development Director in the form of a completed Application for an Exception to the Winter Grading Moratorium at least, two (2) weeks prior to the projected commencement of grading activities stating the date when grading will begin for consideration, and approval is granted by the Community Development Director.

The site is considered a Construction Stormwater Regulated site. Any grading activities conducted during the wet weather season (October 1 to April 30) will require monthly erosion and sediment control inspections by the Building Inspection Section, as well as prior authorization from the Community Development Director to conduct grading during the wet weather season.

4. Prior to the issuance of the grading permit "hard card," the applicant shall submit a dust control plan for review and approval by the Planning Department. The plan, at a minimum shall include the following measures:
 - a. Water all construction and grading areas at least twice daily.
 - b. Cover all trucks hauling soil, sand, and other loose material or require all trucks to maintain at least 2 feet of freeboard.
 - c. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

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5. Per San Mateo County Ordinance Section 8605.5, all equipment used in grading operations shall meet spark arrester and firefighting tool requirements, as specified in the California Public Resources Code.
6. The engineer who prepared the approved grading plan shall be responsible for the inspection and certification of the grading as required by Section 8606.2 of the Grading Ordinance. The engineer's responsibilities shall include those relating to non-compliance detailed in Section 8606.5 of the Grading Ordinance.
7. Prior to the beginning of all construction, the applicant shall implement the approved erosion and sediment control plan and tree protection plan, which shall be maintained throughout the duration of the project. The goal is to prevent significant trees, as defined by San Mateo County's Significant Tree Ordinance, Section 12,000, from injury or damage related to construction activities. The goal is also to prevent sediment and other pollutants from leaving the project site and to protect all exposed earth surfaces from erosive forces. Said plan shall adhere to the San Mateo County Wide Stormwater Pollution Prevention Program "General Construction and Site Supervision Guidelines," including:
 - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30. Stabilizing shall include both proactive measures, such as the placement of hay bales or coir netting, and the use passive measures, such as revegetating disturbed areas with plants propagated from seed collected in the immediate area.
 - b. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - c. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - d. Using sediment controls or filtration to remove sediment when dewatering site and obtain all necessary permits.
 - e. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - f. Delineating with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
 - g. Protecting adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.

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- h. Performing clearing and earth moving activities only during dry weather.
 - i. Limiting and timing application of pesticides and fertilizers to prevent polluted runoff.
 - j. Limiting construction access routes and stabilize designated access points.
 - k. Avoiding tracking dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
 - l. The contractor shall train and provide instruction to all employees and subcontractors regarding the construction Best Management Practices.
 - m. The approved erosion and sediment control plan shall be implemented prior to the beginning of construction.
8. All grading and erosion and sediment control measures shall be in accordance to the plans prepared by RW Engineering Inc., dated September 28, 2017, and approved by the Department of Public Works and the Current Planning Section. Revisions to the approved grading plan shall be prepared and signed by the engineer, and shall be submitted to the Department of Public Works and the Planning Department concurrently prior to commencing any work pursuant to the proposed revision.
 9. It shall be the responsibility of the applicant's engineer to regularly inspect the erosion control measures and determine that they are functioning as designed and that proper maintenance is being performed. Deficiencies shall be immediately corrected.
 10. For the final approval of the Grading Permit, the applicants shall ensure the performance of the following activities within thirty (30) days of the completion of grading:
 - a. The engineer shall submit written certification to the Department of Public Works and the Geotechnical Section that all grading has been completed in conformance with the approved plans, conditions of approval, and the Grading Ordinance.
 - b. All applicable work during construction shall be subject to observation and approval by the geotechnical consultant. Section II of the Geotechnical Consultant Approval form must be submitted to the County's Geotechnical Engineer and Current Planning Section.
 11. Erosion Control and Tree Protection Inspections are required prior to the issuance of a building permit for grading, construction, and demolition purposes, as the project requires the protection of significant trees. Once all review agencies have approved the Building Permit (BLD 2017-01804), the applicant will be notified that an approved job copy of the Erosion Control and Tree Protection Plans are ready for pick-up at the Planning counter of the Planning and Building Department. Once the Erosion Control

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and Tree Protection measures have been installed per the approved plans, please contact Jeremiah Pons, Building/Erosion Control Inspector, at 650/599-1592 or jpons@smcgov.org, to schedule a pre-site inspection. A \$144.00 inspection fee will be added to the building permit for the inspection. If the initial pre-site inspection is not approved, an additional inspection fee will be assessed for each required re-inspection until the job site passes the Pre-Site Inspection, or as determined by the Building Inspection Section.

- 12. Oak trees #3 and #11 identified on the Erosion Control and Tree Protection plans shall be retained and protected. Tree protection measures shall include tree protection fencing that extends to the driplines of the trees. Where tree protection fencing does not cover the entire root zone of the trees, a landscape buffer of wood chips spread at a depth of six inches shall be placed where foot traffic is expected to be heavy.
- 13. All excavation for the foundation near the 27.9" dbh valley oak (tree #5 identified in the arborist report), and the 18" dbh cedar (tree #12) shall be done by hand. The site arborist will oversee and document all root cutting of roots measuring 2 inches or more in diameter. Roots left exposed for a period of time shall be covered with layers of burlap and kept moist.
- 14. No roots over two (2) inches in diameter or over shall be cut without the consent and approval of the site arborist.
- 15. Any excavation within 30 feet of the 35" dbh redwood tree (tree #18) shall be inspected and overseen by the site arborist.
- 16. Trenching for irrigation, electrical, drainage or any other reason shall be had done when beneath the driplines of protected trees.
- 17. Storage of construction vehicles, equipment, and materials shall be limited to the existing driveway and front walkway areas when feasible. When not contained within the driveway or walkway area, storage of construction vehicles, equipment, and materials shall be prohibited within the driplines of protected trees.
- 18. The applicant shall plant on site a total of three (3) oak trees using at least 15-gallon sized stock for the trees removed. Replanting shall be required prior to the final building inspection for the new house and an inspection final by the Planning Department will be added to the building permit (BLD 2017-01804). The applicant shall submit photo verification to the Planning and Building Department of the planted replacement trees.
- 19. The location and placement of the required oak tree replantings shall be determined and overseen by the site arborist to ensure that the trees are planted in an area best suited for long term viability and growth of the trees. A signed and dated letter from the site arborist verifying that they selected an appropriate location and supervised the replantings shall be required prior to an inspection final by the Planning Department and will be added to the building permit (BLD 2017-01804).

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- 20. The existing shed in the rear of the subject property shall be removed by hand, in accordance with the arborist report, to prevent impacts to the adjacent coast live oak trees.

Building Inspection Section

- 21. This project requires a building permit
- 22. This project requires a geotechnical/soils report at the time of building permit submittal.

Geotechnical Section

- 23. The construction of the proposed residence shall include the recommendations from the project geotechnical engineer as well as include scheduled on site review by the project engineer during all required aspects of construction. The project geotechnical engineer shall sign the County of San Mateo form for project design review and post construction observations.

Department of Public Works

- 24. Prior to the issuance of the building permit or planning permit (for Provision C3 Regulated Projects), the applicant shall have prepared, by a registered civil engineer, a drainage analysis of the proposed project and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures shall be designed and included in the improvement plans and submitted to the Department of Public Works for review and approval.
- 25. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
- 26. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way

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This approval may be appealed by the applicant or any aggrieved party on or before **5:00 p.m. on November 27, 2017** the tenth business day following this action by the Community Development Director. An appeal form, including a statement of grounds for the appeal and accompanied by the applicable filing fee of \$616.35 must be submitted to the Planning and Building Department. Further information may be obtained by calling Laura Richstone, Project Planner, at 650/363-1829 or by email at Lrichstone@smcgov.org.

To provide feedback, please visit the Department's Customer Survey at the following link: <http://planning.smcgov.org/survey>.

STEVE MONOWITZ
COMMUNITY DEVELOPMENT DIRECTOR, By:



Melissa Ross, Senior Planner

MAR:LAR:aow- LARBB0578_WAN.DOCX

- cc: Sean Rinde
Menlo Oaks District Association (MODA)
Menlo Oaks Tree Advocacy (MOTA)
Judy Horst
John Danforth
Dana Kavy
Sol Kavy
Janet Weisman Goff
Iain Watson
John S. Simonson
Mitch Tuchman

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Owner/Applicant:

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Kielty Arborist Services LLC

Certified Arborist WE#0476A

P.O. Box 6187

San Mateo, CA 94403

650-515-9783

August 18, 2016, Revised June 6, 2017

Rohan Mahadevan and Nandini Achary
900 Menlo Oaks
Menlo Park CA

Site:900 Menlo Oaks, Menlo Park, CA

Dear Rohan Mahadevan and Nandini Achary,

As requested on Monday, August 8, 2016, I visited the above site to inspect and comment on the trees. A new home is proposed for this site and your concern for the future health and safety of the trees has prompted this visit.

Method:

All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on a map provided by you. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The trees were given a condition rating for form and vitality. The trees condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

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

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

RECEIVED
AUG 23 2017
San Mateo County
Building Inspection

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Attachment: _____

File Numbers: _____

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1S	Valley oak (<i>Quercus lobata</i>)	38est	45	40/50	Fair vigor, poor form, heavy lean south, large lateral leaders, supported by 2 wooden props, heavy decay in leader with prop, bee hive in decayed area, aesthetically pleasing, needs a great deal of maintenance to be able to retain tree.
2	Colorado blue spruce (<i>Picea pungens</i>)	6.1	55	30/10	Fair to poor vigor, good form.
3	Coast live oak (<i>Quercus agrifolia</i>)	6.4	65	20/12	Good vigor, fair form, young tree, volunteer.
4S	Incense cedar (<i>Calocedrus decurrens</i>)	28.7	45	70/30	Fair to poor vigor, poor form, leans towards building, suppressed by neighbor's redwoods, abundance of dead wood and dead limbs.
5S	Valley oak (<i>Quercus lobata</i>)	27.9	65	60/50	Good vigor, fair form, heavy to the south east, dead limbs on suppressed side of tree, oak bark canker, aesthetically pleasing, 10 feet from corner of the home.
6	Western red bud (<i>Cercis occidentalis</i>)	10@base	40	15/15	Poor vigor, poor form, suppressed, in decline.
7S	Coast live oak (<i>Quercus agrifolia</i>)	23.4	65	30/45	Fair vigor, fair form, codominant at 10 feet with good crotch formations, needs maintenance to be visually appealing.
8	Xylosma (<i>Xylosma spp.</i>)	4.8	50	12/12	Fair vigor, fair form, suppressed.
9	Holly (<i>Ilex aquifolium</i>)	10@base	40	20/15	Poor vigor, poor form, multi leader at base, suppressed, in decline.
10	Strawberry tree (<i>Arbutus unedo</i>)	5.8	50	12/10	Fair vigor, poor form, suppressed, heavy lean.
11	Coast live oak (<i>Quercus agrifolia</i>)	5.6	55	12/12	Fair vigor, poor form, suppressed by #13, on property line, codominant at 5 feet with poor crotch formation.

San Mateo County Planning Commission Meeting

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Attachment:

File Numbers:

900 Menlo Oaks /6/6/17

(3)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
12*S	Deodar cedar (<i>Cedrus deodara</i>)	18-18est	60	60/40	Fair vigor, poor to fair form, codominant at 2 feet with good crotch formation, leaders suppress each other, 8 feet from property line.
13	Toyon (<i>Heteromeles arbutifolia</i>)	6est	0	15/8	DEAD
14S	Coast live oak (<i>Quercus agrifolia</i>)	14.0	60	30/15	Fair vigor, poor form, codominant at 10 feet with included bark, on property line.
15S	Coast live oak (<i>Quercus agrifolia</i>)	12.2	60	15/15	Fair vigor, poor form, big sweep in trunk, heavy to the south east, aesthetically pleasing, on property line.
16	Bay (<i>Umbellularia californica</i>)	7.2	30	30/10	Nearly dead.
17	Olive (<i>Olea europaea</i>)	5.9	45	25/10	Fair vigor, poor form, tall for DBH, heavily suppressed, on property line.
18*S	Redwood (<i>Sequoia sempervirens</i>)	35est	70	100/40	Good vigor, fair form, in grove of 4 redwoods, 4 feet from property line.
19*S	Coast live oak (<i>Quercus agrifolia</i>)	12est	80	35/30	Good vigor, fair form, 10 feet from property line.
20	Catalina cherry (<i>Prunus ilicifolia</i>)	10est	50	30/20	Fair vigor, poor form, heavily suppressed, codominant at 8 feet.
21SR	Tulip magnolia (<i>Magnolia grandiflora</i>)	9x4	45	25/30	Poor vigor, fair to poor form, multi leader at base, improper cabling done in past is slightly girdling tree, in decline, drought stressed.
22R	Crape myrtle (<i>Lagerstroemia spp.</i>)	9.8	30	20/15	Poor vigor, poor form, split crotch failed tree, in decline.
23SR	Irish yew (<i>Taxus baccata</i>)	20.9	40	25/12	Poor vigor, poor form, in decline.

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900 Menlo Oaks /6/6/17

(4)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
24SR	Coast live oak (<i>Quercus agrifolia</i>)	20.7	60	40/20	Good vigor, fair form, suppressed by redwoods heavy towards home, needs maintenance.
25R	Coast live oak (<i>Quercus agrifolia</i>)	6.9	45	30/10	Fair vigor, poor form, tall for DBH, suppressed.
26S	Redwood (<i>Sequoia sempervirens</i>)	52.4	70	100/35	Fair vigor, fair form, possible failure in past near tree, 3 feet from #27.
27S	Redwood (<i>Sequoia sempervirens</i>)	32.1	70	100/35	Fair vigor, fair form, possible failure in past near tree, 3 feet from #26.
28S	Coast live oak (<i>Quercus agrifolia</i>)	26.5	45	35/30	Fair vigor, poor form, heavy decay at base on south side, multi leader at 8 feet, tree heavy to the south, hazard.
29S	Coast live oak (<i>Quercus agrifolia</i>)	12.9	45	40/12	Fair vigor, poor form, tall for DBH, poor live crown ratio, top heavy.
30S	Coast live oak (<i>Quercus agrifolia</i>)	12.5	45	30/15	Fair vigor, poor form, codominant with poor crotch formation, included bark, less than 1 foot from an accessory structure.
31S	Coast live oak (<i>Quercus agrifolia</i>)	19.1	45	30/15	Fair vigor, fair form, suppressed, 1 foot from building, top heavy.
32S	Coast live oak (<i>Quercus agrifolia</i>)	19.2	45	30/20	Good vigor, poor form, leans to the north, history of limb loss, suppressed, skinned up, 1 foot from #33, shares root zone.
33S	Coast live oak (<i>Quercus agrifolia</i>)	19.7	50	35/25	Fair vigor, poor form, leans south, codominant at 12 feet, poor crotch, 1 foot from #32, shares root zone.
34	Privet (<i>Ligustrum japonicum</i>)	8.1	40	25/10	Poor vigor, poor form, suppressed, covered in ivy.
35	Tree of heaven (<i>Ailanthus altissima</i>)	8.9	45	25/20	Fair vigor, fair form, invasive species.
36S	Coast live oak (<i>Quercus agrifolia</i>)	16.2	60	35/20	Good vigor, fair form, slight lean south, codominant at 15 feet.

San Mateo County Planning Commission Meeting

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File Numbers:

900 Menlo Oaks /6/6/17

(5)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
37	Catalina cherry (<i>Prunus ilicifolia</i>)	10.0	30	15/20	Poor vigor, poor form, nearly dead, if removed it improves #36.
38S	Coast live oak (<i>Quercus agrifolia</i>)	35.2	45	40/50	Fair vigor, poor form, leans south, decay at 2 feet on north side of trunk, codominant at 10 feet, heavy decay at 10 feet on south side of tree, history of limb loss, supported by wooden beam that is bending, good location, hazardous.
39*S	Coast live oak (<i>Quercus agrifolia</i>)	35est	65	40/40	Good vigor, good form, 10 feet from property line.
40*S	Coast live oak (<i>Quercus agrifolia</i>)	18est	55	35/30	Good vigor, fair form, decay at 10 feet, 5 feet from property line.

*-Indicates neighbors tree

S- Indicates significant tree by San Mateo County ordinance

Summary:

The trees on site are a mix of imported and native trees. The trees are spread throughout the property in various locations. A high number of the trees are growing in suppressed conditions. Trees that grow in suppressed conditions develop poor forms, such as a heavy lean that can often create trees that are structurally unstable. The mature oaks on site are recommended to receive maintenance every 3-5 years as they tend to develop large lateral leaders that can become heavy sometimes to the point of failure. The property has not been maintained for an unknown amount of time, all imported trees are obviously struggling from lack of irrigation. If any of the imported trees are to be retained, they must be irrigated as soon as possible. None of the native trees on site need supplemental irrigation unless their root zones are traumatized. The landscape design of this property should not plant high water use plants underneath the driplines of the oaks on site as this can cause oak root fungus. No heritage trees were located on site. All trees over 12 inches in diameter are considered a significant tree in San Mateo County and a permit is required for their removal.

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Valley oak tree #1 is located in close proximity to the street. This tree has poor form consisting of a heavy lean to the south and decay. The tree is being supported by a wooden prop. Steel props are widely used in today's time for prop material over wood because of its strength and longevity. This is an indication of old work done to try and reduce the risk of a failure. The large lateral limb that is being supported by the wooden prop has heavy decay with a large bee hive in the decay pocket. This tree is aesthetically pleasing because of its poor form. This tree has a high risk of leader failure because of the decay and lean. If this tree is to be retained a great deal of maintenance should go into this tree to lower its risk of failure. Cabling and heavy pruning is recommended if this tree is to be retained.

Showing valley oak #1 supported by wooden props

Blue spruce #2 and coast live oak #3 are both not of a protected size in the county of San Mateo. Coast live oak tree #3 is likely a volunteer that sprouted through means of natural acorn dispersal. This tree will grow into a nice tree and should be retained if its location fits in with the design of the new home. Blue spruce #2 has some decline in its canopy, this is likely due to lack of irrigation and from growing in suppressed conditions. This tree does not fit into the natural oak landscape and should be removed.

Incense cedar tree #4 is a protected tree. This tree was given a poor condition rating of 45 because of its poor vigor, and poor form. The neighbor's redwood trees are heavily suppressing this tree and have caused the tree to lean towards the existing home. This tree is in decline and is considered hazardous because of its heavy lean towards the home. A large amount of dead wood and dead limbs were observed. This tree is not suitable for preservation as it will always be suppressed and the lean will not be able to be corrected through pruning. Removal is recommended.

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Showing valley oak tree #5

Valley oak tree #5 is a protected tree in fair condition. This tree is aesthetically pleasing and an asset to the home as the tree provides shade in the summer and solar heat in the winter. The tree is heavier towards the property as a result of being suppressed by the neighbor's redwood trees. The tree is located 10 feet from the corner of the existing home. This tree will require maintenance every 3 years in order to reduce heavy end weight of the limbs towards the home, also the tree would benefit from a general crown cleaning. This tree will need to be protected during all construction activities. The proposed basement for this site is outside of the calculated root zone (10 times diameter) of this tree, therefore no impacts are expected from the proposed basement to this tree. The first floor foundation for the proposed home encroaches 1 foot from where the existing foundation is located into the tree's root zone. All excavation for the foundation near this tree will need to be done by hand. The existing foundation likely acted as a root barrier for this tree. Roots underneath the home are expected to be minimal

to nonexistent as this is a space where roots are not expected to thrive. The site arborist will need to be on site to witness the excavation 1 foot from the existing home. All encountered roots measuring 2 inches in diameter or over will need to be documented. Excavation depth for the new home when near this tree should be reduced as much as possible. Impacts to this tree from the proposed plan are expected to be minor. Mitigations for the minor root loss will consist of irrigation as close as possible to where the cut is to take place. Irrigation shall take place by using a soaker hose. The soaker hose can be turned on for 4 hours every 2 weeks following the root cutting for the duration of 1 year.

Western red bud tree #6 is in poor condition and recommended to be removed. The tree has likely declined as a result of growing in a heavily suppressed area.

Coast live oak tree #7 is a protected tree in fair condition. This tree is in a good location far from proposed work. The tree looks over grown and messy in its current state. The tree would look visually appealing after a thorough pruning for structure and after a crown cleaning for dead wood and diseased wood. Also the smaller non protected trees surrounding this tree (#8,9,10) should be removed in order to retain the oak as a focal point.

Coast live oak tree #11 is a small tree under the protected size and is likely a volunteer tree. This tree is proposed for removal as it is growing underneath the neighbor's cedar tree #12 and has no room for vertical growth.

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Neighbor's cedar tree #12 is located at an estimated 8 feet from the property line. The proposed home is near the same location as the existing home. The proposed foundation near this tree will need to be dug by hand in order to expose roots that may have grown in this area. No roots over 2 inches in diameter are to be cut without the site arborist consent. Tree protection fencing for this tree should extend out from the property line as close to the proposed foundation as possible and to a width equal to the drip line of the tree. The site arborist must be on site to view digging by hand in this area in order to inspect, document and offer mitigation measures depending on the findings. Impacts to this tree are expected to be minor to nonexistent as the existing home in this location likely acted as a root barrier.



Redwood tree #18 is located 4 feet from the existing property line fence. This tree is the closest tree in a grove of 4 redwood trees of the same size and stature. These trees are in good condition. Any excavation within 30 feet from these trees will require the site arborist to be on site. This includes any driveway work including the possible removal of the driveway. All work within 30 feet of these trees must be inspected and documented by the site arborist. No roots should be cut in this area.

Showing neighbor's redwood trees

Trees #19 and #20 are located on the neighbor's property. These trees are in fair condition. At this time no impacts are expected to these trees.



Tulip magnolia tree #21 is proposed for removal. This tree is a multi-leader tree at grade. The tree is in decline. The trees vigor and form is poor. The drought appears to have stressed the tree. No maintenance has been provided to this tree for an unknown length of time. Improper cabling has been installed on this tree and has caused some minor girdling. This tree is a significant tree as designated by the County.

Showing tulip magnolia in decline

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Crape myrtle tree #22 is proposed for removal. A past failure at the base of the tree has caused a large split in the trees crotch at 2 feet. This tree is not suitable for preservation and should be removed regardless of construction. This tree is not a protected tree.



Irish yew tree #23 is proposed for removal. This tree is in obvious decline as no irrigation or maintenance has been applied for an unknown length of time. This tree is of a protected size in the county of San Mateo and will need a permit to be removed as it is designated a significant tree. The tree was given a condition rating of 40 making it a poor tree.

Showing Irish yew #23 in decline



Coast live oak trees #24 and #25 are both proposed for removal in order to facilitate construction of the new home. Coast live oak tree #24 has a diameter of 20.7 inches in diameter making it a significant tree by County ordinance. This tree is heavily suppressed by the large redwood trees on site and has developed a lean towards the existing home. Coast live oak tree #25 is a small tree with a diameter of 6.9 inches. This tree is likely a volunteer grown by means of natural seed dispersal. This tree should be removed regardless of construction as it is heavily suppressed. Oak tree #25 is not a protected sized tree

Showing oak tree #24

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

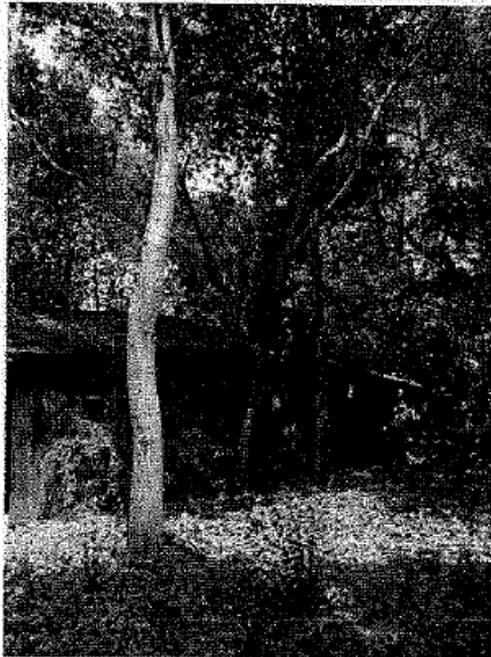
File Numbers:

Redwood trees #26 and #27 are both in fair condition. A redwood tree in the past has been removed near these trees. The removed tree is possibly a failed tree but unknown at this time. These trees will need to be protected during construction. Tree protection fencing for these trees will need to be as large as possible. It is recommended that a minimum distance of 25 feet from the trees trunks remains protected and unchanged.



Coast live oak tree #28 has a diameter of 26.5 inches. This tree has a heavy amount of decay at its base on the south side of the tree. The tree is also heavy to the south. The large amount of decay associated with this tree gives the tree a high risk rating for tree failure. Removal is a viable option.

Showing heavy decay at base of tree #28



Coast live oak trees #29-31 are all located in close proximity to an accessory structure. All 3 of these trees are growing in suppressed conditions. The suppressed conditions have made for these 3 trees to be top heavy as they are stretching towards sunlight. If these trees are to be retained the accessory structure must be removed by hand as these trees would likely be impacted by heavy machinery to remove the structure.

Showing trees #29-31

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Coast live oak trees #32 and #33 are located right next to each other and could be considered one tree as they share the same root zone. Both of these trees suppress each other and as a result they lean away from each other in opposite directions. If these trees are to be retained it is recommended that they be cabled together in order to offer extra support. Also, a maintenance plan of pruning to relieve heavy end weight every 3-5 years. This would increase the trees longevity.

Showing oak trees #32 and #33

Coast live oak tree #36 should be retained as this tree is in fair condition and in a good location for preservation during construction. Tree #35 is a non protected tree and an invasive species. This tree should be removed. With tree #35 removed, coast live oak tree #36 would benefit as it would relieve suppressed conditions.



Coast live oak tree #38 is a large protected tree with a diameter of 35.2 inches. This tree has a heavy lean to the south. Decay was observed on the north side of the tree at 2 feet. The tree is codominant at 10 feet with heavy decay directly below the codominant junction. The tree has lost large limbs in the past. A large wooden support beam is supporting a large lateral limb. The wooden support beam is bending in its current state. The heavy decay associated with this tree in combination with the tree heavy to the south makes the tree hazardous. Mitigations for this tree could be put in place to lower its risk of failure. Pruning and cabling and the installation of a steel prop would improve its risk rating from high to moderate. If the owner does not except a moderate risk rating the tree should be removed. The tree is in a good location on the property and offers a good amount of screening. The following tree protection plan will help ensure the safety and health of the retained trees on site.

Showing tree #38 with bending wooden support

San Mateo County Planning Commission Meeting

Owner/Applicant:

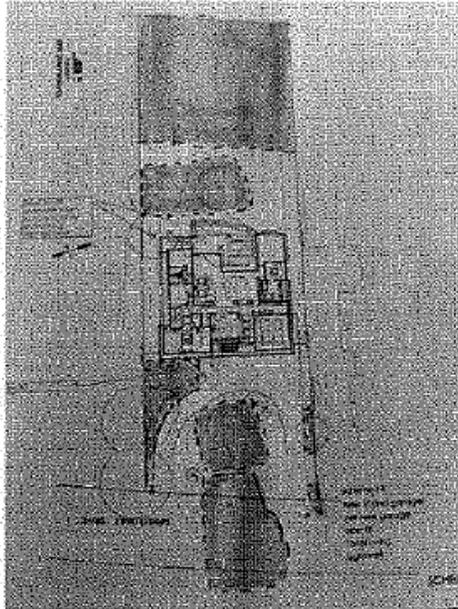
Attachment:

File Numbers:

Tree Protection Plan:

Tree protection fencing

Tree protection zones should be established and maintained throughout the entire length of the project. Fencing for protection zones should be 6-foot-tall metal chain link supported by 2-inch diameter poles pounded into the ground. The location for protective fencing should be as close to the dripline as possible still allowing room for construction to safely continue. No equipment or materials should be stored or cleaned inside protection zones. Protected trees located on the neighbors' properties should be protected by fencing extending out from the property line and out to the set back of the property. The existing driveway is recommended to be retained during the construction of the home as it is protecting the root zones of the trees in close proximity. Below is a diagram showing the recommended tree protection fencing locations.



Highlighted areas represent areas fenced off by tree protection fencing

Landscape Buffer

Where tree protection does not cover the entire root zone of the trees a landscape buffer consisting of wood chips spread to a depth of six inches will be placed where foot traffic is expected to be heavy. The landscape buffer will help to reduce compaction to the unprotected root zone.

Root Cutting

Any roots to be cut should be monitored and documented. Large roots or large masses of roots to be cut should be inspected by the site arborist. The site arborist may recommend irrigation or fertilizing at that time. Cut all roots clean with a saw or loppers. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. All roots encountered measuring 2 inches in diameter or over shall be exposed and remain damage free for the site arborist to view. Mitigation measures will be applied at this time.

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Trenching and Excavation

Trenching for irrigation, electrical, drainage or any other reason, should be hand dug when beneath the dripline of desired trees. Hand digging and careful placement of pipes below or beside protected roots will dramatically reduce root loss, thus reducing trauma to desired trees. Trenches should be back filled as soon as possible using native materials and compacted to near original levels. Trenches to be left open with exposed roots shall be covered with burlap and kept moist. Plywood laid over the trench will help to protect roots below.

Irrigation

Normal irrigation should be maintained throughout the entire length of the project. All of the imported trees will require normal irrigation. This includes the redwood tree. Irrigation should consist of surface flooding, with enough water to wet the entire root zone. If the root zone is traumatized this type of irrigation should be carried out two times per month during the warm dry season.

Inspections

The site will be inspected after the tree protection measures are installed and before the start of construction. Other inspections will be carried out on an as needed basis. Any time work is within 20 feet of the protected tree on site, the site arborist must be notified 48 hours in advance so that a site visit can be scheduled during the proposed work.

This information should be kept on site at all times. The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty
Certified Arborist WE#0476A

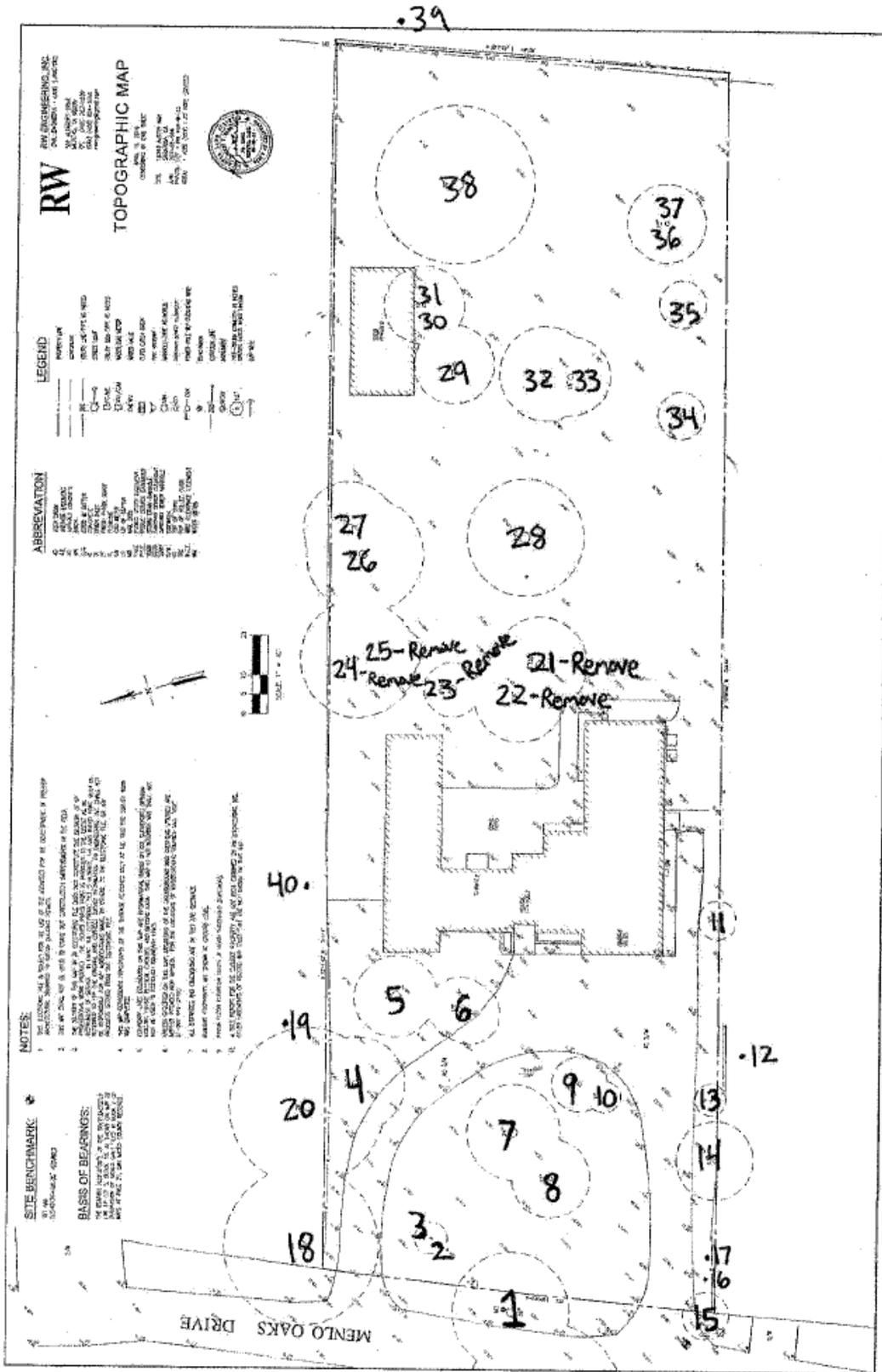
David P. Beckham
Certified Arborist WE#10724A

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

Kielty Arborist Services LLC

Certified Arborist WE#0476A

P.O. Box 6187

San Mateo, CA 94403

650-515-9783

August 18, 2016, Revised June 6, 2017, Revised October 24, 2017

Rohan Mahadevan and Nandini Achary
900 Menlo Oaks
Menlo Park CA

Site:900 Menlo Oaks, Menlo Park, CA

Dear Rohan Mahadevan and Nandini Achary,

As requested on Monday, August 8, 2016, and again on October 24, 2017 I visited the above site to inspect and comment on the trees. A new home is proposed for this site and your concern for the future health and safety of the trees has prompted this visit.

Method:

All inspections were made from the ground; the trees were not climbed for this inspection. The trees in question were located on a map provided by you. The trees were then measured for diameter at 54 inches above ground level (DBH or diameter at breast height). The trees were given a condition rating for form and vitality. The trees condition rating is based on 50 percent vitality and 50 percent form, using the following scale.

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

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

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
1S	Valley oak (<i>Quercus lobata</i>)	38est	45	40/50	Fair vigor, poor form, heavy lean south, large lateral leaders, supported by 2 wooden props, heavy decay in leader with prop, bee hive in decayed area, aesthetically pleasing, needs a great deal of maintenance to be able to retain tree.
2	Colorado blue spruce (<i>Picea pungens</i>)	6.1	55	30/10	Fair to poor vigor, good form.
3	Coast live oak (<i>Quercus agrifolia</i>)	6.4	65	20/12	Good vigor, fair form, young tree, volunteer.
4S	Incense cedar (<i>Calocedrus decurrens</i>)	28.7	45	70/30	Fair to poor vigor, poor form, leans towards building, suppressed by neighbor's redwoods, abundance of dead wood and dead limbs.
5S	Valley oak (<i>Quercus lobata</i>)	27.9	65	60/50	Good vigor, fair form, heavy to the south east, dead limbs on suppressed side of tree, oak bark canker, aesthetically pleasing, 10 feet from corner of the home.
6	Western red bud (<i>Cercis occidentalis</i>)	10@base	40	15/15	Poor vigor, poor form, suppressed, in decline.
7S	Coast live oak (<i>Quercus agrifolia</i>)	23.4	65	30/45	Fair vigor, fair form, codominant at 10 feet with good crotch formations, needs maintenance to be visually appealing.
8	Xylosma (<i>Xylosma spp.</i>)	4.8	50	12/12	Fair vigor, fair form, suppressed.
9	Holly (<i>Ilex aquifolium</i>)	10@base	40	20/15	Poor vigor, poor form, multi leader at base, suppressed, in decline.
10	Strawberry tree (<i>Arbutus unedo</i>)	5.8	50	12/10	Fair vigor, poor form, suppressed, heavy lean.
11	Coast live oak (<i>Quercus agrifolia</i>)	5.6	55	12/12	Fair vigor, poor form, suppressed by #13, on property line, codominant at 5 feet with poor crotch formation.

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

900 Menlo Oaks /10/24/17

(3)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
12*S	Deodar cedar (<i>Cedrus deodara</i>)	18-18est	60	60/40	Fair vigor, poor to fair form, codominant at 2 feet with good crotch formation, leaders suppress each other, 8 feet from property line.
13	Toyon (<i>Heteromeles arbutifolia</i>)	6est	0	15/8	DEAD
14S	Coast live oak (<i>Quercus agrifolia</i>)	14.0	60	30/15	Fair vigor, poor form, codominant at 10 feet with included bark, on property line.
15S	Coast live oak (<i>Quercus agrifolia</i>)	12.2	60	15/15	Fair vigor, poor form, big sweep in trunk, heavy to the south east, aesthetically pleasing, on property line.
16	Bay (<i>Umbellularia californica</i>)	7.2	30	30/10	Nearly dead.
17	Olive (<i>Olea europaea</i>)	5.9	45	25/10	Fair vigor, poor form, tall for DBH, heavily suppressed, on property line.
18*S	Redwood (<i>Sequoia sempervirens</i>)	35est	70	100/40	Good vigor, fair form, in grove of 4 redwoods, 4 feet from property line.
19*S	Coast live oak (<i>Quercus agrifolia</i>)	12est	80	35/30	Good vigor, fair form, 10 feet from property line.
20	Catalina cherry (<i>Prunus ilicifolia</i>)	10est	50	30/20	Fair vigor, poor form, heavily suppressed, codominant at 8 feet.
21SR	Tulip magnolia (<i>Magnolia grandiflora</i>)	9x4	45	25/30	Poor vigor, fair to poor form, multi leader at base, improper cabling done in past is slightly girdling tree, in decline, drought stressed.
22R	Crape myrtle (<i>Lagerstroemia spp.</i>)	9.8	30	20/15	Poor vigor, poor form, split crotch failed tree, in decline.
23SR	Irish yew (<i>Taxus baccata</i>)	20.9	40	25/12	Poor vigor, poor form, in decline.

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

900 Menlo Oaks /10/24/17

(4)

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
24SR	Coast live oak (<i>Quercus agrifolia</i>)	20.7	60	40/20	Good vigor, fair form, suppressed by redwoods heavy towards home, needs maintenance.
25R	Coast live oak (<i>Quercus agrifolia</i>)	6.9	45	30/10	Fair vigor, poor form, tall for DBH, suppressed.
26S	Redwood (<i>Sequoia sempervirens</i>)	52.4	70	100/35	Fair vigor, fair form, possible failure in past near tree, 3 feet from #27.
27S	Redwood (<i>Sequoia sempervirens</i>)	32.1	70	100/35	Fair vigor, fair form, possible failure in past near tree, 3 feet from #26.
28S	Coast live oak (<i>Quercus agrifolia</i>)	26.5	45	35/30	Fair vigor, poor form, heavy decay at base on south side, multi leader at 8 feet, tree heavy to the south, hazard.
29S	Coast live oak (<i>Quercus agrifolia</i>)	12.9	45	40/12	Fair vigor, poor form, tall for DBH, poor live crown ratio, top heavy.
30S	Coast live oak (<i>Quercus agrifolia</i>)	12.5	45	30/15	Fair vigor, poor form, codominant with poor crotch formation, included bark, less than 1 foot from an accessory structure.
31S	Coast live oak (<i>Quercus agrifolia</i>)	19.1	45	30/15	Fair vigor, fair form, suppressed, 1 foot from building, top heavy.
32S	Coast live oak (<i>Quercus agrifolia</i>)	19.2	45	30/20	Good vigor, poor form, leans to the north, history of limb loss, suppressed, skinned up, 1 foot from #33, shares root zone.
33S	Coast live oak (<i>Quercus agrifolia</i>)	19.7	50	35/25	Fair vigor, poor form, leans south, codominant at 12 feet, poor crotch, 1 foot from #32, shares root zone.
34	Privet (<i>Ligustrum japonicum</i>)	8.1	40	25/10	Poor vigor, poor form, suppressed, covered in ivy.
35	Tree of heaven (<i>Ailanthus altissima</i>)	8.9	45	25/20	Fair vigor, fair form, invasive species.
36S	Coast live oak (<i>Quercus agrifolia</i>)	16.2	60	35/20	Good vigor, fair form, slight lean south, codominant at 15 feet.

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

Survey:

Tree#	Species	DBH	CON	HT/SP	Comments
37	Catalina cherry (<i>Prunus ilicifolia</i>)	10.0	30	15/20	Poor vigor, poor form, nearly dead, if removed it improves #36.
38S	Coast live oak (<i>Quercus agrifolia</i>)	35.2	45	40/50	Fair vigor, poor form, leans south, decay at 2 feet on north side of trunk, codominant at 10 feet, heavy decay at 10 feet on south side of tree, history of limb loss, supported by wooden beam that is bending, good location, hazardous.
39*S	Coast live oak (<i>Quercus agrifolia</i>)	35est	65	40/40	Good vigor, good form, 10 feet from property line.
40*S	Coast live oak (<i>Quercus agrifolia</i>)	18est	55	35/30	Good vigor, fair form, decay at 10 feet, 5 feet from property line.

*-Indicates neighbors tree

S- Indicates significant tree by San Mateo County ordinance

Summary:

The trees on site are a mix of imported and native trees. The trees are spread throughout the property in various locations. A high number of the trees are growing in suppressed conditions. Trees that grow in suppressed conditions develop poor forms, such as a heavy lean that can often create trees that are structurally unstable. The mature oaks on site are recommended to receive maintenance every 3-5 years as they tend to develop large lateral leaders that can become heavy sometimes to the point of failure. The property has not been maintained for an unknown amount of time, all imported trees are obviously struggling from lack of irrigation. If any of the imported trees are to be retained, they must be irrigated as soon as possible. None of the native trees on site need supplemental irrigation unless their root zones are traumatized. The landscape design of this property should not plant high water use plants underneath the driplines of the oaks on site as this can cause oak root fungus. No heritage trees were located on site. All trees over 12 inches in diameter are considered a significant tree in San Mateo County and a permit is required for their removal.

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Valley oak tree #1 is located in close proximity to the street. This tree has poor form consisting of a heavy lean to the south and decay. The tree is being supported by a wooden prop. Steel props are widely used in today's time for prop material over wood because of its strength and longevity. This is an indication of old work done to try and reduce the risk of a failure. The large lateral limb that is being supported by the wooden prop has heavy decay with a large bee hive in the decay pocket. This tree is aesthetically pleasing because of its poor form. This tree has a high risk of leader failure because of the decay and lean. If this tree is to be retained a great deal of maintenance should go into this tree to lower its risk of failure. Cabling, a new steel prop and heavy pruning is recommended if this tree is to be retained.

Showing valley oak #1 supported by wooden props

Blue spruce #2 and coast live oak #3 are both not of a protected size in the County of San Mateo. Coast live oak tree #3 is likely a volunteer that sprouted through means of natural acorn dispersal. This tree will grow into a nice tree and should be retained if its location fits in with the design of the new home. Blue spruce #2 has some decline in its canopy, this is likely due to lack of irrigation and from growing in suppressed conditions. This tree does not fit into the natural oak landscape and should be removed.

Incense cedar tree #4 is a protected tree. This tree was given a poor condition rating of 45 because of its poor vigor, and poor form. The neighbor's redwood trees are heavily suppressing this tree and have caused the tree to lean towards the existing home. This tree is in decline and is considered hazardous because of its heavy lean towards the home. A large amount of dead wood and dead limbs were observed. This tree is not suitable for preservation as it will always be suppressed and the lean will not be able to be corrected through pruning. Removal is recommended.

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

(7)



Showing valley oak tree #5

Valley oak tree #5 is a protected tree in fair condition. This tree is aesthetically pleasing and an asset to the home as the tree provides shade in the summer and solar heat in the winter. The tree is heavier towards the property as a result of being suppressed by the neighbor's redwood trees. The tree is located 10 feet from the corner of the existing home. This tree will require maintenance every 3 years in order to reduce heavy end weight of the limbs towards the home, also the tree would benefit from a general crown cleaning. This tree will need to be protected during all construction activities. The proposed basement for this site is outside of the calculated root zone(10 times diameter) of this tree, therefore no impacts are expected from the proposed basement to this tree. The first floor foundation for the proposed home encroaches 1 foot from where the existing foundation is located into the tree's root zone. All excavation for the foundation near this tree will need to be done by hand. The existing foundation likely acted as a root barrier for this tree.

Roots underneath the home are expected to be minimal to nonexistent as this is a space where roots are not expected to thrive. The site arborist will need to be on site to witness the excavation 1 foot from the existing home. All encountered roots measuring 2 inches in diameter or over will need to be documented. Excavation depth for the new home when near this tree should be reduced as much as possible. Impacts to this tree from the proposed plan are expected to be minor. Mitigations for the minor root loss will consist of irrigation as close as possible to where the cut is to take place. Irrigation shall take place by using a soaker hose. The soaker hose can be turned on for 4 hours every 2 weeks following the root cutting for the duration of 1 year. After one year irrigation shall be permanently suspended.

Western red bud tree #6 is in poor condition and recommended to be removed. The tree has likely declined as a result of growing in a heavily suppressed area.

Coast live oak tree #7 is a protected tree in fair condition. This tree is in a good location far from proposed work. The tree looks over grown and messy in its current state. The tree would look visually appealing after a thorough pruning for structure and after a crown cleaning for dead wood and diseased wood. Also the smaller non protected trees surrounding this tree (#8,9,10) should be removed in order to retain the oak as a focal point.

Coast live oak tree #11 is a small tree under the protected size and is likely a volunteer tree. This tree is proposed for removal as it is growing underneath the neighbor's cedar tree #12 and has no room for vertical growth.

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Neighbor's cedar tree #12 is located at an estimated 8 feet from the property line. The proposed home is near the same location as the existing home. The proposed foundation near this tree will need to be dug by hand in order to expose roots that may have grown in this area. No roots over 2 inches in diameter are to be cut without the site arborist consent. Tree protection fencing for this tree should extend out from the property line as close to the proposed foundation as possible and to a width equal to the drip line of the tree. The site arborist must be on site to view digging by hand in this area in order to inspect, document and offer mitigation measures depending on the findings. Impacts to this tree are expected to be minor to nonexistent as the existing home in this location likely acted as a root barrier.



Redwood tree #18 is located 4 feet from the existing property line fence. This tree is the closest tree in a grove of 4 redwood trees of the same size and stature. These trees are in good condition. Any excavation within 30 feet from these trees will require the site arborist to be on site. This includes any driveway work including the possible removal of the driveway. All work within 30 feet of these trees must be inspected and documented by the site arborist. No roots should be cut in this area.

Showing neighbor's redwood trees

Trees #19 and #20 are located on the neighbor's property. These trees are in fair condition. At this time no impacts are expected to these trees.



Tulip magnolia tree #21 is proposed for removal. This tree is a multi-leader tree at grade. The tree is in decline. The trees vigor and form is poor. The drought appears to have stressed the tree. No maintenance has been provided to this tree for an unknown length of time. Improper cabling has been installed on this tree and has caused some minor girdling. This tree is a significant tree as designated by the County.

Showing tulip magnolia in decline

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Crape myrtle tree #22 is proposed for removal. A past failure at the base of the tree has caused a large split in the trees crotch at 2 feet. This tree is not suitable for preservation and should be removed regardless of construction. This tree is not a protected tree.



Irish yew tree #23 is proposed for removal. This tree is in obvious decline as no irrigation or maintenance has been applied for an unknown length of time. This tree is of a protected size in the county of San Mateo and will need a permit to be removed as it is designated a significant tree. The tree was given a condition rating of 40 making it a poor tree.

Showing Irish yew #23 in decline



Coast live oak tree #24 is proposed for removal to facilitate the proposed basement construction. The required light well is located at the tree trunk. Root loss would be expected to be well beyond the maximum allowable root loss of 25% (ANSI Standards). Also, the tree's buttress roots would be impacted and would likely cause the tree to be unstable. The only way this tree can be saved is if the design of the home was changed. No excavation would be allowed at a distance of 15 feet from this tree if it were to be saved. Even if the design of the home was changed to allow for retention of tree roots, the tree would still be at risk of failure as the tree is growing at a lean as a result of the suppressed conditions caused by redwood trees #26 and #27. There is no way to correct the tree's lean with redwood trees #26 and #27 in place. The oak tree will always grow on a lean as long as the redwood trees exist. If the oak tree was to be retained it

Showing oak #24

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

would need to be pruned every year to maintain home clearance for fire protection (6 feet) and to reduce the heavy end weight associated with the tree's lean. Because the tree is leaning it will always have a higher risk of failure when compared to an oak tree with a vertical trunk. The tree is not visible from the street and would only be noticeable to the adjacent neighbors. Removal of this tree would have a very low impact on the total tree canopy of the site at an estimated 3-5%. Many other large oak trees are located on this property.

Coast live oak tree #25 is a small tree with a diameter of 6.9 inches. This tree is likely a volunteer grown by means of natural seed dispersal. This tree should be removed regardless of construction as it is heavily suppressed. Oak tree #25 is not a protected sized tree



Redwood trees #26 and #27 are both in fair condition. A redwood tree in the past has been removed near these trees. The removed tree is possibly a failed tree but unknown at this time. These trees will need to be protected during construction. Tree protection fencing for these trees will need be as large as possible. It is recommended that a minimum distance of 25 feet from the trees trunks remains protected and unchanged.

Coast live oak tree #28 has a diameter of 26.5 inches. This tree has a heavy amount of decay at its base on the south side of the tree. The tree is also heavy to the south. The large amount of decay associated with this tree gives the tree a high risk rating for tree failure. Removal is a viable option.

Showing heavy decay at base of tree #28



Coast live oak trees #29-31 are all located in close proximity to an accessory structure. All 3 of these trees are growing in suppressed conditions. The suppressed conditions have made for these 3 trees to be top heavy as they are stretching towards sunlight. If these trees are to be retained the accessory structure must be removed by hand as these trees would likely be impacted by heavy machinery to remove the structure.

Showing trees #29-31

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Coast live oak trees #32 and #33 are located right next to each other and could be considered one tree as they share the same root zone. Both of these trees suppress each other and as a result they lean away from each other in opposite directions. If these trees are to be retained it is recommended that they be cabled together in order to offer extra support. Also, a maintenance plan of pruning to relieve heavy end weight every 3-5 years. This would increase the trees longevity.

Showing oak trees #32 and #33

Coast live oak tree #36 should be retained as this tree is in fair condition and in a good location for preservation during construction. Tree #35 is a non protected tree and an invasive species. This tree should be removed. With tree #35 removed, coast live oak tree #36 would benefit as it would relieve suppressed conditions.



Coast live oak tree #38 is a large protected tree with a diameter of 35.2 inches. This tree has a heavy lean to the south. Decay was observed on the north side of the tree at 2 feet. The tree is codominant at 10 feet with heavy decay directly below the codominant junction. The tree has lost large limbs in the past. A large wooden support beam is supporting a large lateral limb. The wooden support beam is bending in its current state. The heavy decay associated with this tree in combination with the tree heavy to the south makes the tree hazardous. Mitigations for this tree could be put in place to lower its risk of failure. Pruning and cabling and the installation of a steel prop would improve its risk rating from high to moderate. If the owner does not except a moderate risk rating the tree should be removed. The tree is in a good location on the property and offers a good amount of screening. The following tree protection plan will help ensure the safety and health of the retained trees on site.

Showing tree #38 with bending wooden support

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

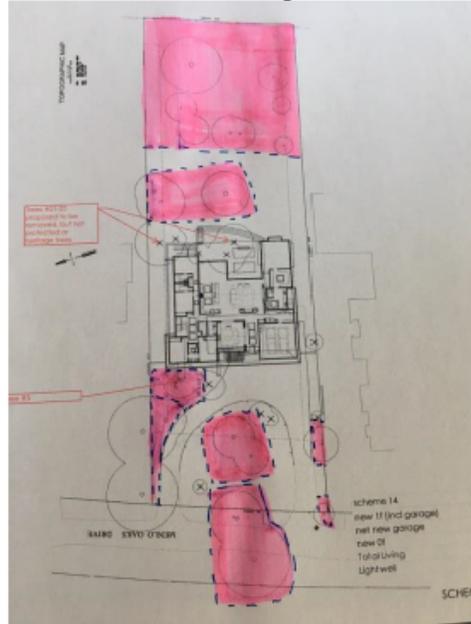
Attachment: _____

File Numbers: _____

Tree Protection Plan:

Tree protection fencing

Tree protection zones should be established and maintained throughout the entire length of the project. Fencing for protection zones should be 6-foot-tall metal chain link supported by 2-inch diameter poles pounded into the ground. The location for protective fencing should be as close to the dripline as possible still allowing room for construction to safely continue. No equipment or materials should be stored or cleaned inside protection zones. Protected trees located on the neighbors' properties should be protected by fencing extending out from the property line and out to the set back of the property. The existing driveway is recommended to be retained during the construction of the home as it is protecting the root zones of the trees in close proximity. Below is a diagram showing the recommended tree protection fencing locations.



Highlighted areas represent areas fenced off by tree protection fencing

Landscape Buffer

Where tree protection does not cover the entire root zone of the trees a landscape buffer consisting of wood chips spread to a depth of six inches will be placed where foot traffic is expected to be heavy. The landscape buffer will help to reduce compaction to the unprotected root zone.

Root Cutting

Any roots to be cut should be monitored and documented. Large roots or large masses of roots to be cut should be inspected by the site arborist. The site arborist may recommend irrigation or fertilizing at that time. Cut all roots clean with a saw or loppers. Roots to be left exposed for a period of time should be covered with layers of burlap and kept moist. All roots encountered measuring 2 inches in diameter or over shall be exposed and remain damage free for the site arborist to view. Mitigation measures will be applied at this time.

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

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Trenching and Excavation

Trenching for irrigation, electrical, drainage or any other reason, should be hand dug when beneath the dripline of desired trees. Hand digging and careful placement of pipes below or beside protected roots will dramatically reduce root loss, thus reducing trauma to desired trees. Trenches should be back filled as soon as possible using native materials and compacted to near original levels. Trenches to be left open with exposed roots shall be covered with burlap and kept moist. Plywood laid over the trench will help to protect roots below.

Irrigation

Normal irrigation should be maintained throughout the entire length of the project. All of the imported trees will require normal irrigation. This includes the redwood tree. Irrigation should consist of surface flooding, with enough water to wet the entire root zone. If the root zone is traumatized this type of irrigation should be carried out two times per month during the warm dry season.

Inspections

The site will be inspected after the tree protection measures are installed and before the start of construction. Other inspections will be carried out on an as needed basis. Any time work is within 20 feet of the protected tree on site, the site arborist must be notified 48 hours in advance so that a site visit can be scheduled during the proposed work.

This information should be kept on site at all times. The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty
Certified Arborist WE#0476A

David P. Beckham
Certified Arborist WE#10724A

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Kielty Arborist Services LLC

Certified Arborist WE#0476A

P.O. Box 6187

San Mateo, CA 94403

650-515-9783

December 15, 2017

Rohan Mahadevan and Nandini Achary
900 Menlo Oaks
Menlo Park CA

Site:900 Menlo Oaks, Menlo Park, CA

Dear Rohan Mahadevan and Nandini Achary,

As requested on December 5th, 2017 I visited the above site to meet with neighbor John Danforth, to discuss his needs for retaining and replacing the existing trees when needed. The following 4 items were addressed by the neighbor.

1. A baseline: i.e. the current canopy size at 900 Menlo Oaks Drive and how it was measured (e.g. what existing trees were included in that measurement);
2. Two measurements of proposed reduced canopy given all the trees now slated for removal (i.e. the eleven trees that the county has so far approved for removal). The two measurements of the proposed reduced canopy should be (a) with Tree # 24 removed and (b) with Tree #24 preserved as is;
3. Your assessment of the size and number of oak trees that would have to be planted now so that in ten years time the canopy at 900 Menlo Oaks would be returned to the current coverage. Please give two replacement tree estimates -- i.e. with (a) Tree #24 removed as proposed, and (b) Tree # 24 preserved as is.
4. An assessment of whether the length of that proposed light well by Tree #24 could be moved/reduced by (a) 6 feet or (b) 10 feet (we were unsure which distance is required under applicable guidelines) in order to preserve Tree # 24.

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Survey of trees to be removed:

Tree#	Species	DBH	CON	HT/SP	Comments
4S	Incense cedar <i>(Calocedrus decurrens)</i>	28.7	45	70/30	Fair to poor vigor, poor form, leans towards building, suppressed by neighbor's redwoods, abundance of dead wood and dead limbs.
6	Western red bud <i>(Cercis occidentalis)</i>	10@base	40	15/15	Poor vigor, poor form, suppressed, in decline.
9	Holly <i>(Ilex aquifolium)</i>	10@base	40	20/15	Poor vigor, poor form, multi leader at base, suppressed, in decline.
10	Strawberry tree <i>(Arbutus unedo)</i>	5.8	50	12/10	Fair vigor, poor form, suppressed, heavy lean.
13	Toyon <i>(Heteromeles arbutifolia)</i>	6est	0	15/8	DEAD
21SR	Tulip magnolia <i>(Magnolia grandiflora)</i>	9x4	10	25/30	Poor vigor, fair to poor form, multi leader at base, improper cabling done in past is slightly girdling tree, in decline, drought stressed, nearly dead
22R	Crape myrtle <i>(Lagerstroemia spp.)</i>	9.8	10	20/15	Poor vigor, poor form, split crotch failed tree, in decline, nearly dead
23SR	Irish yew <i>(Taxus baccata)</i>	20.9	40	25/12	Poor vigor, poor form, in decline.
24SR	Coast live oak <i>(Quercus agrifolia)</i>	20.7	60	40/20	Good vigor, fair form, suppressed by redwoods heavy towards home, needs maintenance.
25R	Coast live oak <i>(Quercus agrifolia)</i>	6.9	45	30/10	Fair vigor, poor form, tall for DBH, suppressed.

S-Indicates significant tree by county ordinance

Canopies were measured by measuring the distance across the canopy at the widest point.

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:

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File Numbers:

Existing site canopy coverage in square feet for all significant trees(regulated or protected) on site, excluding trees on neighboring properties.

Canopies were measured by measuring the distance across the canopy at the widest point.

Tree #1- 1964.2 Square feet of canopy coverage

Tree #4- 707.1 Square feet of canopy coverage

Tree #5- 1964.2 Square feet of canopy coverage

Tree #7- 1591 Square feet of canopy coverage

Tree #14- 176.7 Square feet of canopy coverage

Tree #15- 176.7 Square feet of canopy coverage

Tree #21- 707.1 Square feet of canopy coverage

Tree #23- 113.1 Square feet of canopy coverage

Tree #24- 314.2 Square feet of canopy coverage

Tree #26- 962.5 Square feet of canopy coverage

Tree #27- 962.5 Square feet of canopy coverage

Tree #28- 707.1 Square feet of canopy coverage

Tree #29- 113.1 Square feet of canopy coverage

Tree #30- 176.7 Square feet of canopy coverage

Tree #31- 176.7 Square feet of canopy coverage

Tree #32- 314.2 Square feet of canopy coverage

Tree #33- 491 Square feet of canopy coverage

Tree #36- 314.2 Square feet of canopy coverage

Tree #38- 1964.2 Square feet of canopy coverage

Total square feet of canopy coverage for all existing significant (protected) trees on site = 13,896.5 Square feet of canopy coverage

With all 4 significant trees proposed for removal (#4,21,23 and 24) a loss of 1,841.5 square feet of canopy is lost from the site while retaining 12,055 square feet of canopy. With all significant trees proposed for removal and the retention of oak tree #24 the total loss of canopy is 1,527.3 square feet of canopy, while retaining 12,369.2 square feet of canopy.

The majority of the trees to be removed are in poor condition and are of an imported species with the exception of native trees #13,24, and 25. The only significant trees(protected trees as designated by the County Of San Mateo) to be removed are trees #4, 21, 23, and 24. Magnolia tree #21 is **nearly dead** as of my last site visit. This tree should be replaced by a 24" box tree preferably of a native species as the canopy spread of a native replacement tree would be able to immediately replace the lost, **nearly dead** canopy. Also, because the magnolia is an imported tree that requires significant supplemental irrigation, replacing with a native 24" box tree would be an environmentally sound choice, as native trees do not require supplemental irrigation once established in the landscape. Often it is not possible to replace a large, older tree with a single equivalent tree, such as trees #4,23, and 24. In such cases the tree canopy replacement ratio should be used.

San Mateo County Zoning Hearing Officer Meeting

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The following chart is the Tree Canopy Replacement Standard as seen in such publications such as the Palo Alto Tree Technical Manual. Basis of this table is determined by the growth of one 24" Box size tree, growing at a rate equivalent to 9 feet of canopy over the course of 10 years.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Canopy of the Removed Tree (Avg. dist. across the canopy)	Replacement Trees	Alternative Tree
4'-9'	Two 24" Box Size	One 36" Box Size
10'-27'	Three 24" Box Size	Two 36" Box Size
28'-40'	Four 24" Box Size	Two 48" Box Size
40'-56'	Six 24" Box Size	Two 48" Box & Two 36" Box

Incense cedar tree #4 has a canopy spread of 30 feet. This tree will require four 24" box sized trees or two 48" box sized trees.

Irish yew tree #23 has a canopy spread of 12 feet. This tree will require three 24" box sized trees or two 36" box sized trees.

Coast live oak #24 has a canopy spread of 20 feet. This tree will require Three 24" box sized trees or two 36" box size trees.

The above recommended replacement tree sizes should restore the site to its existing canopy coverage within 10 years.

The light well of the home could be redesigned to save tree #24 but there would be a significant impact on the current home design. The light well is necessary for a bedroom in the basement to meet the light safety requirements for a basement. Tree #24 is suppressed by the large adjacent redwood trees and will continue to grow at a lean towards the existing home. Removing and replacing the tree in a better location where a new tree could have enough space to grow is a better option.

This information should be kept on site at all times. The information included in this report is believed to be true and based on sound arboricultural principles and practices.

Sincerely,

Kevin R. Kielty
Certified Arborist WE#0476A

David P. Beckham
Certified Arborist WE#10724A

San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant:	Attachment:
File Numbers:	



Tree 23 - Irish Yew, Rear Yard

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Rear Yard Looking Towards Location of Proposed Light Well

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



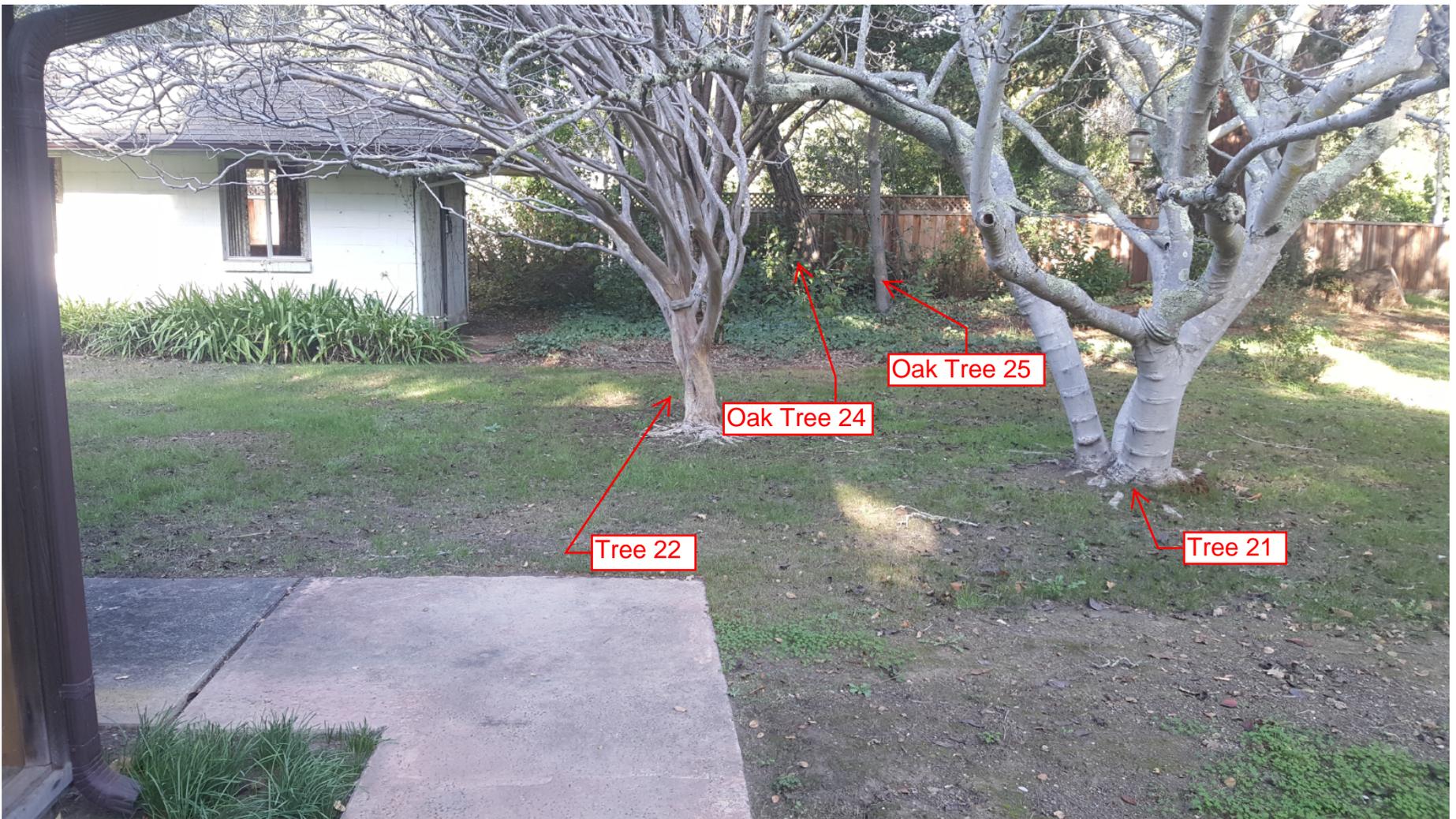
Rear Yard of the Existing House

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____



Rear Yard Looking Towards Left Property Line

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Oak Trees 32 & 33

Oak Tree 28

Shed

Looking into the Rear Yard

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Front Yard

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Valley Oak Tree 5



Front Yard

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:



Redwood Trees Next To Driveway

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Laura Richstone

From: Laura Richstone
Sent: Thursday, October 12, 2017 10:16 AM
To: 'Judy Horst'; jdanforth@gmail.com
Cc: Steve Monowitz
Subject: RE: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Hi Judy,

Grading permits are required when 250 (or more) cubic yards of grading is expected to occur (as estimated by a licensed civil engineer). While all new houses require some amount of grading, not all construction projects trigger the need for a grading permit. Any grading under 250 cubic yards is covered by the Building Permit. In this instance (i.e. less than 250 cubic yards) there is no secondary discretionary review by Planning of the grading permit. As such, a separate discretionary Tree Removal Permit is required by the Planning Department. When Planning has discretionary review of both the grading activities and the removal of protected trees, the proposed tree removal becomes incorporated into the Grading Permit application.

Thank you,

Laura Richstone

Planner I

lrichstone@smcgov.org



**COUNTY OF SAN MATEO
PLANNING AND BUILDING**

Planning and Building Department

455 County Center, 2nd Floor

Redwood City, CA 94063

(650) 363-1829 T

From: Judy Horst [mailto:pandagolf@aol.com]
Sent: Wednesday, October 11, 2017 5:59 PM
To: Laura Richstone <LRichstone@smcgov.org>; jdanforth@gmail.com
Cc: Steve Monowitz <smonowitz@smcgov.org>
Subject: Re: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

I'm curious as to what determines why some trees are rolled into a grading permits, or are all of them that are not Heritage or Significant? Is this standard procedure for grading permits? Are there other options? Does this happen all of the time?

Why can trees be rolled into a grading permit to begin with, with no consideration given to keeping them as assets to the tree canopy, the property and the neighborhood?

Thanks for letting me know.

Judy Horst

1

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Laura Richstone

From: Sol Kavy <sol@kavy.com>
Sent: Wednesday, October 11, 2017 9:07 PM
To: Laura Richstone; Olivia Boo
Cc: Steve Monowitz; Judy Horst; John Danforth; Dana Kavy
Subject: RE: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

+ Olivia Boo (thanks)

Thank you for the prompt reply. I do appreciate it. I believe that I have not been clear regarding my concern about traffic and noise. Yes, I am concerned over the impact of construction but it is the long term issue of parking and noise after construction that has me most concerned.

The property at 910 is proposed to have 11 bedrooms + 11 baths and 3-kitchens. For me, I am concerned that this means that we would have 11 additional cars at that one residence (once it is built and occupied). Since the 910 plans show only a two garage, I ask myself where will all those folks park their cars.

The plans for 900 you have shared do now show the # of rooms. It does appear to show a 2 car garage.

Stated perhaps better, I am concerned about the # of vehicles long term and any requirements that must be met by the owner(s) regarding the # of parking spaces that must be provided given the proposed occupancy (number of rooms).

Do you know if the proposal @900 is for a 1 or 2 story structure?

Thanks and appreciate the information,

Sol Kavy

From: Laura Richstone [mailto:LRichstone@smcgov.org]
Sent: Wednesday, October 11, 2017 6:29 PM
To: Sol Kavy <sol@kavy.com>; Dana Kavy <dana@kavy.com>
Cc: Steve Monowitz <smonowitz@smcgov.org>; Judy Horst <Pandagolf@aol.com>; John Danforth <jdanforth@gmail.com>
Subject: RE: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Hi Sol,

Though I cannot speak to the permit associated at 910 Menlo Oaks (please contact Olivia Boo at oboo@smcgov.org if you have questions about the project at 910 Menlo Oaks) I can address your concerns relative to 900 Menlo Oaks.

1. All construction equipment will be stored on the parcel. The personal vehicles of construction workers are allowed to park in any legal parking spaces within the public right-of-way.
2. Construction noise is regulated by the County Noise Ordinance. Per section 4.88.360 of the Noise Ordinance construction hours are limited to the following days and times:
 - a. Monday-Friday 7:00 a.m. to 6:00 p.m.
 - b. Saturdays 9:00 a.m. to 5:00 p.m.
 - c. No construction work on Sundays, Thanksgiving, and Christmas.

San Mateo County Planning Commission Meeting

Owner/Applicant:

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File Numbers:

3. The proposed new residence meets the zoning standards for the R-1/S-100 neighborhood. Only single family houses are allowed in the R-1 district. No new bed and breakfast inns or multi-family developments (i.e. apartments or duplexes etc.) are allowed in the R-1 district. Please see page 6.1 of the Zoning Regulations for more details about what is allowed in the R-1 district. The proposed single family house is in roughly the same location as the existing residence and will be similar in shape and size to other houses in the neighborhood. The proposed house sits on a 31,000 sq.ft. parcel and meets all development standards for the R-1/S-100 Zoning District (see below)

Standards	Required	Proposed
Front Yard Setback	40' minimum	89'-7"
Rear Yard Setback	20' minimum	150'-4"
Left Side Setback	10' minimum	11'-2"
Right Side Setback	10' minimum	11'-2"
Building Height	30' maximum	20'-6"
Lot Coverage	25% maximum	17%
Floor Area Ratio (FAR)*	9,000 sq.ft. maximum	5,043
<i>*Per Section 6300.9.60 of the Zoning Regulations the area of all garages and carports that exceed 400 sq.ft. count towards FAR</i>		
<i>*Per our basement policy the basement of the proposed house (990 sq.ft.) does not count towards maximum FAR</i>		

4. In regards to the trees on the property... Per the attached Erosion Control and Tree Protection Plans, the significant trees proposed for removal are trees # 4 (28.7" Incense Cedar), tree # 23 (20.9" Irish Yew) and tree #24 (20.7" Coast Live Oak). All other trees scheduled for removal are recommended for removal per the arborist report and are of non-significant size and are not protected under the Significant or Heritage Tree Ordinances. As such, they can be removed by right. The placement of the proposed house is in roughly the same place as the existing house and is situated in a way that reduces the total amount to significant trees to be removed (specifically oaks) while still complying with zoning regulations and allowing the owners to utilize their land in an economically viable way.

Hopefully this addresses your concerns. If you have more questions please email me.

Thank you,

Laura Richstone

Planner I

lrichstone@smcgov.org



**COUNTY OF SAN MATEO
PLANNING AND BUILDING**

Planning and Building Department

455 County Center, 2nd Floor

Redwood City, CA 94063

(650) 363-1829 T

From: Sol Kavy [<mailto:sol@kavy.com>]

Sent: Wednesday, October 11, 2017 4:44 PM

To: Laura Richstone <LRichstone@smcgov.org>; Dana Kavy <dana@kavy.com>

Cc: Steve Monowitz <smonowitz@smcgov.org>; Judy Horst <Pandagolf@aol.com>; John Danforth

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

<jdanforth@gmail.com>

Subject: RE: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Dear Ms. Richstone:

My name is Sol Kavy. My wife, Dana, and I live at 901 Menlo Oaks across the street from both 900 and 910.

Many of use moved to Menlo Oaks because of the life style, forest feel, and general rural nature of the neighborhood. While we realize that overtime, we will lose some of the character, our goal is to preserve the area while recognizing that expansion will happen.

One of Dana and my main concerns is the nature of the property usage after construction. The proposals (at least at 910) appear to be creating a Bed and Breakfast with 11 bedrooms and bathrooms and 3-Kitchens, rather than a large single family home.

1. Where will all these people park their cars?
2. How will the noise impact our quiet streets?
3. What impact do the size of these structures (and thus the number of people they support), have on the character of the neighborhood?

While we have all these open questions regarding 910, we now have this new proposal at 900.

The removal of this many trees and including the large mostly healthy live oak, raises concerns for us about the overall impact on the neighborhood similar to that of 910.

Dana and I are not experts in what is allowed or not, but we would like to make sure that the character of the neighborhood is not lost, that the area remains single family residences, that the foliage remains intact, and that the noise/congestion/parking is not dramatically impacted by creating large multi-person dwellings.

Dana and Sol

From: John Danforth [mailto:jdanforth@gmail.com]
Sent: Wednesday, October 11, 2017 12:48 PM
To: lrichstone@smcgov.org
Cc: Steve Monowitz <SMonowitz@smcgov.org>; Judy Horst <Pandagolf@aol.com>
Subject: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Dear Ms. Richstone,

I live across the street and one house over from this project at 900 Menlo Oaks Drive. I have received mailed notice of this grading application, which includes the proposed removal of 13 trees. I gather the plan is to replace an older home with a new 10,000 square foot home -- half of which is to be a single story and half of which is to be a basement.

These objections overlap a bit with some concerns I have recently discussed with Steve Monowitz so I am cc-ing him here. I am also cc'ing Judy Horst on behalf of two of our neighborhood groups (MODA and MOTA) and I am bcc'ing some neighbors who have expressed concerns about a project next door to this one.

I have a procedural/notice objection and, separately, some substantive objections related to 900 Menlo Oaks Drive. My substantive objections go to the overall number of trees to be removed (especially the younger oak trees) and to the removal of a Coast Live Oak measured by the owner's arborist at 20.7 inches. I also, beyond these procedural and substantive objections, have serious concerns about tree protection generally on this project -- and strongly urge that

San Mateo County Planning Commission Meeting

Owner/Applicant:

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very high levels of tree protection (especially trunk and root protection -- but also limits on the size of excavation and demolition equipment to be used) and much more rigorous than typical monitoring of that protection be used here.

1. Lack of adequate mailed or posted notice. First, I have an important procedural and notice objection (which echoes issues we have seen in the recent past).

There has been no posting whatsoever on the property visible to the street. (There appears to be no posting at all, for that matter.) So it is impossible for those walking by to know what is proposed. There is no notice that **any** that trees are to be removed, much less the large number suggested now, much less the specific trees to be targeted. Nor is there any indication of any deadline to comment

Nor is the mailed written notice (which I received) adequate. It does not specify the trees to be removed in any way that can be understood by a neighbor. One has to guess. Nor is the arborist report dated August 18, 2016, revised June 6, 2017 (which a neighbor sent me) help much. It is not available to those walking by the property -- or, I gather, even to those with mailed notice.

This lack of posted or otherwise adequate notice is a critical issue. There have been similar notice failures in the past in our neighborhood. Let's correct this now County-wide. Let's start now by requiring posted notice (and a new, adequate time for comments) at 900 Menlo Oaks Drive. And the trees to be removed should be prominently labeled now (on the trees themselves, as has been the practice in the past) so that walkers on the road can discern which trees are at risk.

2. The 20.7 Coast Live Oak. This is a forty-foot tall protected tree (per the measurement by the owner's arborist), greatly needed in our neighborhood to maintain and replenish a canopy of heritage oaks that are being consistently removed.

The owner's arborist report rates it in fair condition (a "60"). There is no reason to support its removal. It simply (per the owner's arborist) "needs maintenance" (as all oak trees of any size do in our neighborhood). The proposed new house (like the existing structure and like most or all of the older homes in our neighborhood) can be designed around this tree.

3. The overall number of trees to be removed (apparently including some young oaks). Current ordinances permit protection of significant groups of trees, including trees that otherwise fall below the size threshold for protection. That should apply here. This is a heavily forested part of the neighborhood and this lot contributes significantly to that neighborhood character.

In addition, we cannot tell from the notice, but it would appear that at least two young oak trees are among those slated for removal. We need these to replenish the oak tree canopy that has been thinned recently. If there is to be a removal of any trees on this property, it should come with an undertaking by the property owner that adequate oaks will be planted now to replenish the canopy to at least its existing condition in no more than ten years. That is the standard applied in other nearby communities. Let's start using it in Menlo Oaks.

4. Overall tree protection. At the front of this property, not yet slated for removal, is a very large, very old oak tree that sits along the roadside and is of critical importance to the neighborhood character. It is huge and complex -- really wonderful, in fact. There should be extreme measures to protect it -- and to monitor that the fences and other steps to protect it are not violated by what appears to be an enormous planned building project. Please consider express limits on the size of equipment to be used and requirements as to where it is driven and parked. Similar protection should apply to other oaks on the property given the scale of the 900 Menlo Oaks project and the poor track record of other developers/builders nearby (see e.g. 699 Menlo Oaks Drive, 799 Berkeley and 240 Ringwood).

5. Other concerns. The ongoing project next that is door to this one (at 910 Menlo Oaks Drive) has generated very significant neighborhood concerns that include concerns about expected noise (e.g., jackhammers and equipment back-up alarms as we have experienced elsewhere recently) traffic, construction and future resident parking, and

San Mateo County Planning Commission Meeting

Owner/Applicant:

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construction equipment damage to neighbors' fences and trees. I hope that the County will listen to those comments as well. Our wonderful little neighborhood is, frankly, besieged by new and planned new construction -- some of it by new residents, much of it by profit-motivated spec developers. We hope that the County will back efforts to reduce or mitigate some of the impacts of this and to help us preserve our longstanding and well-loved neighborhood character.

Very truly yours,
John Danforth
885 Menlo Oaks Drive

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Laura Richstone

From: Iain Watson <iwatson@watsoncap.com>
Sent: Wednesday, October 11, 2017 3:48 PM
To: Laura Richstone
Cc: Ronette Watson
Subject: Re: APN 062160090

Thanks Laura. The tree plan looks fine from my perspective.

Best regards,

Iain Watson

On Oct 11, 2017, at 1:44 PM, Laura Richstone <LRichstone@smcgov.org> wrote:

Hi Iain,

The earliest date that the County will act on this permit is October 17, 2017.

You are welcome to come to the Planning and Building Department and look at the proposed building plans. Unfortunately, I cannot copy and send them to you because they are copyrighted. While I cannot provide the building plan set I have attached the proposed erosion control and tree protection plan and the arborist report for the site. The significant trees proposed for removal are trees # 4 (28.7" Incense Cedar), tree # 23 (20.9" Irish Yew) and tree #24 (20.7" Coast Live Oak). All other trees scheduled for removal are recommended for removal per the arborist report and are of non-significant size and are not protected under the tree removal ordinance.

The proposed new house will be in roughly the same area as the existing house and the significant trees proposed for removal are within the footprint of (or very close to) the new residence.

If you have any more questions or concerns please contact me.

Thank you,

Laura Richstone
Planner I
lrichstone@smcgov.org
<image001.png>
Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
(650) 363-1829 T

From: Iain Watson [<mailto:iwatson@watsoncap.com>]
Sent: Wednesday, October 11, 2017 11:04 AM
To: Laura Richstone <LRichstone@smcgov.org>
Cc: 'Ronette Watson' <ronettewatson@gmail.com>
Subject: APN 062160090

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

Dear Laura,

Re the above grading permit application, do you have a map showing the location of each of the three significant trees proposed for removal?

My family owns the property at the back (903 Berkeley Ave) and I am wondering how the proposed tree removal would affect us. Another neighbor's large oak tree removal (approx. 12 years ago) was directly in the middle of their newly subdivided half acre property. In that case tree removal was justified on economic grounds as it would have been impractical to build a new structure had tree removal been denied. It seems possible that this site on Menlo Oaks Ave could have a new structure built without requiring the removal of significant trees.

Also, do you have a proposed building plan or proposed foundation plan for one or more buildings for the parcel? It would be difficult to know where to dig a hole for a basement, or which trees to propose removing, without such a plan.

Finally, the Oct 2 notice omits the earliest date your office might act on the grading permit application. Do you have such a date?

Thanks,

Iain Watson
650.533.0101

<EC and Tree Plan 900 Menlo Oaks.pdf>

<arborist report pln2017-00262.pdf>

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Laura Richstone

From: John S. Simonson <jsimonson@hayesscott.com>
Sent: Wednesday, October 11, 2017 1:26 PM
To: John Danforth; Laura Richstone
Cc: Steve Monowitz; Judy Horst
Subject: RE: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Dear Ms Richstone , I live at 931 Menlo Oaks, across the street from 910 and 900 Menlo Oaks Drive. I agree with and reiterate the concerns and objections so well- articulated by Mr Danforth. Thank you.

John S. Simonson
Hayes Scott Bonino Ellingson & McLay, LLP
203 Redwood Shores Parkway, Suite 480
Redwood City, CA 94065
Telephone: 650.637.9100
Direct Dial: 650.619.9154
Facsimile: 650.637.8071
Email: jsimonson@hayesscott.com

From: John Danforth [<mailto:jdandforth@gmail.com>]
Sent: Wednesday, October 11, 2017 12:48 PM
To: lrichstone@smcgov.org
Cc: Steve Monowitz; Judy Horst
Subject: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Dear Ms. Richstone,

I live across the street and one house over from this project at 900 Menlo Oaks Drive. I have received mailed notice of this grading application, which includes the proposed removal of 13 trees. I gather the plan is to replace an older home with a new 10,000 square foot home -- half of which is to be a single story and half of which is to be a basement.

These objections overlap a bit with some concerns I have recently discussed with Steve Monowitz so I am cc'ing him here. I am also cc'ing Judy Horst on behalf of two of our neighborhood groups (MODA and MOTA) and I am bcc'ing some neighbors who have expressed concerns about a project next door to this one.

I have a procedural/notice objection and, separately, some substantive objections related to 900 Menlo Oaks Drive. My substantive objections go to the overall number of trees to be removed (especially the younger oak trees) and to the removal of a Coast Live Oak measured by the owner's arborist at 20.7 inches. I also, beyond these procedural and substantive objections, have serious concerns about tree protection generally on this project -- and strongly urge that very high levels of tree protection (especially trunk and root protection -- but also limits on the size of excavation and demolition equipment to be used) and much more rigorous than typical monitoring of that protection be used here.

1. Lack of adequate mailed or posted notice. First, I have an important procedural and notice objection (which echoes issues we have seen in the recent past).

San Mateo County Planning Commission Meeting

Owner/Applicant:

Attachment:

File Numbers:

Laura Richstone

From: Mitch Tuchman- Rebalance-IRA <mtuchman@rebalance-ira.com>
Sent: Wednesday, October 11, 2017 1:06 PM
To: Steve Monowitz; Laura Richstone
Cc: Judy Horst; John Danforth
Subject: Re: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Dear Ms. Richstone:

I'm a neighbor on 640 Berkeley and echo these concerns and others not stated. This development has been a catalyst to get our neighborhood much more organized and make sure that the County fulfills it's responsibilities.

Mitch Tuchman



[Schedule time with me](#)

On Wed, Oct 11, 2017 at 3:48 PM, John Danforth <jdanfordh@gmail.com> wrote:
Dear Ms. Richstone,

I live across the street and one house over from this project at 900 Menlo Oaks Drive. I have received mailed notice of this grading application, which includes the proposed removal of 13 trees. I gather the plan is to replace an older home with a new 10,000 square foot home -- half of which is to be a single story and half of which is to be a basement.

These objections overlap a bit with some concerns I have recently discussed with Steve Monowitz so I am cc'ing him here. I am also cc'ing Judy Horst on behalf of two of our neighborhood groups (MODA and MOTA) and I am bcc'ing some neighbors who have expressed concerns about a project next door to this one.

I have a procedural/notice objection and, separately, some substantive objections related to 900 Menlo Oaks Drive. My substantive objections go to the overall number of trees to be removed (especially the younger oak trees) and to the removal of a Coast Live Oak measured by the owner's arborist at 20.7 inches. I also, beyond these procedural and substantive objections, have serious concerns about tree protection generally on this project -- and strongly urge that very high levels of tree protection (especially trunk and root protection -- but also limits on the size of excavation and demolition equipment to be used) and much more rigorous than typical monitoring of that protection be used here.

1. Lack of adequate mailed or posted notice. First, I have an important procedural and notice objection (which echoes issues we have seen in the recent past).

There has been no posting whatsoever on the property visible to the street. (There appears to be no posting at all, for that matter.) So it is impossible for those walking by to know what is proposed. There is no notice that

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

File Numbers: _____

Laura Richstone

From: John Danforth <jdanforth@gmail.com>
Sent: Thursday, October 12, 2017 11:24 AM
To: Joe LaClair; Steve Monowitz; Don Horsley; Laura Richstone
Cc: Judy Horst; Anne Kortlander; Remona SBC; Janet Weisman Goff
Subject: Fwd: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262
Attachments: _DSC7888.jpg; _DSC7885.jpg; EC and Tree Plan 900 Menlo Oaks.pdf

Dear Mr. LaClair, Mr. Monowitz and Supervisor Horsely

There are some issues in this email thread that go to important legislative issues and County-wide Planning Department practices.

Two such issues are (1) the standard (permissive sounding) language now used in Tree Protection Plans and (2) the way grading permit applications as now administered seem to now supplant tree removal permits in a way that eliminates public notice re what trees are proposed for removal.

Is there a way to get some high level attention to these issues ASAP? I am copying MODA and MOTA members whom I know have similar concerns.

John Danforth
995 Menlo Oaks Drive

PS . My apologies to Ms. Richstone (on the planning Staff) for getting her name wrong in my most recent email here.

----- Forwarded message -----

From: John Danforth <jdanforth@gmail.com>
Date: Thu, Oct 12, 2017 at 10:45 AM
Subject: Re: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262
To: Laura Richstone <LRichstone@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>, Judy Horst <Pandagolf@aol.com>, Mitch Tuchman-Rebalance-IRA <mtuchman@rebalance-ira.com>, Sol Kavy <sol@kavy.com>, Janet Weisman Goff <weisman-goff@hotmail.com>, Anne Kortlander <akortland@aol.com>, "John S. Simonson" <jsimonson@hayesscott.com>

Dear Ms. Richardson,

I have now had a chance to briefly review the "tree protection plan" you sent yesterday.

Thank you again for that. I am copying other members of MOTA and MODA with this reply for their reaction to the plan (which I am attaching). I wanted to add to and amplify the points I made in my two emails yesterday, which I continue to assert now:

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1. Need for more frequent and better tree protection monitoring -- and much better before-the-fact damage avoidance.

I want to underscore the critical defects I see in current tree protection plans (including this one) -- limited monitoring for compliance, and the inadequacy of after-the-fact remedies.

Some examples in the immediate neighborhood:

At 799 Berkeley (around the corner from my house and this proposed development) there was a huge Heritage Oak tree with grading too close to the trunk. That grading cut many roots of this tree (and many others on the property). The tree collapsed during early stages of construction. No remedy after the fact could replace that tree. It was likely hundreds of years old. In its place, the developer was conveniently able to widen the driveway of the \$6 million dollar house he built. In an effort toward mediation I understand the developer planted three very small new trees (too close together for all to survive, by the way).

At 699 Menlo Oaks Drive and the lot next door to it (less than a block from my home and the proposed development) the developer ran roughshod over trees that he had not originally proposed to remove. The contractors parked equipment and stored supplies under them. On each lot a major Oak tree was removed after construction was complete. In the place of one (a tree that the developer had built a chimney under, btw) the new owner almost immediately installed a swimming pool. Again, very convenient.

At 240 Ringwood (also in Menlo Oaks) I gather that you yourself had to intervene after the fact this week to address a major grading problem: a deep trench dug too close to a Heritage oak and the bob cat and back hoe that were left parked in that trench. Evidence suggests the roots of that Heritage Oak were cut by machine, likely with no arborist present. We likely cannot know the long term effects of resulting damage to that tree. My guess: the tree is deemed unhealthy fairly soon after construction is complete and we see a wider driveway there too.

At 900 Menlo Oaks Drive we have a magnificent Heritage oak sitting right along the road. Let's do more to protect it than the typical steps taken elsewhere in the neighborhood. Spot inspections (in addition to the regular ones you list) are a start. Steve Monowitz and I discussed how this could be very easily done by County inspectors when they look at the formal sign-off stages of other local projects. (There are many ongoing construction projects right now very close to 900 Menlo Oaks Drive.) Let's expressly make such spot inspections part of the plan at 900 Menlo Oaks.

2. Suitable staff-level concerns for a discretionary permit like the 900 Oaks grading permit.

I may be mistaken, but I sense from your email that the County Planning Department -- at least at the staff level -- feels itself highly constrained in considering tree preservation concerns in the context of a grading permit application when a proposed building meets all applicable size and set back requirements.

Please discuss this with Steve Monowitz. This is not fully consistent with my understanding of he said during our conversation this week. He indicated that grading permits are discretionary, that house size and neighborhood impact were not factors that would be considered for such permits at the staff level (if objective criteria like FAR limits were reached) *but* that tree protection issues raised by neighbors *would be* considered even at the staff level for a discretionary grading permit.

3. Preservation of the 20.7 inch Oak at 900 Menlo Oaks Drive is a fair and suitable condition for the discretionary grading permit requested here.

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From the map you sent me, the proposed new house can be built while still preserving the 20.7 inch oak that sits between the building site and the road. I would guess that the building plans can stay exactly as is, but, in any event, a few feet of adjustment (moving the proposed house further back in the lot) is -- at most -- all that it would take.

I respectfully submit that it is not an answer -- even at the staff level -- to say, in effect, "the tree is too small and so can be removed as of right." Since this is a discretionary permit that seeks the removal of 13 trees it is fully appropriate to say that as a condition to the County exercising its discretion, the one oak tree most capable of sustaining and adding to the neighborhood tree canopy must be preserved.

Please review the proposed site and building plans again and reconsider the staff's position on this one tree. I have not walked back into the property and have not seen the other 12 trees that this permits seeks to remove. I defer to others who have. But I suspect they are important to the future recovery of our tree canopy.

4. Notice and process where grading permit applications include tree removal applications.

See my comments in my two emails yesterday. This is a critical issue. It is an issue where I respectfully submit the County is misreading the law. Tree removal processes can be folded into other permit processes (like a grading permit) only if the tree removal provisions are also followed. See, e.g., Significant Tree Ordinance, 12020.1(e). That would include the notice provisions.

~~This is likely legal error that risks gutting the notice provisions of our tree protection ordinances. Let's discuss~~
a way to work through this issue, perhaps with County lawyers in the loop ASAP. If the County is correctly reading current law, then this is an area ripe for change and I welcome the chance to discuss that as well ASAP.

5. Loose language in the Tree Protection Plan.

Throughout the tree protection plan for 900 Menlo Oaks I see the word "should" where, I submit, the correct words to use are "shall" and "must".

This is not a semantic distinction. Developers should be clearly told what is being required of them --as opposed to what they may argue is merely "being suggested." Examples here are in roots that "should " be hand cut and when arborists "should" supervise work close to a tree.

Please let me know if I should send a mark up of the Tree Protection Plan with specific changes to the language along these lines. As we have seen -- most recently at 240 Ringwood -- at the very least developers need to see that the County takes these requirements seriously. Loose language as currently used here sends the wrong message.

6. Best practices -- trunk protection.

Steve and I agreed this week that there probably should not be a "one size fits all" solution to some of the tree protections issues on individual projects. However, I think more rigor is typically required than we now see, even on the simple issue of protecting tree trunks from collisions with heavy equipment. Please see the attached two pictures showing radically different levels of trunk protection now being used on the same block on Menlo Oaks Drive. I submit the better protection should be the norm. And that should be the level of trunk protection required at 900 Menlo Oaks (for trees not protected by full fences at the drip line.) The weaker protection (currently in place at 910 Menlo Oaks Drive) should be the exception --perhaps limited to projects with less important trees, limited equipment traffic and smaller equipment in use.

Many thanks for your and the County's continued attention to these issues.

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Laura Richstone

From: Laura Richstone
Sent: Thursday, October 12, 2017 10:25 AM
To: 'John Danforth'
Cc: Steve Monowitz; Judy Horst; Mitch Tuchman- Rebalance-IRA; Sol Kavy
Subject: RE: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

Hi John,

That is correct. The County will not take action on the proposed grading permit until the 10 business day public comment period is over. Thank you for your comments. The County will collect all comments and will consider them when rendering a decision on the proposed permit.

Please see below for the specific language/exemption found in the Significant Tree Ordinance which exempts grading projects from requiring a Tree Removal Permit.

SECTION 12,020.1. EXEMPTIONS. No permits shall be required under this Part in the following circumstances:

(a) Tree cutting carried out under the provisions of Parts One (Timber Harvesting Regulations) and Two (Regulation of the Cutting of Heritage Trees) of Division VIII of the San Mateo County Ordinance Code.

...

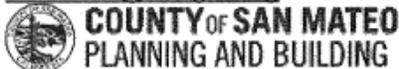
(e) Tree cutting which has been authorized by the Planning Commission, Design Review Committee, or Community Development Director as part of a permit approval process in which the provisions of this Part have been considered and applied.

Thank you,

Laura Richstone

Planner I

lrichstone@smcgov.org



Planning and Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
(650) 363-1829 T

From: John Danforth [mailto:jdandforth@gmail.com]
Sent: Wednesday, October 11, 2017 6:30 PM
To: Laura Richstone <LRichstone@smcgov.org>
Cc: Steve Monowitz <smonowitz@smcgov.org>; Judy Horst <Pandagolf@aol.com>; Mitch Tuchman- Rebalance-IRA <mtuchman@rebalance-ira.com>; Sol Kavy <sol@kavy.com>
Subject: Re: Objections to proposed tree removal / grading permit application at 900 Menlo Oaks Drive: PLN2017-00262

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Owner/Applicant: _____

Attachment: _____

File Numbers: _____

John Danforth
885 Menlo Oaks Drive

On Wed, Oct 11, 2017 at 6:30 PM, John Danforth <jdandforth@gmail.com> wrote:
Ms. Richstone,

Thank you for this very prompt reply. I gather no action will be taken until after the deadline for other comments, so I hope the County will consider those as well as my follow up comments. some of which are below.

I will review the erosion control and tree protection plan and send further comments if and as appropriate. I also want to thank you for the details about this project. I was going by hearsay in the neighborhood -- all that was available to me about, for example, the planned basement size.

Two things in your email, however, seem manifestly wrong and call for an immediate response.

1. Notice requirement.

Your email today states: "Per the Tree Removal Ordinance no Tree Removal Permit is required when the tree removal is associated with a grading permit (as is the case here)."

This assertion is illogical to me and I see no support in the Tree Removal Ordinance. Please let me know what section and language you are looking at. I see a number of exceptions to the notice requirement but none appear to apply here.

As for the logic or illogic of this assertion, my view is simple. It is highly illogical and highly detrimental to the interests of eliciting neighborhood feedback and preserving neighborhood character.

I do not understand why the public's right to know about (and comment upon) trees targeted for removal should be any less just because trees are (as here) part of a bigger project that calls for a grading permit. As we have seen repeatedly in our immediate neighborhood -- e.g., to name a few, at 699 Menlo Oaks, 699 Berkeley and 240 Ringwood -- such projects often risk the greatest destruction to our tree canopy and neighborhood character.

2. Tree Protection Plan.

As noted above, I will make further comments on the specifics of this plan after I have a chance to review it. Thank you for sending it my way.

However, I do worry about the lack of planned county oversight and follow-up beyond what is typical (which I gather is what you describe). This property contains a truly magnificent Heritage Oak at its western edge, sitting just along the Menlo Oaks Drive. That by itself should call for more than a typical level of tree

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protection and (critically) follow-up by the County. And if that one magnificent tree were not enough -- and I submit it is -- recent experience in the neighborhood shows that the typical level of County follow-up simply is not enough, even in a normal case. Your own email today (forwarded to me) about obvious tree protection violations at 240 Ringwood supports this conclusion.

Thank you again for your ongoing attention to my and my neighbors' concerns. Please be sure to include me in the notice of any further decisions about this project.

John Danforth
885 Menlo Oaks Drive

On Wed, Oct 11, 2017 at 5:21 PM, Laura Richstone <LRichstone@smcgov.org> wrote:

Hi John,

I have seen your concerns and have tried to address them below:

Background:

900 Menlo Oaks is requesting a grading permit to allow to allow 540 cubic yards of cut and 50 cubic yards of fill in association with the excavation and construction of a subterranean basement and new single-family residence. The approximately 990 sq. ft. basement will require 475 cubic yards of cut, the construction of the house and associated foundation will require an additional 55 cubic yards of cut, and the surrounding site area will require 10 cubic yards of cut and 50 cubic yards of fill. The overall application for the new house and basement meets all Zoning requirements (i.e. setbacks, lot coverage, and FAR) contained within the R-1/S-100 Zoning District. Per the attached Erosion Control and Tree Protection Plans, the significant trees proposed for removal are trees # 4 (28.7" Incense Cedar), tree # 23 (20.9" Irish Yew) and tree #24 (20.7" Coast Live Oak). All other trees scheduled for removal are recommended for removal per the arborist report and are of non-significant size and are not protected under the Significant or Heritage Tree Ordinances. As such, they can be removed by right. However, the County hears your concern and will consider a more stringent tree replacement requirement for this permit as one of the conditions of approval.

Per the Tree Removal Ordinance no Tree Removal Permit is required when the tree removal is associated with a grading permit (as is the case here). Because no Tree Removal Permit is required the noticing requirements for tree removal (i.e. a site poster and a 100-foot mailing radius) is also not required. Instead the tree removal and noticing fall under the regulations of the Grading Ordinance. The noticing requirements for grading permits requires a 10 business day noticing period to neighbors within a 300 foot radius of the proposed project. No site posters notifying neighbors of a proposed grading project is required under the Grading Ordinance. The noticing for this project was sent out Oct 2, 2017 and the Planning Department will act on the current grading permit on or after Oct 18, 2017.

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Though the County does not provide copies of the arborist report and tree protection plans as part of the noticing they are available upon request. I have attached the Erosion Control Plan, Tree Protection Plan, and the Arborist report to this email for your convenience.

In regards to the oak tree in the front of the property. It is not slated for removal and tree protection measures will be installed per the recommendations of the site arborist. In addition, verification that tree protection measures are installed properly will be required before demolition of the existing house and during the grading phase and construction of the new house. In addition, construction parking and material storage will take place on the existing hardscape (outside of the driplines of the protected trees) to reduce soil compaction and subsequent root/tree damage.

The placement of the proposed house is in roughly the same place as the existing house and is situated in a way that reduces the total amount to significant trees to be removed (specifically oaks) while still complying with zoning regulations and allowing the owners to utilize their land in an economically viable way.

Thank you,

Laura Richstone

Planner I

lrichstone@smcgov.org



**COUNTY OF SAN MATEO
PLANNING AND BUILDING**

Planning and Building Department

455 County Center, 2nd Floor

Redwood City, CA 94063

(650) 363-1829 T

San Mateo County Planning Commission Meeting

Owner/Applicant: _____

Attachment: _____

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2016, revised June 6, 2017 (which a neighbor sent me) help much. It is not available to those walking by the property -- or, I gather, even to those with mailed notice.

This lack of posted or otherwise adequate notice is a critical issue. There have been similar notice failures in the past in our neighborhood. Let's correct this now County-wide. Let's start now by requiring posted notice (and a new, adequate time for comments) at 900 Menlo Oaks Drive. And the trees to be removed should be prominently labeled now (on the trees themselves, as has been the practice in the past) so that walkers on the road can discern which trees are at risk.

2. The 20.7 Coast Live Oak. This is a forty-foot tall protected tree (per the measurement by the owner's arborist), greatly needed in our neighborhood to maintain and replenish a canopy of heritage oaks that are being consistently removed.

~~The owner's arborist report rates it in fair condition (a "60"). There is no reason to support its removal. It simply (per the owner's arborist) "needs maintenance" (as all oak trees of any size do in our neighborhood). The proposed new house (like the existing structure and like most or all of the older homes in our neighborhood) can be designed around this tree.~~

3. The overall number of trees to be removed (apparently including some young oaks). Current ordinances permit protection of significant groups of trees, including trees that otherwise fall below the size threshold for protection. That should apply here. This is a heavily forested part of the neighborhood and this lot contributes significantly to that neighborhood character.

In addition, we cannot tell from the notice, but it would appear that at least two young oak trees are among those slated for removal. We need these to replenish the oak tree canopy that has been thinned recently. If there is to be a removal of any trees on this property, it should come with an undertaking by the property owner that adequate oaks will be planted now to replenish the canopy to at least its existing condition in no more than ten years. That is the standard applied in other nearby communities. Let's start using it in Menlo Oaks.

4. Overall tree protection. At the front of this property, not yet slated for removal, is a very large, very old oak tree that sits along the roadside and is of critical importance to the neighborhood character. It is huge and complex -- really wonderful, in fact. There should be extreme measures to protect it -- and to monitor that the fences and other steps to protect it are not violated by what appears to be an enormous planned building project. Please consider express limits on the size of equipment to be used and requirements as to where it is driven and parked. Similar protection should apply to other oaks on the property given the scale of the 900 Menlo Oaks project and the poor track record of other developers/builders nearby (see e.g. 699 Menlo Oaks Drive, 799 Berkeley and 240 Ringwood).

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5. Other concerns. The ongoing project next that is door to this one (at 910 Menlo Oaks Drive) has generated very significant neighborhood concerns that include concerns about expected noise (e.g., jackhammers and equipment back-up alarms as we have experienced elsewhere recently) traffic, construction and future resident parking, and construction equipment damage to neighbors' fences and trees. I hope that the County will listen to those comments as well. Our wonderful little neighborhood is, frankly, besieged by new and planned new construction -- some of it by new residents, much of it by profit-motivated spec developers. We hope that the County will back efforts to reduce or mitigate some of the impacts of this and to help us preserve our longstanding and well-loved neighborhood character.

Very truly yours,

John Danforth

885 Menlo Oaks Drive

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Owner/Applicant: _____

Attachment: _____

File Numbers: _____