

August 18, 2021

Diego Mora
Community Development Department
110 E. Main Street
Los Gatos CA 95030



Monarch Consulting Arborists

Richard Gessner
P.O. Box 1010 – Felton, CA 95018
1 831 331 8982
www.monarcharborists.com

Summary

This is the second letter of review for Variance Application V-20-002 56 Kimble Avenue. The arborist's report contains the information required by the ordinance. There was one difference in professional judgement regarding the proximity of construction and a proposed retaining wall adjacent to coast live oak (*Quercus agrifolia*) #63. The applicant and arborist provided an addendum to address this issue and the revision is satisfactory while providing adequate space and protection of the tree. The plan set still does not contain a T-1 sheet indicating tree protection measures and fence locations and the data table.

Introduction

Background

I was asked by the Town of Los Gatos to review the plan set and arborist's report for Variance Application V-20-002.

Assignment, Limits, Purpose and Use

1. Provide a peer review of the Arborist Report prepared by Ian Geddes and Associates authored by arborist Bo Firestone.
2. Assess the tree and site conditions for consistency in the report and plan set regarding numbers, species, size, location, condition, and suitability for preservation. Site visit performed on July 16, 2021.
3. The following plan set was reviewed for this assignment: A-1, A-1.1, A-2, A-3, A-4 provided by Jay Plett dated 5/24/2021 and C-1 and C-2 provided by TS Civil Engineering.

This report is to help provide information regarding the provided arborist's report and plans with reference to the trees. The report is to be used by Town of Los Gatos, the Town's agents, and the property owners and owner's agents to help determine deficiencies within the documents regarding the trees.



Observations

Arborist's Report

The arborist's report provided contains the information typical for a pre development assignment and the judgments regarding condition are believed to be true and accurate.

The report is complete and contains the required components as indicated in ordinance section 29.10.1000 - New property development.¹

Plan Set

There is no T-1 Sheet as required by the ordinance as in section 29.10.1000 - New property development section (c) (1) "...Tree Preservation Instructions (Sheet T-1). Sheet T-1 shall be referenced on all relevant sheets (civil, demolition, utility, landscape, irrigation) where tree impacts from improvements may be shown to occur;".

Discussion

Arborist's Report

The report is complete and contains the information required by the ordinance. The expected impacts are discussed and added to the table in the addendum.

Plan Set

The T-1 sheet should indicate the exact locations of the tree protection fence and any other relevant information regarding the recommendations from the report and ordinance requirements stated in Section 29.10.1005. - Protection of Trees During Construction.

¹ The appraisals in the report were performed using the 9th Edition of the *Guide for Plant Appraisal*, 2000. This publication is outdated and future appraisals should be performed using the 10th edition.



Conclusion

The report contains the typical information required for a predevelopment assessment and conforms with the Town ordinance section 29.10.1000 - New property development. The one conflict around coast live oak #63 has been satisfactorily addressed on the plans and in the report addendum. The plan set does not contain the required T-1 sheet.

Recommendations

1. Place tree numbers and tree protection fence locations, guidelines, and specifications on the plans including the grading, drainage, and utility plans. Create a separate plan sheet including all protection measures labeled "T-1 Tree Protection Plan."
2. Wrap the trunk of coast live oak #63 with straw wattle or provide a barrier to prevent mechanical damage. Have an ISA Certified Arborist® observe the trenching and provide guidance to selectively remove any significant roots (roots greater than one inch in diameter (1") if encountered. Selective root removal requires pre-excavation, typically by hand or with a pneumatic excavating equipment such as an Air Spade®, Air Knife®, or similar tools. Selective removal allows for the roots to be exposed prior to cutting at the appropriate locations. This is the type of root removal that will need to occur at the building foundation. Roots greater than one inch in diameter should be pruned rather than left torn or crushed so as to leave "a clean flat surface with intact surrounding bark" (Costello, L., Watson, G., Smiley, E. T., 2017).
3. All tree maintenance and care shall be performed by a qualified arborist with a C-61/D-49 California Contractors License. Tree maintenance and care shall be specified in writing according to American National Standard for Tree Care Operations: *Tree, Shrub and Other Woody Plant Management: Standard Practices* parts 1 through 10 and adhere to ANSI Z133.1 safety standards and local regulations. All maintenance is to be performed according to ISA Best Management Practices.



Appendix A: Additional Photographs

Oak adjacent to proposed retaining wall



Qualifications, Assumptions, and Limiting Conditions

Any legal description provided to the consultant is assumed to be correct. Any titles or ownership of properties are assumed to be good and marketable. All property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

All property is presumed to be in conformance with applicable codes, ordinances, statutes, or other regulations.

Care has been taken to obtain information from reliable sources. However, the consultant cannot be responsible for the accuracy of information provided by others.

The consultant shall not be required to give testimony or attend meetings, hearings, conferences, mediations, arbitration, or trials by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services.

This report and any appraisal value expressed herein represent the opinion of the consultant, and the consultant's fee is not contingent upon the reporting of a specified appraisal value, a stipulated result, or the occurrence of a subsequent event.

Sketches, drawings, and photographs in this report are intended for use as visual aids, are not necessarily to scale, and should not be construed as engineering or architectural reports or surveys. The reproduction of information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is only for coordination and ease of reference. Inclusion of said information with any drawings or other documents does not constitute a representation as to the sufficiency or accuracy of said information.

Unless otherwise expressed: a) this report covers only examined items and their condition at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that structural problems or deficiencies of plants or property may not arise in the future.



Certification of Performance

I Richard Gessner, Certify:

That I have personally inspected the tree(s) and/or the property referred to in this report, and have stated my findings accurately. The extent of the evaluation and/or appraisal is stated in the attached report and Terms of Assignment;

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

That the analysis, opinions and conclusions stated herein are my own;

That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices;

That no one provided significant professional assistance to the consultant, except as indicated within the report.

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

I further certify that I am a Registered Consulting Arborist® with the American Society of Consulting Arborists, and that I acknowledge, accept and adhere to the ASCA Standards of Professional Practice. I am an International Society of Arboriculture Board Certified Master Arborist®. I have been involved with the practice of Arboriculture and the care and study of trees since 1998.

Richard J. Gessner



ASCA Registered Consulting Arborist® #496
ISA Board Certified Master Arborist® WE-4341B



Copyright

© Copyright 2021, Monarch Consulting Arborists LLC. Other than specific exception granted for copies made by the client for the express uses stated in this report, no parts of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, recording, or otherwise without the express, written permission of the author.

