

March 7, 2019

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TOWN OF LOS GATOS
PLANNING DIVISION

Assignment, Limits, Purpose and Use

1. Provide a peer review of the Arborist Report prepared by Katherine Naegele dated February 11 and 6, 2019 which included and updated general report and one consisting of oak tree #6 driveway configurations and proposed protection.
2. The following plan set was reviewed for this assignment: Plan Set provided by Studio Three Design dated December 17, 2018: sheets A1.4 (Site Plan) and T-1 (Tree Preservation Instruction), Peoples Associates civil plans dated November 28, 2018: C2 (Demolition Plan), C4 Grading and Drainage Plan, C5 Utility Plan, and C6 Details and Sections.

The 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

The revised arborist's report contains the information requested in the "recommendations" section of my original report dated October 2, 2018. The judgements regarding the driveway construction around the coast live oak #6 are considered true and accurate.

The plan set contains the required T-1 sheet with no plan view for protection of the trees and only provides ordinance requirements. The cross section of the proposed paver driveway in sheet C6 indicates six to seven inches of excavation to match the original grade which consists of sub-base, sand, and the paver itself. This cross section is in conflict with the arborist's observations of the pavers being placed on the grade after the asphalt is removed.



Recommendations

Oak Tree #6

In addition to the arborist's recommendations for applying a tree growth regulator (Paclobutrazol) and remove any significant stem girdling roots I would make the following recommendations:

1. Place tree protection fence around the tree at a radius of 50 feet if the driveway is demolished early in the process. Otherwise place the fence at a radius of 15 feet to protect the trunk and scaffold branches if the driveway is to remain as recommended.
2. Treat the trunk three times per year to help prevent bark beetle attacks (*Monothrum scutellare*) with (Permethrin) or (Bifenthrin) according to the product labels.
3. Maintain the existing driveway around the tree during the construction process until the new driveway is to be installed. This will significantly reduce construction impact during the demolition and construction phases.
4. Do not excavate the existing soil grade around the tree on all four sides within a 50 foot radius (ten times the trunk diameter). Exception for one side is listed below to accommodate the underground parking.
5. Disturbance where the driveway is to be excavated must be outside six times the trunk diameter which is 30 feet. (Both the *ISA Best Management Practices: Root Management*, 2017 and *ISA Best Management Practices: Managing trees during construction, second edition*, 2016 indicate linear cuts should be beyond six times the trunk diameter distance. *Best Management Practices: Root Management* (2017) states cutting roots at three times the diameter can result in loss of stability and anything closer would result in "severe loss of stability.") If this cannot be achieved a redesign is recommended.
6. All paver installation within 50 feet should be above the existing soil surface with only minor scarification to even out the grade under the existing asphalt. If necessary Tensor Biaxial Geogrid can be incorporated as a sub-base treatment to provide a stable base on grade without significant compaction or excavation.



Plan Set

1. Create a new paver section to indicate the driveway will be placed above existing grade without sub-base excavation.
2. Place the tree protection scheme and "recommendations" from this report and those provided by the applicant on the T-1 sheet. The T-1 sheet should contain the protection plan view as described on page 9 of the report dated February 11, 2019.



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



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ISA Board Certified Master Arborist® WE-4341B
ISA Tree Risk Assessor Qualified

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