



City of Larkspur

400 Magnolia Avenue, Larkspur, California 94939

Telephone: (415) 927-5110 Fax: (415) 927-5022

Website: www.cityoflarkspur.org

NOTICE

July 24, 2015

This is to advise that the owner of 105 King Street has applied to remove two Black Acacia trees from the front of the above-mentioned property. For your information, a heritage tree is defined by the Larkspur Municipal Code as any living tree that has a circumference of 50 inches or greater, measured two feet up from the natural grade. The arborist submitting the report indicates the circumference of the trees are 112 and 85 inches.

The arborist conducting the assessment for the homeowner noted the following conditions:

- One tree is hanging over Magnolia Avenue and encroaching onto the sidewalk
- The trees are damaging the historic rock wall
- The trees are leaning into traffic and will most likely fail during a saturating storm

This permit application is being processed following the provisions of the Larkspur Municipal Code, Chapter 12.16.070, "Procedure for Removal for Removal of Heritage Trees". The permit is held for a 15-day period in which the public has the opportunity to review the application documents. The application and report are located at the main counter on the second floor of City Hall.

The public has a right to contest this application. Written objections to the removal must occur within the above time frame. Any written protests received within the 15-day period will prompt a public hearing on the matter before the Larkspur Park and Recreation Commission. The Commission will then determine if the permit is to be issued at that time and will direct staff accordingly.

All decisions made by the Park and Recreation Commission may be appealed to the Larkspur City Council.

Letters of protest may be addressed to:

City of Larkspur, 400 Magnolia Avenue, Larkspur, CA 94939 or by facsimile: 415-927-5022

**NOTICE OF PARKS AND RECREATION COMMISSION
PUBLIC HEARING**

APPELLANT: Laura Effel
APPLICANT/OWNER: John Miller
PROPERTY ADDRESS: 105 King Street, Larkspur

NOTICE IS HEREBY GIVEN that Laura Effel has filed a protest to a request for a Heritage Tree Permit to remove 2 Black Acacia trees from the front of the property at 105 King Street. For your information, a heritage tree is defined by the Larkspur Municipal Code as any living tree that has a circumference of 50 inches or greater, measured two feet up from the natural grade. The arborist submitting the report indicates the circumference of the trees are 112 and 85 inches.

A notice was sent on July 24, 2015, advising that the owners of 105 King Street had applied for a permit to remove two Heritage-sized Monterey Black Acacia trees from the front of that property. The owner's arborist submitted a report listing the reasons for requesting the removal permit:

- One tree is overhanging Magnolia Avenue and encroaching onto the sidewalk
- The trees are damaging the historic rock wall
- The trees are leaning into traffic and will most likely fail during a saturating storm

A letter of objection was received on August 6, 2015. As a result, **this matter will be heard before the Larkspur Parks and Recreation Commission on Thursday, October 15, 2015.**

The hearing will take place on the 2nd Floor of Larkspur City Hall, 400 Magnolia Avenue, Larkspur, 94939. The meeting will begin at 7:30pm.

At this meeting, the applicant will present the argument for removal of these trees and any interested parties may make their argument for or against removal. The Larkspur Parks and Recreation Commission will decide the matter based on Municipal Code Section 12.16.070 subsection F and direct Staff as necessary. The Parks and Recreation Commission's decision in this matter may be appealed to the Larkspur City Council within 15 calendar days. (Municipal Code Section 12.16.070 subsection J(4))

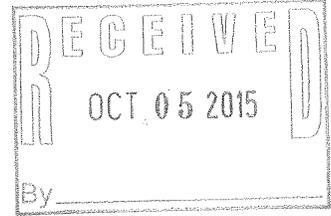
For further information, contact Dick Whitley at 415-927-6746. Letters may be addressed to: City of Larkspur, 400 Magnolia Avenue, Larkspur, CA 94939, or by facsimile: 415-927-5022.

Access to Meetings: Meeting facilities are accessible to persons with disabilities. If you require special assistance, please contact any staff member prior to the meeting. An interpreter for the deaf will also be made upon request to the staff at least five days prior to the meeting.

POSTING DATE: September 24, 2015

DICK WHITLEY, Recreation Director

Victoria Forrester
One Owlswood Drive
Larkspur, CA 94939
1 (415) 924-9707 + 1 (415) 827-8031
hobbitsathome@gmail.com



Parks and Recreation Commission
City of Larkspur
400 Magnolia Blvd.

October 5, 2015

Re: removal of heritage trees at 105 King Street

To the Commission:

As a resident of Larkspur for over 40 years, I strongly protest the recent application by the family at 105 King Street for permission to remove two heritage trees from their property.

We have lost many trees to the axe in past months, and the absence of these grand old trees standing in their familiar spot in the heart of town would be yet one more thing to grieve as the landscape of the town changes.

Since the application was filed, the owners have wisely pruned the heavier limbs that had extended past the lot toward Magnolia, and both trees now stand straight and tall; these trees held their ground in the great flood of '82, and I would expect no less of them now. Only one of the two trees is anywhere close to the ornamental stone wall that surrounds the property, and I would hope that if a qualified landscape engineer were to be enlisted, a way could be found to modify the rock wall and provide ample space for these two old friends to coexist well into the future of our grandchildren.

One last consideration: Drought. Sloat Garden Center recommends saving large established trees stating that they require far less water than new growth.

On the grounds that there appears to be no compelling necessity for the removal of these heritage trees, I ask that you uphold the ordinance that protects them and that the request for their destruction be denied.

Respectfully submitted,

Victoria Forrester

CC by email: lk_recreation@cityoflarkspur.org
Dan Schwarz, City Manager, dschwarz@cityoflarkspur.org
Nick Stone, Recreation Supervisor, nstone@cityoflarkspur.org

Laura Effel
11 Onyx Street
Larkspur, CA 94939
laura.effel@gmail.com
(206) 666-4597 fax



By FAX (415) 927-5022

Parks and Recreation Commission
City of Larkspur

Re: removal of trees at 105 King Street

To the Commission:

I hereby protest the application by the owner of 105 King Street to remove heritage trees on the grounds that they are encroaching on the sidewalk and traffic. A brief look at those trees reveals that the owner's excuses for removal are insignificant. Were Mr. Love to trim those trees, the problem would be completely removed. Moreover, I see no cars that have failed to park in front of the property as a result of these alleged problems. The parking spaces are well used.

Allow me to remind you that in July, the Parks and Recreation Commission denied permission for the owner of 259 Madrone to remove three of the property's 38 trees. Those trees had already damaged the house on the property and would continue to do so. If the Parks and Recreation Commission grants this application at 105 King Street after denying the application at 259 Madrone Avenue, then we will know that there is something seriously wrong with the decision-making process in this town.

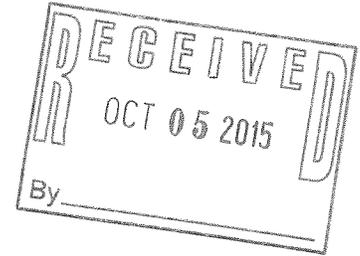
Respectfully submitted,

s/ Laura Effel

Copies by email to
Dan Schwarz, City Manager, dschwarz@cityoflarkspur.org
Nick Stone, Recreation Supervisor, nstone@cityoflarkspur.org

October 4, 2015

Laura Effel
11 Onyx Street
Larkspur, CA 94939
laura.effel@gmail.com
(206) 666-4597 fax



By FAX (415) 927-5022

Parks and Recreation Commission
City of Larkspur

Re: removal of trees at 105 King Street

To the Commission:

I continue to protest the application by the owner of 105 King Street to remove heritage trees because the assertions made by the applicant and its consultant are largely untrue.

The only true statement appears to be that the tree on Madrone is pushing over the stone wall in front of it.

Is the stone wall on Madrone entitled to protection as an historical construction?

The other assertions appear to be completely false. The tree on King Street is not pushing over the wall. Neither tree is interfering with the sidewalk or parking.

I urge the Commission to have an appropriate staff person examine the trees to evaluate the truthfulness of the applicant's assertions.

Lastly, the applicant relies on its consultant's prediction that, in the future, the trees will fall down in a rain storm. I have no crystal ball. I suspect no one else does, either.

Allow me to remind you again that in July the Parks and Recreation Commission denied permission for the owner of 259 Madrone to remove three of the property's 38 trees. Those trees had already damaged the house on the property and would continue to do so. If the Parks and Recreation Commission grants this application at 105 King Street after denying the application at 259 Madrone Avenue, there is something seriously wrong with the decision-making process.

Respectfully submitted,

/ Laura Effel

Copies by email to
Dan Schwarz, City Manager, dschwarz@cityoflarkspur.org
Nick Stone, Recreation Supervisor, nstone@cityoflarkspur.org
Joan Lang, jiang@cityoflarkspur.org

APPLICATION FOR HERITAGE TREE(S) REMOVAL

Office Hours: Monday – Thursday 9:00-Noon; 1:00-5:00*

*Tuesday afternoon by appointment only. Closed Friday

CITY OF LARKSPUR

400 Magnolia Avenue, Larkspur CA 94939

(415) 927-5110 Fax (415) 927-5022

Permit Issued _____ Date _____

Cal Health & Safety Code § 19825 Required declarations.

LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class CA/DA License No. 5916473

Contractor: Swift Tree Date: 7/16/2015

WORKERS' COMPENSATION DECLARATION

WARNING: Failure to secure workers' compensation coverage is unlawful and shall subject an employer to criminal penalties and civil fines up to One Hundred Thousand Dollars (\$100,000), in addition to the cost of compensation, damages as provided for in section 3706 of the labor code, interest, and attorney's fees.

I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

Policy # 853443 (34-2014)

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier Applied Underwriters

Policy Number 853443 (34-2014) Exp: 2016

I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Signature: _____ Date: _____

By my signature below, I certify the following: I am a California Licensed Contractor, I have read this construction permit application and the information I have provided is correct. I agree to comply with all applicable city and county ordinances and state laws relating to building construction. I authorize representatives of the City of Larkspur to enter the above identified property for inspection purposes.

California Licensed Contractor or Authorized Agent

Signature: Kristi Swift Date: 7/16/2015

APPROVALS

Approval: _____ Date _____

Permit # _____ CC/PC mtg. Date _____

Note if: Pyrofitic Tree(s) Emergency Sudden Oak

NOTICE TO APPLICANT:

- ❖ Check with your local Homeowner's Association if applicable.
- ❖ An Encroachment permit will be necessary if the staging area requires use of public property

Attach report from certified arborist, map showing location of tree(s) and photos (recommended)

APPLICANT TO COMPLETE THIS SECTION

Street Address of Project: 105 King Street

PROPERTY OWNER Mr & Mrs Miller

Address 46 Upper Rd - Ross

Phone/email 415-485-5976

Tenant _____ Phone _____

TREE REMOVAL Company: Swift Tree Care

Contact: Kristi Swift

Phone/Email: 415-488-0522

Swift Tree @ AOL.com

LIST TYPE OF TREE(S) TO BE REMOVED TREE CIRCUMFERENCE measured 24" above ground

- 2 Black Acacia 112" 85" C
- Trees are in front yard.
- _____
- _____

REASON FOR REMOVAL

Trees are damaging historic rock wall. Trees are not consistent with a historical landscape.

Sign Kristi Swift Date 7/16/2015

Print Name Kristi Swift

DEPARTMENT USE ONLY

Permit Fee \$165 Receipt# pd. 7-20-15

Permit valid for 12 months from date of issue.

MUST BE POSTED AT JOB SITE & VISIBLE FROM STREET

Swift Tree Care

7/16/2015

To Whom It May Concern:

RE: 105 King Street Larkspur ~ 2 Black Acacia Trees

At the request of the property owners I inspected 2 Black Acacia trees at the above mentioned address. I am recommending removal of two Black Acacia trees for the following reasons.

1. The trees are damaging the historic rock wall enveloping the property.
2. One tree is hanging over Magnolia Ave and encroaching onto the sidewalk.
3. These mature trees are leaning into traffic and will most likely fail during a saturating storm.
4. These trees are not consistent with a historical landscape.

Please do not hesitate to call with any questions.



Craig Swift
Certified I.S.A. Arborist #486
Swift Tree Care
swifttreecare.com
415-488-0522



105 King St.
Tree removal dates not yet set

