



City of Sebastopol
Incorporated 1902
 Planning Department
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APPROVED MINUTES

TREE/DESIGN REVIEW BOARD
 CITY OF SEBASTOPOL
 MINUTES OF August 22, 2023
 3:30 P.M.

The notice of the meeting was posted on August 17, 2023.

DESIGN REVIEW BOARD:

1. CALL TO ORDER: Vice Chair Hanley called the meeting to order at 3:30 P.M.

2. ROLL CALL:

Present:	Melissa Hanley, Vice Chair Marshall Balfe, Board Member Lynn Deedler, Board Member
Absent:	Lars Langberg, Chair Cary Bush, Board Member Christine Level, Board Member
Staff:	John Jay, Associate Planner

3. APPROVAL OF MINUTES:

February 15, 2023

Associate Planner Jay reported that approval of the February 15, 2023 DRB meeting would be continued to the next meeting due to lack of a quorum, as Board Member Balfe was absent from that meeting.

4. PLANNING DEPARTMENT UPDATE ON MATTERS OF GENERAL INTEREST:

Associate Planner Jay reported that:

- The Woodmark project on Bodega Avenue had begun preparations to install the grading piers for the retaining walls on the site.
- The State has signed off on the archeological studies for The Hotel Sebastopol project. The project is now awaiting sign off on a federal level, after which they will begin their archeology and grading.
- The Canopy project at the north end of town completed their Notice of Preparation for the EIR two weeks ago and it will be moved to the admin draft for the EIR, which will be available in the fall for a 45-day public comment period.
- The Sonoma County Transportation Authority (SCTA) is working on a County-wide Bike and Pedestrian Master Plan and will hold its first milestone update meeting with

the Planning Commission on September 12th, with more to come as the project moves forward.

The Board asked questions of Associate Planner Jay.

5. COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THE AGENDA: None.

6. STATEMENTS OF CONFLICTS OF INTEREST: None.

7. REGULAR AGENDA:

- A. 509 Norlee Street and Covert Lane – Village Green** – The Applicant is applying to the Tree Board for the removal of two (2) trees, a Douglas fir and a Tulip tree at 509 Norlee Street and Covert Lane in the Village Green community.

Associate Planner Jay presented the staff report and was available for questions.

Melissa Hanley, Vice Chair

The replacement trees are not in front of the condo, so this is not a one-for-one. Was this placement strategic?

John Jay, Associate Planner

The requirement for the replacement is two replacement trees for one removed, so the two trees should be placed strategically to not cause any future damage, but I believe the crepe myrtles are a smaller tree overall than the Douglas firs, but I'll defer to the City's consulting arborist, Becky Duckles, to go over the technical.

The applicant gave a presentation and was available for questions.

The Board had no questions for the applicant.

Vice Chair Hanley opened public comment.

Unidentified Female

The fir tree is 60 feet tall and over 60 years old. All trees are precious. They give us the air, water, beauty, and inspiration, and are homes to our very last birds. This is a healthy tree that is showing no signs of falling. I've lived in this complex for 20 years and I've watched the trees double in size and I love them. Pertinent to both trees in question, we need to redesign the sidewalk; the street is definitely wide enough to accommodate the need for the roots to grow. We need to preserve every tree. Regarding the sidewalk damage by the roots, the HOA takes in \$192,000 a year and should be able to cover the cost of fixing the sidewalk, and also shorten the fence.

Beth White

I used to live in Sebastopol and still spend a lot of time here. I want to speak of the awareness of the pain of losing all the trees this County has lost, and the committee we could have to care for the ones we still have.

Vice Chair Hanley asked for further public comments. Seeing none, she closed public comment.

The Board discussed the application as follows:

Lynn Deedler, Board Member

I think the best solution regarding the bifurcated fir tree is to remove it. It looks healthy, but the separation between those two trunks is huge and the trunk could split in strong winds and come down. I don't think cabling would work well, but I've seen large pins put through a tree crotch like that with bolting plates to each side. That seems like a substantial safety element, so I'd like to hear from the City's consulting arborist on that.

Becky Duckles, Consulting Arborist

One of the names for this condition and structure the Douglas fir has is "co-dominant leaders with included bark." From the point where those trunks bifurcate an almost inverted zipper can be seen below it, and that is not a strong cellulose connection between those trunks. I used to believe because it is a naturally occurring structure that there is nothing to worry about, and I have learned the hard way that is not true, because as those trunks increase in diameter they push each other apart, further weakening the tree as it grows larger. Now when I evaluate a tree I look at the tree's health separately from its structure, because it could be a very healthy tree but it might have a very weak structure, and that is certainly the case here. I cannot say this is a safe tree to have in such a confined area.

Lynn Deedler, Board Member

I have to acknowledge that it is a very confined area for that size tree. Also it is well surrounded by many other trees, so there is no lack of trees in that particular area. Regarding the Tulip tree, on that site there are ten attractive Tulip trees in a row that create a park-like feel along Covert Lane, screens the condos there, and makes a real contribution to that portion of the community. Looking closely though, there are six other trees causing sidewalk lifting and cracking, and eventually all ten of those trees will lift and crack the sidewalk, but if we remove all ten trees it would look bleak by comparison. Also, there are cracks in the sidewalk in places where there are no trees, because the sidewalk is only two inches thick, but City standards call for a 4-inch sidewalk, which is much stronger. The problem is not that the tree roots are particularly fierce; it is that the sidewalk is thin and cheap.

Melissa Hanley, Vice Chair

I see an email from Public Works that says sidewalk maintenance is the obligation of the HOA, so it is not a City-maintained sidewalk.

Lynn Deedler, Board Member

My point is there are ways to put a sidewalk there, and it should be done to the entire block, because the entire sidewalk was an economy job and a good sidewalk would stop those roots. In my experience, Public Works values nice sidewalks more than it values trees, and the solution of simply removing trees is inappropriate for this tree, is not a good solution, and can change the whole feel of an area. I support preserving this tree.

Melissa Hanley, Vice Chair

Becky, if we were to propose removing the sidewalk and replacing it with something that met the standards and could withhold the trees, would the tree survive that kind of work?

Becky Duckles, Consulting Arborist

Tulip trees are an eastern native that like a lot of water, and they get summer rainfall almost every year. In this situation I think it's probably going to be important and painful to remove those trees, because they are beautiful and mature, but they are an eastern native that likes a lot of water.

Melissa Hanley, Vice Chair

Going through the construction project of replacing the sidewalk, what are the survival odds of these trees?

Becky Duckles, Consulting Arborist

The roots are going to be shallow anyway with this species, especially because they are looking for water and it's more likely to be condensing in the bottom of a thin, shallow sidewalk, and there are some circumstance where it is advisable to try to change the layout of the curb, sidewalk, and gutter to try to preserve important trees, and I would support that, but in this case I think it would really be a problem, because everyone is so concerned about conserving water.

Lynn Deedler, Board Member

I have four trees, and I have had to cut one-third of the roots away, and I found that just giving them a hard pruning while leaving a good structure, and watering, has made of them survive just fine.

Becky Duckles, Consulting Arborist

Once a tree is so well established it's pretty hard to get it to redirect its roots to another area, and so I think a much better approach for long-term tree establishment success is rather than have a narrow parkway strip like this sort of thing is to have groups of trees more like islands, and then design an irrigation system to not only get the trees established maintain them. Especially in a city setting we have to be very careful about removing roots that might destabilize the tree, because winds during winter storms. It's hard to balance all these things, and this is a situation where it would be better to try to establish trees where they can be maintained and established and thrive without worrying about destabilizing them.

Marshall Balfe, Board Member

I did not want to see the tree out by the street taken down, but I had no idea the sidewalk is the responsibility of the property owner, and that changes it all for me. The homeowners would need to develop a plan for the sidewalk and the trees, so I'm not sure that deciding whether or not to take that tree out right now is appropriate. Now that we have all this information, maybe we should forget about approving the removal and have the HOA come back to us with some kind of general plan for that area. If that property is part of the ownership of the units, then it's up to them to decide what to do.

John Jay, Associate Planner

They should have to go through the encroachment permit process, which is (inaudible) to close off the public right-of-way or the sidewalk there, but in most cases a lot of the sidewalk repair is at the property owner's expense, so that would be something that when they pull the encroachment permit they would supply those details, and I'm assuming that Public Works has a standard detail for the approvable sidewalk repair and what those ratings have to be.

Marshall Balfe, Board Member

So they'd get an encroachment permit, and then who would build the sidewalks?

John Jay, Associate Planner

It would be the property owner, or in this case, the HOA group.

Marshall Balfe, Board Member

I would not want that tree coming out unless there's a plan of some sort by somebody, and I would think the homeowners could get together and direct that enterprise.

John Jay, Associate Planner

You can do it two different ways here today. You could condition the project, so you could approve the removal of the trees, and then add a condition that says when they go through the encroachment permit process that it meets what standards you want, or you could continue the item to the next scheduled meeting to have the applicant come back.

Melissa Hanley, Vice Chair

I want to make sure we're not forgetting about the fir street that is likely to fall down and hurt somebody, so we do have an imminent issue that should be dealt with. We don't have anyone from the HOA here unfortunately.

Marshall Balfe, Board Member

My first thought about the Douglas fir tree was what Board Member Deedler was talking about, putting a bar or cable between the two trunks, but to me the most important issue here is the applicant's fear of it falling down. I used to live by a tree that I was always afraid it was going to fall down, so to me that has the highest priority.

Melissa Hanley, Vice Chair

I agree with my fellow commissioners' assessment of the fir tree. The applicant shouldn't be living in fear in her home, and the consulting arborist's assessment rings true for me about the future liability of this tree, so I think we need to make a recommendation to remove it. I think Board Member Deedler's comments are apt here in that you start to take one tree away, and then it's two trees, and then it's ten trees, so I think we're looking at a longer-term strategy that the HOA does need to come back with. Right now, I think this is negligence. They've been aware of this for over a year, which is when the City superintendent for Public Works was notified there was a cracked sidewalk, and they were supposed to get a bid and they never did anything about it. This is the public way and it could be very unsafe, so I have a real issue with that negligence on the part of the HOA. I do feel like there needs to be a plan, because it feels like we're kicking a can down the road with respect to these trees not being the best for this location given we're going into prolonged droughts, but cutting them down and replacing them with a five-gallon tree is also not a strategy, so coming up with a longer-term solution that can phase out these trees and phase in longer-term plantings is the most appropriate thing to do, but in the short run this sidewalk has to get fixed.

Lynn Deedler, Board Member

There are some sharp sidewalk edges that are currently a hazard and need an immediate fix, and I would say the HOA needs to take out the section that is damaged and replace it with asphalt, and then give them one year to come up with a long-term permanent solution perhaps for the entire length of the sidewalk, the whole length of the trees there.

Melissa Hanley, Vice Chair

I like that. Is that within our purview? Can we make that a condition?

John Jay, Associate Planner

I think it would be easier to approve the removal of the fir tree, deny the Tulip tree, and have the applicant return with a different option moving forward for the future of those trees. We can definitely have some sort of fix to the sidewalk, because that is a safety issue, but I don't know if we can condition the project in a way for that portion of it to have

a long-term plan. I think just deny the Tulip tree removal and provide the HOA with the option to come back to the Board with a plan for that strip of the site.

Melissa Hanley, Vice Chair

Is there a way for us to create a record that any consideration of tree removal in this parcel is going to be contingent on a long-term plan in the future?

John Jay, Associate Planner

The reason the permit is coming to the Board is because this is in a multi-family zone, so anything that is over 10 inches in diameter is required to be reviewed by the Board. For all of those trees it would be safe to say that if any removal of those were requested in the future they would come to the Board anyway, so it's not something that would go through like an administrative permit review, so it meets that criteria.

Marshall Balfe, Board Member

In order to get the sidewalk fixed right away, can somebody from your department or one of us make a phone call and ask that they fix it promptly? A temporary fix?

John Jay, Associate Planner

We can condition that as a temporary fix on the sidewalk there.

Marshall Balfe, Board Member

Only one section is really dangerous right now.

John Jay, Associate Planner

Correct. When I spoke to Public Works last week they had spoken to the property manager and they wanted to know what the outcome of this process was going to be before they completely replaced the sidewalk there.

Melissa Hanley, Vice Chair

Can we condition the fir tree removal with this sidewalk replacement, even though they are not adjacent?

John Jay, Associate Planner

The permits request removal of the fir, which you can approve, and then you can deny the Tulip tree with the repair of the sidewalk. You cannot condition the approval of the fir removal with the repair of the sidewalk at the Tulip tree site, because they are in different locations and the fir tree does not affect that sidewalk.

Becky Duckles, Consulting Arborist

When repairing the sidewalk, as soon as you take up that thin section of concrete you'll find roots right under the surface, which have been collecting the moisture that condenses under it, and so if you're going to replace the sidewalk to current City standards it's going to require that you cut some roots on that tree, and so that would be another level of investigation to ensure that it's not going to destabilize the tree, because they would be on the south and southwest side of the tree.

John Jay, Associate Planner

I see that Cindy Littrell, the property manager, just joined the meeting via Zoom. Could we get a quick recap for Cindy as to what we're looking at for the motion, just to ensure that is acceptable for the property management group?

Melissa Hanley, Vice Chair

I think what's on the table right now is that we're going to approve in part and deny in part the permit application. We've going to approve removal of the fir tree and we're going to deny the removal of the Tulip tree, and we're requesting the applicant return with a revised proposal for the Tulip tree location showing a future planting plan as well as a sidewalk repair plan that would be in keeping with a species that would have greater longevity in that area. Our concern is that the trees that are planted there right now are very thirsty trees, they're eastern native trees, and so their long-term health is going to be suspect; and that the sidewalk does not meet City standards, it is too thin, and so it's going to continue to be disrupted with minimal root disturbance, whereas a City-standard sidewalk would not be as disrupted by the root disturbance. It's kind of a two-part issue.

Cindy Littrell, Property Manager

I'm hearing a mixed message. You do not want the Tulip tree removed, but you're stating that it's problematic and it's a non-native tree.

Melissa Hanley, Vice Chair

What we're concerned about is that by not removing this tree we are going to be kicking the can down the road, that this tree and these series of trees are going to become an issue in the future, so to avoid having all of the trees removed because of sidewalk disruption in the next ten years or so, we would ask that the HOA come up with a long-term plan for the tree removal so this can happen over time and not be a drastic shift in the landscape.

Cindy Littrell, Property Manager

I think for right now if you want to deny the removal of that Tulip tree, that's fine. We are already in contract with Winter's Concrete, and he does plan to get an encroachment permit and follow the City guidelines for restoring the sidewalk. So if you think that that sidewalk can be restored to the City guidelines, if that's the HOA's responsibility, without hurting the tree because of the roots that will need to be cut in the process, then that's fine.

Vice Chair Hanley moved to approve the removal of the Douglas fir tree and the associated pathway restoration, and to deny the removal of the Tulip tree.

Board Member Deedler seconded the motion.

Cindy Littrell, Property Manager

I met with a consulting arborist today. We probably will not be planting crepe myrtle trees, because I'm told there is an overpopulation of them, so if there are other trees that you prefer, with two additional trees to be planted in exchange for the fir tree, we would probably select a different species.

Melissa Hanley, Vice Chair

We should put that as part of the conditions of approval, and I'm going to rely on the consulting arborist for a recommendation.

Cindy Littrell, Property Manager

We're happy to get a recommendation. Is Chinese Pistache a good recommendation?

Becky Duckles, Consulting Arborist

The point was made earlier in the discussion about this project, that it's going to be important to establish some kind of continuity along Covert Lane for aesthetics and durability, and so how a tree would be established with irrigation will be important in selecting a species. I would ask you to direct the contractor repairing the sidewalk to note

how many roots are cut when they expose the existing roots under the sidewalk, and to make a determination with your consulting arborist about whether or not so many roots cut would destabilize or kill the tree, and what the mechanism is going to be for irrigating it to establish it, if you do put in new trees. I guess at this point we're not talking about replacing it, but I'll be happy to talk to you later on about replacements.

Cindy Littrell, Property Manager

I know the application showed that another tree would go in that location if the original tree were removed, but they are likely to go in a different location if it's not getting removed, and right now the HOA has absolutely no money to start talking about a long-term landscape renovation project, tree conversion, irrigation and all that which will cost them thousands of dollars, so that's going to have to get put on the back burner for right now. We just need to do what we need to do to be in compliance with the sidewalk maintenance and to remove the fir tree.

Melissa Hanley, Vice Chair

Given that bar, is there a recommended rather bulletproof species that maybe makes sense for this project?

Becky Duckles, Consulting Arborist

I think the street frontage along Covert is pretty important, and so it would be really important to have an agreed upon replacement scheme, even if you don't do any replacements at this time.

Cindy Littrell, Property Manager

If you're denying the tree to be removed, we're not going to present a plan for planting more trees along Covert Lane. We'll cross that bridge when it happens.

Becky Duckles, Consulting Arborist

I think when you remove the existing sidewalk you're going to find that you have to cut a lot of roots on that tree; I could be wrong, but I've seen that a lot. So it's yet to be determined about whether the tree will be stable enough after a lot of roots are cut to install the new sidewalk.

Cindy Littrell, Property Manager

What I heard was a denial. So are you saying that it's not a denial, that it's a wait and see what we expose? I could take photographs of whatever roots they cut. So what am I hearing?

Becky Duckles, Consulting Arborist

What we're trying to do is figure out the sequence here, and so if you're just going to remove and replace that section of sidewalk according to current City standards, I think you'll be removing a lot of roots on that tree, and so that's going to have to be determined at the time that those roots are exposed.

John Jay, Associate Planner

Becky, we're talking about replacements for the fir tree in the back of the site, not along Covert.

Becky Duckles, Consulting Arborist

I know, but we're also talking about replacing... We're not going to be replacing (inaudible)?

John Jay, Associate Planner

We're denying the maple tree removal.

Becky Duckles, Consulting Arborist

I understand that part, but I think I'm confused about are we proceeding because there is a big trip hazard because of a 5-inch displacement in the sidewalk in the street? Are we denying their ability to replace that sidewalk? Because if they do, they'll be cutting roots on that tree; that's all I was saying.

Melissa Hanley, Vice Chair

That's not before us today, the sidewalk.

Marshall Balfe, Board Member

We were discussing replacing the entire sidewalk down the whole block, but perhaps that's not what she understands.

John Jay, Associate Planner

The motion that is currently on the table is to approve the removal of the fir tree in the back of the site, deny the maple, have them do the replacements to the sidewalk, which is just the one section that is lifted and is part of the staff report. Then what Cindy is asking is what species other than the crepe myrtle would be better to place in the location where the fir tree is currently? So the Covert Lane tree is not in discussion anymore.

Becky Duckles, Consulting Arborist

But the sidewalk replacement is?

John Jay, Associate Planner

That would be the responsibility of the HOA. That's not part of the tree removal process.

Marshall Balfe, Board Member

Would there be one tree replacement, or two?

John Jay, Associate Planner

Two.

Marshall Balfe, Board Member

On the map they're shown at other locations. Would they be at the location of the tree that's being removed?

Cindy Littrell, Property Manager

No, it would not be at the location where the tree is removed. There are too many trees there right now; they're crowding each other. There are some bare areas. We actually lost a tree during this past winter's storm, so we would want to put a tree possibly in front of 535 and one in front of 537.

Melissa Hanley, Vice Chair

Is there a list of City-approved trees?

John Jay, Associate Planner

Yes.

Melissa Hanley, Vice Chair

So maybe they can just pick one off the list?

John Jay, Associate Planner

Yes.

Vice Chair Hanley amended the motion to say that the applicant will pick a tree from the City of Sebastopol's approved tree list.

Board Member Lynn Deedler accepted the amendment to the motion as the seconder.

AYES: Vice Chair Hanley, and Board Members Balfe and Deedler

NOES: None

ABSTAIN: None

ABSENT: Chair Langberg, and Board Members Bush and Level

- B. 6850 Redwood Avenue, Lot #60 – Fircrest Mobile Home Park** – The applicant is applying to the Tree Board for the removal of a Redwood tree at 6850 Redwood Avenue in the Fircrest Mobile Home Park community.

Associate Planner Jay presented the staff report and was available for questions.

The Board had no questions for Associate Planner Jay.

The applicant gave a presentation and was available for questions.

The Board had no questions for the applicant.

Vice Chair Hanley opened public comment. Seeing no speakers, she closed public comment.

The Board discussed the application as follows:

Marshall Balfe, Board Member

I don't like taking trees down, but this is a very tight, awkward situation, and given all the factors I see no alternative but to take it down.

Melissa Hanley, Vice Chair

I agree.

Lynn Deedler, Board Member

I'm teetering back and forth on that one. It looks great from far away.

Becky Duckles, Consulting Arborist

When the tree is topped you've got a great big topping cut, and then you get multiple resprouted leaders from that topping cut, and they're weakly attached, so there is double the chance that any of those could break off and fall, which is one of the reasons why topping is prohibited in Sebastopol and most cities. It's a beautiful, magnificent tree, and it is healthy, but that goes back to the idea I spoke about in the last item where a tree can be very healthy but structurally unsound. Another thing is redwood roots go where there is water. I'm sure a lot of the units in that mobile home park have foundations or pads, and so the redwood is bound to be exploring those areas and damaging those infrastructures and utilities.

Lynn Deedler, Board Member

It had multiple leaders on it from the cut. When they get to that size, how strong are they? What does it take to pull them over?

Becky Duckles, Consulting Arborist

Those leaders are very weakly attached and very prone to breakage, so even though the tree looks densely foliated and branched, they are weakly attached new leaders, which is why topping is prohibited, because it forever alters the form of the tree.

Lynn Deedler, Board Member

I'm tilting toward it's a go; it's just too much tree.

Melissa Hanley, Vice Chair

It's a lot of tree.

Vice Chair Hanley moved to approve the application as submitted.

Board Member Balf seconded the motion.

AYES: Vice Chair Hanley, and Board Members Balfe and Deedler

NOES: None

ABSTAIN: None

ABSENT: Chair Langberg, and Board Members Bush and Level

8. SUBCOMMITTEE UPDATES: None.

9. ADJOURNMENT: Vice Chair Hanley adjourned the meeting at 4:52 p.m. The next regularly scheduled Tree/Design Review Board meeting will be held on Tuesday, September 26, 2023 at 3:30 P.M.