

Trees on the Arborist's report for 771 and 773 First Street.

To the Planning Commission and the Design Review Board of the City of Sebastopol:

My name is Daniel Celidore. My wife, Dale Jewell and I own the residence at 814 Jewell Ave, Sebastopol, which we recently purchased as our retirement home. I write in response to the proposed Schoch house on First Street just to the West of our property. It is my contention that the proposed project is too large for the neighborhood. At two and a half to three times the size of existing residences near it, it does not conform to the existing character of the neighborhood.

In writing this, I would at this time like to particularly address the issue of the existing heritage protected trees that exist on the land of the projected house. There are heritage trees on the Arborists report for this project. These existing protected native trees provide shade, privacy, and natural beauty for the neighborhood houses on Jewell avenue. They are part of a natural ecosystem that removes carbon and impurities from the air as stated in the City of Sebastopol Municipal code, Tree Protection, chapter 8.12 Tree Protection.

A - Tree number 5 on Arborist's report:

This tree is a protected California Black Oak with 7 trunks, one of them 28.4", another 22.3", another 19.3", and so on. The smallest of the 7 trunks is 10.3" This species is on the City's list as a "protected native tree." According to the arborist's report, It is located 6 feet East of the back wall of the proposed house.

1 - As stated in the Arborist's Report, this heritage tree may require **"significant root pruning to install the foundation at the back of the house."** Recommendations I have seen say that roots of this kind of tree may be pruned, if at all, no closer to the tree than 3-5 times the diameter of the tree. **Since this protected tree is a system of 7 trunks, it has a far larger diameter than any one of the trunks.** Even If we use an average distance for root pruning at 4 times the diameter of the largest trunk, this puts root pruning at a minimum distance of 113.6" from the tree or 9.466 feet from the tree. As stated above, the arborist's report places this heritage tree 6 feet or 72" from the back wall foundations of the house. I submit that pruning the roots of this tree at a distance of 6 feet from its system of 7 trunks will greatly endanger the life of the tree and may kill it altogether. The use of heavy equipment to create the East foundation of the proposed very large house greatly enhances the likelihood that the root system of this tree will be greatly damaged, endangering the life of the tree.

## 2 - Tree Number 5 continued.

The City of Sebastopol Tree Protection Plan document 8.12.050 states:  
“Construction of walls, foundations, buildings, and grading shall be minimal within the dripline of affected trees.”

According to the Arborist’s Report about tree number 5: It “requires substantial crown raising on the west to accomodate the roof.” I submit that creating the east foundation, wall, and roof of the proposed very large structure of this house within the dripline of tree #5 is not “minimal.” I submit that “substantial crown raising on the west to accomodate the roof” is not minimal.

## 3 - Arborists Report Tree #5 - continued

“The west will require several large branches to be removed from the east side to acquire a semblance of balance.”

Requiring “several large branches to be removed from the east side to acquire a semblnce of balance” further endangers the life of tree #5.

Taken together, the root pruning within 6’ of the tree, the crown pruning to “accomodate the roof”, and the removal of “several large branches” to even have a “semblance oif balance” all pose a grave danger to the continued life of this tree and all are in violation of the City of Sebastopol Tree Protection Plan.

## Arborists Report - Tree #7

Tree #7 is a protected Oregon White Oak. According to the Arborists Report: “It requires removal to accomodate the roof of the proposed house.” Again, a tree specifically protected by the City of Sebastopol’s Tree protection Plan “requires removal to accomodate the roof of the proposed house.”

The arborists report goes on to describe pruning and/or removal of many of the existing trees in the area of the proposed very large new house, trees that also serve to shade and provide privacy and air purification for the back of existing neighborhood houses on Jewell Ave.

The Arborists Report:

### **Recommended tree protection for trees #5-#14**

**“The minimal distance from the east foundation wall and the trunks of the trees presumes extensive root removal may be necessary.”**

Later in that same section of the Arborists Report about trees #5-#14, the arborist states **“a very large percentage of these trees roots are in harms way from this project.”**

It seems to me that a much more modest project on this parcel than that proposed would do far less to endanger the lives of these existing protected heritage trees. Indeed there is much to suggest that the root pruning and other construction activities will be a detriment to their long term survivability, and may kill them altogether.

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August 9, 2021

DRB/Tree Board  
City of Sebastopol  
VIA EMAIL to [kvanstrom@cityofsebastopol.org](mailto:kvanstrom@cityofsebastopol.org)

RE: Design Review, Tree Removal, Tree Protection Plan for 771 and 773 First Street  
File 2021-28

Dear DRB/Tree Board,

We are writing to offer some comments and express some concerns about the referenced application. We own and occupy the property immediately to the northeast of the subject property at 7480 Hayden Ave.

We will be out of town in an area without internet access during the August 18 meeting and thus unable to attend. We thank the DRB/Tree Board members for their volunteer service to our community, and for your consideration of these comments and concerns.

### **1. Concern About Significant and Misleading Error in Applicant's Packet**

The applicant's packet, as is available for public review as of the date of this letter, contains a document titled:

"RESOLUTION NO. \_\_\_\_\_  
A RESOLUTION OF THE SEBASTOPOL CITY COUNCIL  
APPROVING A MINOR TENTATIVE PARCEL MAP  
TO ALLOW THE 3-LOT SUBDIVISION OF  
763 FIRST STREET  
APN 004-172-007"

We would like to bring to the DRB's attention that this critical document, which lays out the Conditions of Approval for the Subdivision on which the project is to be constructed, is NOT the final Resolution approved by Council. We believe this document included in the application was a tentative draft resolution considered by the Council in 2001, but it **is not the final approval resolution**. The final approved resolution contains several provisions that differ in significant ways from the draft that was included in the packet, that may impact the DRB/Tree Board's evaluation of the project.

We respectfully request the DRB consider whether a revised and corrected application should be prepared which accurately includes the approved Conditions of Approval for the 663 First Street Subdivision ("Schoch Subdivision") in order for City Staff, the DRB/Tree Board, and the Public to accurately and fully understand and evaluate the project.

2. **Concern About Structure Size.** We are concerned that the size of the proposed project, a primary residence of 5,321 square feet, with accessory structures and garages resulting in a total project of over 7,900 square feet.

As noted in the Staff Report:

"Staff is concerned that the overall mass of the primary dwelling is considerably larger than existing surrounding residences within the vicinity."

In addition, DRB Guidelines provide:

"Design Guideline Site Planning A1: "Neighborhood Context" Infill development should be sensitively designed to respect existing patterns, and reinforce the character and context of existing neighborhoods consistent with applicable development regulations."

Furthermore, the **Conditions of Approval** for the 763 First Street Subdivision approved by the City Council in 2001 state in part:

"The homes to be built within this project shall be subject to the review and approval of the Sebastopol Design Review Board. The Board will be guided in their review of the proposal by their adopted Project Review Guidelines; by the design criteria set forth in the General Plan, **and by the following infill development standard: In general, the size and height of the homes to be constructed within this subdivision shall not exceed those of similar homes of more recent construction in the general area, including both the First Street area and the Swain Woods neighborhood (Jewell near Hayden).**" [emphasis added]

While we do not have numbers, general observations of the neighborhood indicate that most if not all homes on First Street and the Swain Woods neighborhood are in the 1,500 to 3,000 square foot range (our house to the northeast is approximately 2,650 sq. ft.). There are no residences in the First Street or Swain Woods neighborhoods anywhere near as massive as the proposed project.

We also note that this Condition of Approval is not discretionary, in that it clearly utilizes the term "shall" when it states "homes to be constructed within this subdivision shall not exceed those of similar homes of more recent construction in the general area".

We feel that due to the fact that the proposed project is far more massive in size than anything else in the neighborhood, the project fails required finding (a): "The design of

the proposal would be compatible with the neighborhood and with the general visual character of Sebastopol”, as is required by Section 17.450.030.B.2 of the Zoning Ordinance. [See staff report page 5]

We respectfully request the DRB to review this criteria and determine whether the proposed project is too massive and dissimilar in size and height to similar homes of more recent construction in the general area as is required by the Subdivision Conditions of Approval, DRB Review Guidelines, and Section 17.450.030.B.2 of the Zoning Ordinance.

### **3. Concerns About Tree Pruning**

While we are not arborists, we are concerned about the amount of proposed root pruning of the oak trees on the east side of the property could damage otherwise healthy heritage oaks. We suggest the Tree Board consider a requirement that an independent report be prepared by a licensed arborist selected by City Staff who is not in the business of tree pruning or removal.

### **4. Concern About Grading**

Again, while we claim no expertise on the subject, we are concerned about the amount of grading and off-haul. We have lived here since 1996, and have observed several instances of flooding of Calder Creek near First Street. We are concerned about the effect the extensive grading will have on the creek (with respect to the First Street neighbors and those downstream), and on land stability on the east side of the property.

### **5. Concern About Property Lines & Survey**

We do not believe the east property line shown on the plans is accurate, and request the DRB require applicant’s surveyor to confirm the east lot line location. The line shown on the map is inconsistent with historical use and practice going back decades.

### **6. Concern About Process**

We did not receive a notice of the hearing on this application. Admittedly, we do not know whether notice of the DRB/Tree Board Hearing was required to be sent to neighbors. However, even if not required, it seems a matter of common courtesy to inform neighbors of a hearing on such a massive project literally in our backyards. We only found out about it when a neighbor told us he heard about it from someone else.

While it may be that all required notices were in fact sent or not required, given the scope of this project, we hope the DRB will continue this matter and require written notification to neighbors within a reasonable circumference of the property.

Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'Ken Jacobs', with a long horizontal flourish extending to the right.

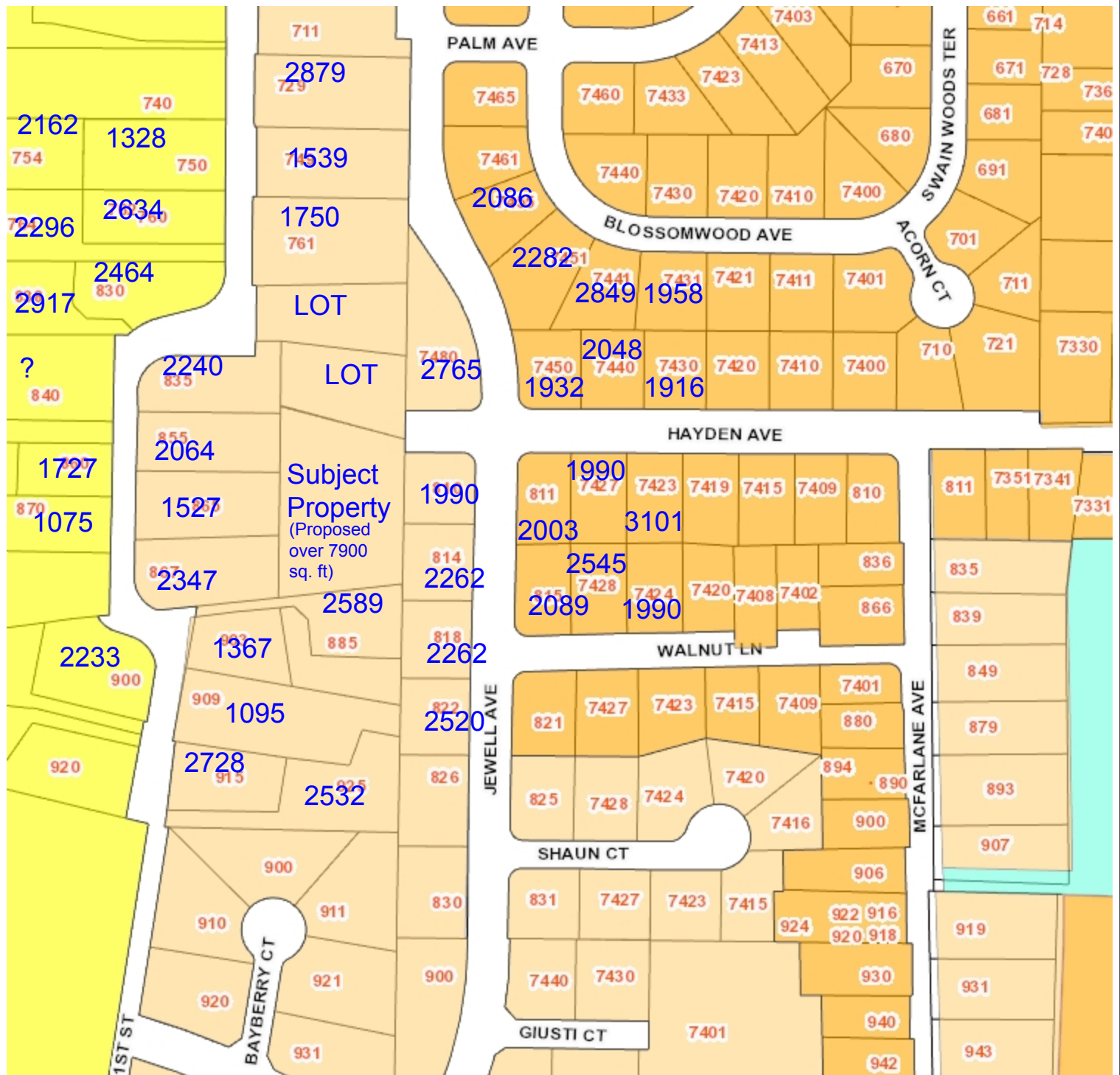
Ken Jacobs

A handwritten signature in blue ink, appearing to be 'Lisa Jacobs', written in a cursive style.

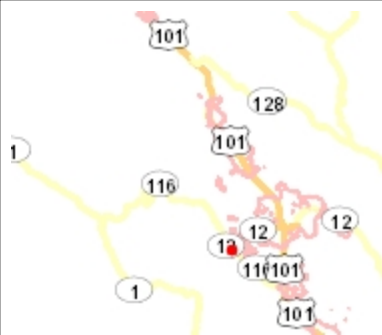
Lisa Jacobs

Square footage of neighboring properties are indicated in blue.  
Source is public records compiled at datatree.com.

**Enter Main Title**



**Enter Description**



8/10/2021

Scale 1: 2,400

0 Miles 0.04



Laurie and Paul Olson

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pdlolson@comcast.net

August 10, 2012

DRB/Tree Board  
City of Sebastopol  
Sent Via Email to Kari Svanstrom and Jeffrey Sutherland

Re: Design Review, Tree Removal, Tree Protection Plan for 771 and 773 First St.  
file 2021-2028

Dear DRB/Tree Board

My name is Paul Olson. My wife, Laurie Olson, and I own the residence at 810 Jewell Ave., Sebastopol, which is located along the east boundary of the proposed Schoch building site. We have lived here for 34 years.

Initially, we had no problems with the plans of Steve Schoch and his wife to build their Sebastopol residence next to us until we reviewed the plans and saw how massive the proposed house would be. Their communications to neighbors and conversations with the contractor indicated their desire to trim and save the beautiful trees between our properties. Seeing the arborist's plans and the close proximity of the building foundation to the trees, we are now concerned and hope you will consider our comments.

**Misleading Error in Applicant's Packet** (We support the comments of our neighbor, Ken Jacobs, on this issue)

The Resolution presented in the packet lays out conditions for approval for the Schoch Subdivision (2001). This is not the final Resolution approved by the City Council (per our neighbor, Ken Jacobs, who served on the City Planning Commission at that time). The final approved resolution contains several provisions different in many ways from the draft included in the packet that may impact the DRB/Tree Board's evaluation of the project.

We request the DRB consider whether a revised and corrected application should be prepared which more accurately includes the approved Conditions for Approval for the 663 First St. Subdivision (Schoch Subdivision) in order for City Staff, the DRB/Tree Board, and Public can accurately understand and evaluate the project.

### **Concerns of Size of Structure**

We are concerned about the size of the proposed project. It is completely out of character with established adjacent residences. The main house is proposed at 5321 sf with an ADU of 1801 sf. For the main house only, this is approximately 92% to 248% larger than the surrounding residences on Jewell Ave./First St. (per Zillow) . These 9 residences were sized between 1527-2765 sf.

We note that the Condition for Approval for the 763 First St. Subdivision approved by the City Council in 2001 states “ homes to be constructed within this subdivision shall not exceed those of similar homes of more recent construction in the general area”.

We feel this larger sized residence is not compatible with the neighborhood design.

### **Tree Pruning**

Yes, we agree that trees need to be pruned to place residence at the proposed site. However, the arborist’s report/plan regarding tree root pruning to place the eastern building foundation within 6’ of the tree trunk will surely damage/kill the trees and lead to their removal. These are heritage oaks with some on the City’s list of protected native trees. Perhaps a solution would be to downsize project or relocate the foundation.

Tree #5 in the report has 7 trunks measuring 10”-28”. This tree actually has a base trunk of 4’-5’ wide. We’re not tree experts, but we surmise the root system comes off this base and extends far enough to bear the tree’s weight and balance. With the the foundatin dug down 6’ away, the tree will be damaged.

The oaks on this property line have provided shade and privacy to residences on Jewell Ave for decades, and it is our hope all effort is made to save them.

We request the Tree Board consider a requirement for an independent report be prepared by a licensed arborist who is not involved in this project and is selected by the City Staff.

## **Property Lines and Survey**

It comes as a shock to us that the eastern boundary of the Schoch property is on our land and they propose to move our fences to reclaim it. Paul and Steve Schoch have visited the property many times over the years, and this issue was never brought to our attention. We only learned about it by reviewing the building plans they left on our porch. No contact.

We request the DRB to confirm the east lot line location. Our back fence has not been moved since we moved here in 1987.

## **Concern About Process**

We did not receive any notice of a hearing to approve this application. We learned of the August 4th meeting from our neighbor at 2pm that afternoon.

We hope the DRB will consider notifications to affected neighbors as to future development projects so that commentary and concerns can be submitted in a timely manner.

We have received communications from Steve Schoch and his wife regarding the project (August 2020 - email of intent to build, Xmas card, June 2021 - blue prints left on porch and email of intent to start tree work on September 1st). However, there has been no contact at all regarding the property line issue.

Thank you for taking the time to read and consider our concerns on this matter. Best wishes in making a good decision for all involved.

Sincerely,

Paul D. Olson

Laurie Olson