Agenda Item B.3
DISCUSSION/ACTION ITEM
Meeting Date: May 18, 2022

TO: Public Tree Advisory Commission

FROM: George Thomson, Parks and Open Space Manager

SUBJECT: Nine Street Tree Removal Request Appeals

RECOMMENDATION:

A. Approve staff's recommendation to deny the nine (9) Street Tree Removal Request Appeals listed below:

    1. Paperbark tree (*Melaleuca quinquenervia*) at 6513 Camino Venturoso
    2. Lemon bottlebrush (*Callistemon citrinus*) at 6227 Westmorland Pl
    3. Queen palm (*Syagrus romanzoffiana*) at 7656 Dartmoor Ave
    4. Lemon bottlebrush (*Callistemon citrinus*) at 6226 Westmorland Pl
    5. Lemon bottlebrush (*Callistemon citrinus)* at 6163 Braeburn Dr
    6. Sweetgum (*Liquidambar styraciflua*) at 428 Valdez Ave
    7. Shamel ash (*Fraxinus uhdei*) at 7195 Tuolumne Dr
    8. Sweetgum (*Liquidambar styraciflua*) at 442 Valdez Ave
    9. Paperbark tree (*Melaleuca quinquenervia*) at 6597 Camino Venturoso

B. Designate a member of the Public Tree Advisory Commission to attend a City Council appeal hearing, if necessary.

BACKGROUND:

The Public Works Department occasionally receives requests to remove street trees located within the public right of way. The decision to remove a tree on City property is purely at the discretion of the City. No adjacent property owner has a right to remove or prevent the City from removing a tree. However, the City has come up with public policy, memorialized in the Urban Forest Management Plan, on when to remove a tree in the City right of way, whether it comes at the request of a property owner or initiation of City staff.

Upon receipt of a public tree removal request, staff reviews the stated reasons and inspects the site to determine if there are any imminent threats to public health and safety. If the tree presents imminent threats to public safety, the tree is pruned or removed as soon as possible. In cases where there is not a clear, imminent threat to public health and safety, the City's consulting arborist completes a health assessment of the tree and

ascertains whether any potential public threat is posed by the tree and how such threat can be addressed, including trimming, pest control, other tree care methods, and removal.

After both these steps are taken, Public Works staff communicates with the tree removal applicant whether the tree will be removed. Applicants then have the option to appeal the staff decision to the Public Tree Advisory Commission (PTAC) and the PTAC's decision can be appealed to the City Council. (Goleta Municipal Code sections 2.11.070, 2.11.080.)

In 2021, nine residents appealed the decision of Public Works staff to not remove trees in the public right of way outside of their home. These appeals are now before the PTAC.

DISCUSSION:

According to the Urban Forest Management Plan Guideline 4.12.4 when considering tree risk management and removal, which provides for removal based on the following factors:

(1) if the tree is dead, dying, or hazardous;

(2) if there is an imminent threat to sidewalk and other hardscape damages from roots; and

(3) if there are other imminent threats to public safety that could not be addressed by pruning, pest control, or other tree care methods rather than full removal.

The City's Public Works staff and consulting Arborist, Greg Ainsworth of Rincon Consultants, reviewed each appeal and assessed the subject trees and surrounding conditions to provide recommendations to the PTAC (Attachments 1-9 and provided below). Based on staff and the City's consulting Arborist's review, all trees requested to be removed do not meet the Urban Forest Management Plan criteria to remove a tree. All the subject trees were healthy and do not pose an imminent threat to public health and safety. Many of the requests were based upon adjacent property owner's allergies to the tree or adversity to trees that drop flowers, fruit, pods, or leaves. The City's process does not allow for consideration of these factors in the removal of street trees.

TREE REMOVAL REQUEST APPEALS:

Address: 6513 Camino Venturoso **Appeal Filed:** August 6, 2021 **Tree Species:** Paperbark tree (*Melaleuca quinquenervia*) **Reason:** Tree roots are breaking into the sewer line and have broken the water meter. **Appeal Summary:** Concern that tree roots will damage water meter and sewer line again in the future. Tree poses safety concern because it is lifting adjacent sidewalk.
Observations Summary: The two paperbark trees identified on this property are approximately 15 inches in diameter at breast height (DBH), 30 feet tall, with a canopy spread of 30 feet. The trees are in good health and have good form (balanced with no overextended limbs). The tree on the south side of the driveway (left side facing the house) is causing an approximate 1 inch or less of sidewalk lift, and the tree on the north side of the driveway (right side facing the house) is causing an approximate 0.5 inch or less sidewalk lift. Water meter and sewer line damage from tree roots is not visible and no roots are visible extending onto the property. Both trees have roots that are bulging over the concrete sidewalks but do not appear to be causing extensive upheaval or cracking beyond the lifting indicated above.

Staff Recommendation: The two paperbark trees identified on this property do not pose an imminent threat to public health and safety. To reduce potential tripping hazard from one inch sidewalk lift, the lifted sidewalk panel can be ground down to the point that it is level with the adjacent panel. Damage to the water meter and sewer line could not be verified; therefore, burden is on property owner to provide additional information, such as photographic evidence or a plumber's investigation report, that clearly demonstrates that the trees caused or are causing ongoing damage to the sewer line and/or water meter and no other feasible options beside removal exist. If such evidence were presented by the property owner, selective root pruning and installing a root barrier would be recommended as potential remedies before removal.

Based on the information provided, the two trees should be retained, and the appeal denied.

Address: 6227 Westmorland Place

Appeal Filed: July 27, 2021

Tree Species: Bottlebrush (*Callistemon sp*.)

Reason: Bottlebrush attracts bees during blooming period and homeowner is allergic to bees.

Appeal Summary: Homeowner is extremely allergic to bees and bee stings and has been hospitalized in the past for anaphylactic shock after being stung; allergic reaction from pollen during spring and summer. Alleges that City has acknowledged that bottlebrush trees are undesirable and are not among trees recommended for planting due to bee hazard.

Observations Summary: Bottlebrush tree is in good health. Approximately 8-inch DBH and is approximately 15 feet in height. No apparent deformities and have good physical structure. Not causing impacts to surrounding hardscape.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. There are numerous bottlebrush trees that exist along the sidewalk on both sides of Westmorland Place. Based on historic aerial imagery, it appears the trees have been present since at least the mid-1990's. The trees attract bees that are beneficial pollinators. Unless agitated, bees are generally not a threat.

Tree should be retained, and this appeal denied.

Address: 7656 Dartmoor Ave

Appeal Filed: August 4, 2021

Tree Species: Queen palm (*Syagrus romanzoffnia*)

Reason:

Appeal Summary: Request to remove four Queen palms because the trees are cracking sidewalk and curb, are not on the City's preferred tree list, require removal of dead husks that could fall on pedestrians and cars, termite infestation, and ongoing expense to trim the trees, or requests that the City adjust trimming schedule (to be more frequent) to maintain safety from falling husks

Observations Summary: The four queen palms identified on this property are approximately 12 inches in DBH, 15 to 25 feet tall, with canopy spreads of 10 feet. The trees are in fair to good health with good structure and form. The trees are similar in appearance and health to other queen palms in the neighborhood. The tallest tree at the intersection of Deerhurst and Dartmoor has climbing spike damage along the trunk. The trees are not showing signs of decay due from climbing spike damage. The tree just north of the driveway has termite damage at the base of the trunk extending approximately 2 inches deep and 12 inches high as well as climbing spike damage along the trunk. The tree appears to be in good health but could become structurally compromised as it grows taller. The tree south of the driveway is in good health and does not have any trunk or root damage. The palm tree furthest south of the property is in fair health and displays mild chlorosis and patches of fungus on the leaves. Some cracks are visible on the sidewalk and curb adjacent to the trees, but no uplifting was observed.

Staff Recommendation: The trees are an important part of the urban forest and do not meet the City's criteria for consideration of removal. The trees are not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. There is a substantial amount of termite damage at the base of the queen palm immediately north of the driveway. These queen palms do not present an imminent danger but could become unstable as they grow taller. One of the trees, furthest south from the property should be pruned annually to remove older fronds that are drooping or have fungus present, to prevent spread of disease and injury to the tree from breakage. All the queen palm trees should receive periodic watering, especially during excessive periods of drought. Because there is limited

soil space, the palm trees may need to be fertilized. Fertilizer applications should occur in mid-spring to summer using a granular palm fertilizer that is adequately watered immediately following application.

Address: 6226 Westmoreland Place

Appeal Filed: August 9, 2021

Tree Species: Lemon bottlebrush (*Callistemon citrinus*)

Reason:

Appeal Summary: Remove two bottlebrush trees that are dirty (e.g., drop debris on parked cars), harbor aggressive bees (mother of resident is allergic to bees), are an eyesore, suspects that the roots could damage water main to house, and are preventing improvements to landscaping.

Observations Summary: Bottlebrush trees are in good health. Approximately 8-inch DBH and approximately 12-15 feet in height. No apparent deformities and have good physical structure. Not causing impacts to surrounding hardscape.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. There are numerous bottlebrush trees that exist along the sidewalk on both sides of Westmorland Place. Based on historic aerial imagery, it appears the trees have been present since at least the mid-1990's. The trees attract bees that are beneficial pollinators. Unless agitated, bees are generally not a threat.

Tree should be retained, and this appeal denied.

Address: 6163 Braeburn Drive

Appeal Filed: August 3, 2021

Tree Species: Lemon bottlebrush (*Callistemon citrinus*)

Reason:

Appeal Summary: Remove two bottlebrush trees because they are attracting bees and requester has a fear of bee stings; trees are messy.

Observations Summary: Bottlebrush trees are in good health. Approximately 8 and 9-inch DBH and approximately 15 feet in height. No apparent deformities and have good physical structure. Not causing impacts to surrounding hardscape.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. There are numerous bottlebrush trees that exist along the sidewalk on Braeburn Drive. Based on historic aerial imagery, it appears the trees have been present since at least the mid-1990's. The trees attract bees that are beneficial pollinators. Unless agitated, bees are generally not a threat.

Tree should be retained, and this appeal denied.

Address: 428 Valdez Avenue

Appeal Filed: August 9, 2021

Tree Species: Sweetgum (*Liquidambar styraciflua*)

Reason:

Appeal Summary: Requesting removal of mature sweetgum tree because of history of branch failure, growing into powerlines causing sparks, concern over seed pods on sidewalk causing tripping hazard, and potential damage of pipes in front yard from roots.

Observations Summary: The sweetgum tree has an approximate 18 inches DBH and is approximately 60 feet tall with an approximate 30-foot canopy spread. The tree is in good health and has good form (symmetrical) but has overextended limbs hanging downward that are likely weighing down larger branches. There are codominant stems, but no apparent sign of decay or disease. The tree's canopy is growing through utility lines, none of which appear to be entangled or rubbing heavily on the lines; however, the lines are in contact with some branches. Utilities are required to maintain their own lines. Appellant can contact utility to request trimming. One two-inch broken limb is

hanging in the canopy that will likely fall and could strike vehicles or pedestrians. The tree's roots are lifting the sidewalk and gutter by no more than one inch. The tree's fruit were observed to be scattered throughout the yard and driveway. The tree has similar issues to adjacent sweetgum trees in the immediate vicinity, with utility lines running through the canopy, abundant fruit drop, and minor sidewalk cracking and lifting.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. Maintenance pruning should be conducted that includes reduction cuts of overextended limbs to reduce end weight on branches and to minimize the likelihood of branch failure. The tree should be pruned around the utility line to provide no less than 5-feet of line clearance. No more than 20 percent of the tree's canopy should be pruned in one growing season. Sidewalk lift that is one inch or greater should be ground down to eliminate risk of tripping.

Tree should be retained and pruned in accordance with ANSI A300 pruning standards.

Address: 7195 Tuolumne

Appeal Filed: August 3, 2021

Tree Species: Shamel ash (*Fraxinus uhdei*)

Reason:

Appeal Summary: Request to remove tree because roots are damaging the cement foundation of the house. The roots are protruding through the foundation and are so large that they can be felt while walking. Tree is damaging driveway, sewer, garage, and foundation of home.

Observations Summary: The Shamel ash tree has a 30-inch DBH and is approximately 50 feet tall, with a canopy spread of 40 feet. The tree is in good health with a balanced form. The root crown is bulging over the parkway; however, no surface roots are visible beyond the sidewalk. The tree roots are causing and approximate 2-inch lift of the curb at the driveway and near the trunk. Previous sidewalk grinding was observed. The tree is in a similar condition to other Shamel ash trees in the neighborhood. Tree damage to the property's cement foundation was not visible as it is allegedly within the home.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. The burden is on the property owner to provide evidence of root damage to driveway, sewer, garage, and foundation of home. If roots are determined to be present underneath the house's foundation, the roots should be pruned, and a root barrier installed to prevent roots from growing in that direction. Selective root pruning and installing a root barrier would be the recommended remedies against intrusion of leaking lateral lines and foundation, if evidence of such damage was presented. Roots that are severed at a distance of three to five times the diameter of the trunk (approximately 7 to 12 feet for this tree) from the trunk can affect the stability of the tree. However, the closest portion of the house is greater than 12 feet from the trunk; therefore, root pruning and installing a root barrier is not anticipated to cause the tree to become structurally unstable. The lifted sidewalk adjacent to the tree may be ground down to the point that it is level with the adjacent panels.

Address: 442 Valdez Avenue

Appeal Filed: August 6, 2021

Tree Species: Sweetgum (*Liquidambar styraciflua*)

Reason:

Appeal Summary: Request to remove tree because the roots had broken the water line of the home about one year ago and are lifting the adjacent sidewalk, curb/gutter, and driveway

Observations Summary: The sweetgum tree has an approximate 18 inches DBH and is 50 feet tall, with a 35-foot canopy spread. The tree is in good health and has good form (symmetrical) with some overextended limbs. Utility lines are running through the canopy and do not appear to be entangled or rubbing heavily on the tree; however, the lines are in contact with some branches. Encircling roots are visible at root flare but do not appear to be girdling the trunk, and the tree has grown to maturity without being comprised by these roots. The tree roots are causing sidewalk and curb/gutter lifting of approximately 1 to 2 inches. Previous sidewalk grinding is evident. Surface roots are visible in the front yard across the sidewalk, indicating that the roots do extend onto the property, however damage to underground utilities is not visible. The tree has similar issues to adjacent sweetgum trees in the immediate vicinity, with utility lines running through the canopy, abundant fruit drop, and sidewalk cracking and lifting.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The sidewalk and curb/gutter should be grinded where lifting by the tree's roots is one inch or greater to eliminate potential tripping hazards. Utilities should prune the tree to provide a minimum of 5 feet of clearance from power lines. Water line damage from the tree's roots is not visible. The burden is on the property owner to provide evidence of damage to water line, such as photographic evidence of roots damaging the sewer line, or a plumber's investigation report. Selective root pruning and installing a root barrier would be the recommended as potential remedies against leaking lateral lines, if such evidence were presented.

Address: 6597 Camino Venturoso

Appeal Filed: August 3, 2021

Tree Species: Paperbark tree (*Melaleuca quinquenervia*)

Reason:

Appeal Summary: Request to remove tree because the tree has a history of damaging sewer line and water meter, and tree is lifting the adjacent sidewalk and street.

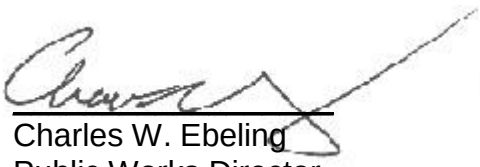
Observations Summary: The paperbark tree has an approximate 19-inch DBH and is 50 feet tall, with a 35-foot canopy spread. The tree is in good health and has good form (symmetrical). The root flare is encroaching the adjacent curb and sidewalk and it appears that the adjacent sidewalk panels have been replaced. The tree roots are pushing the curb outward by approximately 1.5 inches. Bulging of the asphalt in the adjacent street is visible and is cracking where building is present.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. The sidewalk and curb/gutter should be grinded where lifting by the tree's roots is one inch or greater to eliminate potential tripping hazards. Utilities should prune the treeto provide a minimum of 5 feet of clearance from power lines. Water line damage from the tree's roots is not visible. The burden is on the property owner to provide evidence of damage to sewer line and water, d, such as photographic evidence of roots damaging the sewer line, or a plumber's investigation report. Selective root pruning and installing a root barrier would be the recommended as potential remedies against leaking lateral lines, if such evidence were presented.

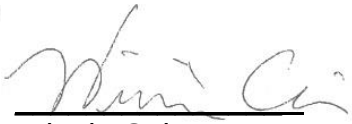
ALTERNATIVE:

The Commission may override staff's recommendation to deny any or all of the nine appeals.

Reviewed By: **Legal Review By:**



Charles W. Ebeling
Public Works Director



Winnie Cai
Assistant City Attorney

ATTACHMENTS:

Appeals

1. Aggie T. Arias – 6513 Camino Venturoso
2. Bonnie Daulke – 6227 Westmorland Pl
3. Jeanne and Eric White – 7656 Dartmoor Ave
4. Joel Patrick – 6226 Westmorland Pl
5. Jose Martinez – 6163 Braeburn Dr
6. Katherine Legros – 428 Valdez Ave
7. Shirley Luna – 7195 Tuolumne Dr

8. Sol Linver – 442 Valdez Ave
9. Nancy Gerh – 6597 Camino Venturoso
10. Goleta Municipal Code related to PTAC Appeals
11. PowerPoint Presentation

ATTACHMENT 1

Aggie T Arias – 6513 Camino Venturoso

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	January 3, 2022
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Paperbark tree (Melaleuca quinquenervia) at 6513 Camino Venturoso

Address: 6513 Camino Venturoso

Appeal Filed: August 6, 2021

Tree Species: Paperbark tree (Melaleuca quinquenervia)

Reason: Tree roots are breaking into the sewer line and have broken the water meter.

Appeal Summary: Concern that tree roots will damage water meter and sewer line again in the future. Tree poses safety concern because it is lifting adjacent sidewalk.

Observations Summary: The two paperbark trees identified on this property are approximately 15 inches in diameter at breast height (DBH), 30 feet tall, with a canopy spread of 30 feet. The trees are in good health and have good form (balanced with no overextended limbs). The tree on the south side of the driveway (left side facing the house) is causing an approximate 1 inch or less of sidewalk lift, and the tree on the north side of the driveway (right side facing the house) is causing an approximate 0.5 inch or less sidewalk lift. Water meter and sewer line damage from tree roots is not visible and no roots are visible extending onto the property. Both trees have roots that are bulging over the concrete sidewalks but do not appear to be causing extensive upheaval or cracking beyond the lifting indicated above.

Staff Recommendation: The two paperbark trees identified on this property do not pose an imminent threat to public health and safety. To reduce potential tripping hazard from one inch sidewalk lift, the lifted sidewalk panel can be ground down the point that it is level with the adjacent panel. Damage to the water meter and sewer line could not be verified; therefore, additional information is needed, such as photographic evidence or a plumber's investigation report, that clearly demonstrates that the trees are causing ongoing damage and no other feasible options exist. Selective root pruning and installing a root barrier would help prevent future intrusion of leaking lateral lines.

Based on the information provided, the two trees should be retained, and the appeal denied unless substantial evidence can be provided demonstrating that the tree's roots may compromise the sewer line and/or water meter.

Aggie T. Arias
6513 Camino Venturoso
Goleta CA 93117

August 6, 2021

Goleta City Council,

I am appealing a tree removal request that was denied by the Public Tree Advisory Commission. It states that it was not approved based on their inspection that determined the tree is an important part of the City's urban forest and does not pose a threat to public health and safety.

1. First of all, I am a supporter of maintaining our urban forest and would like the tree replaced with a new tree.

2. This tree has in fact already ruptured our water meter once and our sewer system. The city reimbursed us for the water meter repair but NOT for the sewer damage, which was very costly. This is bound to occur again anytime soon as the roots are completely surrounding the water meter and probably the sewer and drains again. It only makes common sense to prevent this damage BEFORE it happens again costing the city unnecessarily and causing chaos in our home.

3. It does pose a threat to public health and safety because it is lifting the public sidewalk and someone will fall at any time with this public hazard. We have witnessed several residents tripping in this location.

4. We have lived on this corner lot for 23 years and we have 4 trees around our property. Two of the trees are fine, but the other two constantly lift up the sidewalk causing a hazard. The band aid fixes of shaving down the sidewalk are frankly not helpful and a waste of tax payer money.

I'm grateful for the opportunity to live in this amazing city that we love, however I am surprised at the lack of response and concern for the well-being of our community's homeowners considering the exorbitant property taxes we pay. I appreciate your consideration of this matter.

I look forward to hearing from you soon.

Regards,

Aggie T. Arias

CITY OF GOLETA
CALIFORNIA

AUG 09 2021

RECEIVED
3:28 p.m.
B. Ro

For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500| Email: llarovere@cityofgoleta.org

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: 9/5/2019

Requestor's Information

Arias
Last Name

Aggie
First Name

6513 Camino Venturoso
Mailing Address

Goleta
City

CA
State

93117
Zip Code

(805) 895-6065
Telephone

Email Address

Tree Information

2
Number of Trees

Both trees are on Parkway
Address/Location of Tree(s)

Paper Tree
Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal.

Reason for Tree Removal Request

☐ Dead ☐ Dying ☐ Safety Hazard

☑ Other Description: One is next to a water meter and owner has had to pay for damage

I. Tree Removal:

Under the Goleta Urban Forest Management Plan guidelines, no healthy trees shall be removed from public right of ways and all efforts will be made to retain healthy trees whenever possible. Public trees shall only be removed for the protection, public health and safety of citizens. At the discretion of City staff, removal of a public tree shall be considered if the following has occurred:

a. Tree is dead, dying or hazardous
b. Tree is imminent sidewalk and other hardscape damages from roots
c. Tree is causing imminent hazards such as being situated under a power line

(Urban Forest Management Plan Section 4.12 – Tree Risk Management and Removal)

II. Removal of Heritage Tree:

A Heritage Tree shall not be removed unless it is dead, dying, or dangerous, subject to prior Public Tree Advisory Commission (PTAC) notification unless the hazardous condition of the tree is deemed an emergency warranting swift action. An emergency is when the failure of a major limb(s) or the entire tree is imminent and a threat to public safety, homes, or structures. In the event of an emergency, the Public Works Director or his/her designee may order a limb(s) or the entire tree to be removed without scheduling a hearing with the PTAC. However, PTAC commissioners shall be informed as soon as practical.

(Urban Forest Management Plan Section 4.14- Removal of Heritage Trees)

III. Appeal to Public Tree Advisory Commission:

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

(Goleta Municipal Code Section 2.11.090- Appeal to Public Tree Advisory Commission)

IV. Appeal to City Council:

Any persons may appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing.

(Goleta Municipal Code Section 2.11.100- Appeal to City Council)

ATTACHMENT 2

Bonnie Daulke – 6227 Westmorland Place

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	December 27, 2021
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Lemon bottlebrush (Callistemon citrinus) at 6227 Westmoreland Place

Address: 6227 Westmorland Place

Appeal Filed: January, 2023

Tree Species: Bottlebrush (Callistemon sp.)

Reason: Bottlebrush attracts bees during blooming period and homeowner is allergic to bees.

Appeal Summary: Homeowner is extremely allergic to bees and bee stings and has been hospitalized in the past for anaphylactic shock after being stung; allergic reaction from pollen during spring and summer. Alleges that city has acknowledged that bottlebrush trees are undesirable and are not among trees recommended for planting dure to bee hazard.

Observations Summary: Bottlebrush tree is in good health. Approximately 8-inch DBH and is approximately 15 feet in height. No apparent deformities and have good physical structure. Not causing impacts to surrounding hardscape.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian

CITY OF GOLETA
CALIFORNIA

JUL 27 2021

RECEIVED

July 27, 2021

City of Goleta – Public Works Dept.
130 Cremona Drive
Goleta, CA, 93117

We are hereby appealing the recent decision dated July 23, 2021, to deny our request to remove two bottlebrush trees from the sidewalk median in front of our home. It baffles us that this decision was reached without considering our reasons for removal.

The trees are apparently healthy. They do not, however, contribute to a healthy environment for us. We have lived in Goleta now for 39 years, and in this location for 29.

My husband is extremely allergic to bees and bee stings. He has been hospitalized in the past for anaphylactic shock after being stung. In spring and summer, when the trees are bursting with pollen, they literally hum with the swarms of bees in them. This would also present a potential hazard to anyone in the yard or simply passing by.

I myself have become quite allergic to them over time and have had frequent ear and sinus infections due to their pollen in spring and summer. I have had tubes surgically placed in my ear drums three times, the most recent in July 2020. Now I've been suffering a series of painful chalazia on my eyelid. I've been told this is due to allergies.

We understand that the health of the urban forest is important. But our health and wellbeing is important too. The city has already acknowledged that bottlebrush trees are undesirable, as they are not among those trees recommended for planting due to bee hazard. Goleta's urban forest can be improved by removing these trees which cause people so many problems.

Sincerely,

Bonnie Dahlke

Bonnie Dahlke

Gerald Dahlke

Gerald Dahlke

6227 Westmorland Place
Goleta, CA, 93117

travel on the road or sidewalk. There are numerous bottlebrush trees that exist along the sidewalk on both sides of Westmorland Place. Based on historic aerial imagery, it appears the trees have been present since at least the mid-1990's. The trees attract bees that are beneficial pollinators. Unless agitated, bees are generally not a threat.

Tree should be retained, and this appeal denied.

ATTACHMENT 3

Jeanne and Eric White – 7656 Dartmoor Ave

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	January 3, 2022
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Queen palm (Syagrus romanzoffnia) at 7656 Dartmoor Avenue

Address: 7656 Dartmoor Ave

Appeal Filed: August 4, 2021

Tree Species: Queen palm (Syagrus romanzoffnia)

Reason:

Appeal Summary: Request to remove four Queen palms because the trees are cracking sidewalk and curb, are not on the City's preferred tree list, require removal of dead husks that could fall on pedestrians and cars, termite infestation, and ongoing expense to trim the trees, or requests that the city adjust trimming schedule (to be more frequent) to maintain safety from falling husks

Observations Summary: The four queen palms identified on this property are approximately 12 inches in DBH, 15 to 25 feet tall, with canopy spreads of 10 feet. The trees are in fair to good health with good structure and form. The trees are similar in appearance and health to other queen palms in the neighborhood. The tallest tree at the intersection of Deerhurst and Dartmoor has climbing spike damage along the trunk. The trees are not showing signs of decay due from climbing spike damage. The tree just north of the driveway has termite damage at the base of the trunk extending approximately 2 inches deep and 12 inches high as well as climbing spike damage along the trunk. The tree appears to be in

good health but could become structurally compromised as it grows taller. The tree south of the driveway is in good health and does not have any trunk or root damage. The palm tree furthest south of the property is in fair health and displays mild chlorosis and patches of fungus on the leaves. Some cracks are visible on the sidewalk and curb adjacent to the trees, but no uplifting was observed

Staff Recommendation: The trees are an important part of the urban forest and do not meet the City's criteria for consideration of removal. The trees are not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. There is a substantial amount of termite damage at the base of the queen palm immediately north of the driveway. These queen palms do not present an imminent danger but could become unstable as they grow taller. One of the trees, furthest south from the property should be pruned annually to remove older fronds that are drooping or have fungus present, to prevent spread of disease and injury to the tree from breakage. All the queen palm trees should receive periodic watering, especially during excessive periods of drought. Because there is limited soil space, the palm trees may need to be fertilized. Fertilizer applications should occur in mid-spring to summer using a granular palm fertilizer that is adequately watered immediately following application.

July 31, 2021

Dear Ms. Lopez,

Thank you for our phone conversation. I would like to get this issue resolved as soon as possible. I'm writing to appeal a decision by the Public Tree Advisory Commission. I received notice of the decline to remove the palms from Paul Medel, Public Works Department Maintenance Director July 23, 2021.

I don't think anyone wants to remove trees and I'm in general agreement with the City's urban forest management plan, but there should be a way to remove trees that are causing an ongoing problem. The Queen Palms that I'm referring to are a nuisance and potential hazard to pedestrians and parked cars in the neighborhood.

To give some background information, the four trees that I would like permission to remove were planted shortly before Goleta became incorporated by a previous owner. They are not on the City's preferred tree list and were planted without root barriers and are beginning to crack the sidewalk,which will inevitably lead to a safety hazard for pedestrians (see photo).

Queen Palms have an expansive shallow root system and these are inappropriately planted in a tight constrained space. Besides cracking the sidewalk, the trees have begun to crack the cement on the curb side in several places (see below). This will inevitably continue and worsen unless they are removed.

Our family has lived at 7656 Dartmoor Ave since 2009. The palms require bi-annual trimming to prevent dead fronds from drooping down into the walk way at eye level. They also require removal of heavy dead husks which could fall on pedestrians and have fallen on cars in the past. The Goleta's five year trimming interval would not be sufficient. Due to the ongoing expense, we will no longer be trimming or otherwise maintaining the palms whatsoever.

I first contacted the City in the fall of last year concerning the Queen Palms. The trees never completely recovered from the previous drought and appeared to be infested with beetles, further weakening them. I wasn't seeking to have the trees removed at that time, but rather guidance on finding a non-toxic solution to the problem. I never received a reply to my inquiries, but believe that might what Mr. Medel of the Public Works Department is referring to in the beginning of the letter I received.

In any event, I dropped the matter believing that the trees would eventually succumb, but "eventually" could be a long time in the future. I decided to keep my fingers crossed and hope for the best.

That changed the first week in May when a neighborhood girl had a scare with a falling husk from one of the trees. We've received complaints for years about the large husks and fronds falling on parked cars. Until then, it hadn't occurred to me that the heavy pieces might strike someone on foot and it seemed particularly frightening that it might be a child. Our neighbors have small children and the trees are on the route they and others take to Brandon School. Let me reiterate, I will NOT be trimming or otherwise maintaining the trees in the future. To prevent the possibility of a child being struck, the City

will have to either remove the palms or adjust their trimming schedule to maintain safety.

My wife activated and sent the first of many emails about the trees beginning on May 5th. We found the City's website incredibly cumbersome and had difficulties. We expected to find either a form or instructions on who to contact, but initially found neither and had difficulty getting a response from most we contacted. I can provide copies of the emails, but it doesn't seem germane.

My wife spoke with Mr. Mendel on the phone in May and he said the trees were on the list and gave us the impression that they would likely be removed for safety reasons. Again, we dropped the matter believing that the gears of government turn slowly.

In the months that followed, the health of the trees went from bad to worse. Perhaps because they were already in a weakened state, termites began attacking the base of the palms (photo below).

EVERYTHING I've read online says that once a termite infestation has reached this level in a Queen Palm, then the tree is going to die. Our family doesn't believe in using toxic pesticides, but it doesn't matter. There's no known treatment option at this stage and the termites will continue eating the tree from bottom to top killing it. In the meantime, my house is next to termite central. They will certainly spread from the palms to the house unless these trees are removed.

I spoke with Mr. Medel on the phone about the situation on July 12, 2021 about the situation he reconfirmed the trees were on the removal list. I suggested updating the application to include photos and other information, but he said it wouldn't be necessary as he'd be sending the City Arborist to look

at the trees.

Mr. Medel called back a week later and said the Arborist gave the trees a clean bill of health and that they were an importantly vital part of Goleta's Urban Forest, or something to that effect. I have to think that the Arborist went to the wrong house. There are other Queen Palms on Dartmoor, that unlike the one's in front of my home, are healthy. It's impossible to believe that a certified arborist would examine the trees and not note a softball sized termite hole in the trunk of one, nor the discolored and peeling skin on the others (photo below).

It appears the beetles and perhaps a fungal infection are attacking the trees from the top and termites from the bottom. No matter what, the termites are going to remove these trees from Dartmoor. The question isn't whether they'll be removed, but how long these termite infested safety hazards are going to remain.

In summary, the trees were planted without root barriers and are beginning to crack the sidewalk. I will no longer trim or otherwise maintain them. Within the year, dead palm fronds and husks will begin blocking the walkway causing a safety hazard. And importantly, termites are killing the trees and they ARE GOING TO DIE.

For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500|
Email: rstough@cityofgoleta.org

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: 5.17.21

Requestor's Information

White — Last Name
Jeanne — First Name

7656 Dartmoor Ave — Mailing Address

Goleta — City
CA — State
93117 — Zip Code

(805) 637-5272 — Telephone
jwhitemft@icloud.com — Email Address

Tree Information

4 — Number of Trees
7656 Dartmoor Ave. - Parkway — Address/Location of Tree(s)

Queen Palm — Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal.

Reason for Tree Removal Request

- ☐ Dead
- ☐ Dying
- ☑ Safety Hazard
- ☐ Other Description: _____

I. Tree Removal:

Under the Goleta Urban Forest Management Plan guidelines, no healthy trees shall be removed from public right of ways and all efforts will be made to retain healthy trees whenever possible. Public trees shall only be removed for the protection, public health and safety of citizens. At the discretion of City staff, removal of a public tree shall be considered if the following has occurred:

a. Tree is dead, dying or hazardous
b. Tree is imminent sidewalk and other hardscape damages from roots
c. Tree is causing imminent hazards such as being situated under a power line

(Urban Forest Management Plan Section 4.12 – Tree Risk Management and Removal)

II. Removal of Heritage Tree:

A Heritage Tree shall not be removed unless it is dead, dying, or dangerous, subject to prior Public Tree Advisory Commission (PTAC) notification unless the hazardous condition of the tree is deemed an emergency warranting swift action. An emergency is when the failure of a major limb(s) or the entire tree is imminent and a threat to public safety, homes, or structures. In the event of an emergency, the Public Works Director or his/her designee may order a limb(s) or the entire tree to be removed without scheduling a hearing with the PTAC. However, PTAC commissioners shall be informed as soon as practical.

(Urban Forest Management Plan Section 4.14- Removal of Heritage Trees)

III. Appeal to Public Tree Advisory Commission:

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

(Goleta Municipal Code Section 2.11.090- Appeal to Public Tree Advisory Commission)

IV. Appeal to City Council:

Any persons may appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing.

(Goleta Municipal Code Section 2.11.100- Appeal to City Council)

ATTACHMENT 4

Joel Patrick – 6226 Westmoreland Place

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	January 3, 2022
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Lemon bottlebrush (Callistemon citrinus) at 6226 Westmoreland Place

Address: 6226 Westmoreland Place

Appeal Filed: August 9, 2021

Tree Species: Lemon bottlebrush (Callistemon citrinus)

Reason:

Appeal Summary: Remove two bottlebrush tree that are dirty (e.g., drop debris on parked cars), harbor aggressive bees (mother of resident is allergic to bees), are an eyesore, suspects that the roots could damage water main to house, and are preventing improvements to landscaping.

Observations Summary: Bottlebrush trees are in good health. Approximately 8-inch DBH and approximately 12-15 feet in height. No apparent deformities and have good physical structure. Not causing impacts to surrounding hardscape.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. There are numerous bottlebrush trees that exist along the sidewalk on both sides of Westmorland Place. Based on historic aerial imagery, it appears the trees have been

present since at least the mid-1990's. The trees attract bees that are beneficial pollinators. Unless agitated, bees are generally not a threat.

Tree should be retained, and this appeal denied.

Issue: 2 Unwanted Bottle Brush Trees

Address: 6226 Westmoreland Place Goleta, CA 93117

To whom it may concern,

This letter is in response to the denial we received for our request to remove 2 Bottle Brush trees in front of our home.

We have been in communication for the last year and a half to have 2 unwanted Bottle Brush trees removed or allow us to remove and replace. This has gone on long enough and your denial is unacceptable.

To make this as straightforward as possible, I have decided to bullet point why these 2 trees need to be removed.

- These trees are Dirty, Harbor Aggressive Bees, Dated and a overall Eyesore
- My own mother will not visit due to the fact she is allergic to bees to the point that if she gets stung, it could be fatal. (See closing for more detail)
- The constant dropping of debris makes it near impossible for the front of our home to look clean and inviting
- They drop debris on cars parked under them. Our parents have parked under the trees in the past as we all went on a 2 we trip together. When we returned the entire car had to be professionally detailed due to the stain the red flowers left on their white paint. The paint on their car still has a faint pink hue in spots where the tree damaged it more than 5 years later. Since it's your tree, I believe you could be responsible for the paint job? In addition, the paint on our daughter's new/first car has been compromised. This is unacceptable.p
-
- The potential for plumbing issues is real and imminent. The root system of these particular trees are a real and present danger of damaging the water main to our house. Both of our neighbors to our right and left have had to hire people to fix theirs already. We shouldn't have to wait for the inevitable to happen to us. This will not only take time and money to fix, it is 100% avoidable if we take a proactive route to mitigate the issue before we get there (and we will get there as has already been demonstrated).
- We have held up landscaping our front yard in lieu of these trees being removed. Currently we have a bare dirt front yard that we recently had prepped to turn into an

attractive yard with curb appeal. This has been stalled due to the fact the Bottle Brush immediately dropped red flower debris and other dirty components all over the freshly prepped area. Now it is a red hue of a mess that we need to either pay someone to or clean up ourselves. We refuse to spend over 20K to put expensive landscape stone down to turn around and have a red glaze over everything within days. The city should be footing the bill for the constant cleaning these require.

- Not a single homeowner we have spoken to wants these trees in front of their house. We have spoken to at least 6 people living on our street and not one wants these trees in front of their house. One neighbor has already started this process with you.

- There has already been an incident where one of these trees has fallen on a car. Let's not have this happen again and remove & replace.

- We live here and you don't. For that simple fact, we want these removed ASAP. It is us that has to deal with these nuisance trees. It is us that has to clean up, run from bees swarming us in our own driveway. It is us that has to look at a dated, ugly and completely unnecessary tree every day. We did not ask for them nor do we want them to remain any longer. We shouldn't be held hostage to trees that we do not want. Trees that have zero benefit to the community. They are small, easily replaced and have zero environmental benefit.

In closing...

We live directly next to a large open space with 100's of tall mature trees that is home to many bird species and wildlife. These bottle brush trees don't add to that already established urban forest, they only detract from it.

We know for fact that at least one household on Westmoreland Place has removed their trees in the past year and the home looks amazing. It is free from unsightly debris all over the sidewalk, front yard and street.

On one side of the "u" that makes up Westmoreland, there are almost zero Bottle Brush trees. That side does not lack in greenery, aesthetic or places for wildlife to use as their home, shelter or food. We should not be forced to keep ours for this reason alone. Again.... More than half of the trees have already been removed with absolute zero impact on the Urban Forest.

Finally I would like to say that the bee issue is a serious problem. We have been swarmed upon by bees while standing in our own driveway on multiple occasions. This is absolutely unacceptable and can be remedied by removal of these trees. When my own mother can't come and visit due to this fact, we have an issue bigger than the preservation of dated and unwanted eyesores. I can provide a Doctor's note stating that her life would be in danger if she were to get stung by these aggressive bees. I would like to acknowledge that we are aware of the

importance of bees. Yet these trees being removed will not impact how many we have, but rather make them relocate to a place where we are not directly impacted negatively by their proximity to our home.

Our intent is not to have trees in that space at all. We have no problem replacing them with less dirty, dangerous and dated options. If you look at your own "Approved Tree List", you will see that these are no longer on it. Obviously someone at one point realized what issues this species is and took it off of the list. It's time to go further and remove the problem that still exists due to lack of understanding of their impact in the past. We have already offered to have them removed and replaced. This should not be a problem nor go against the goal of Goleta's Urban Forest Program.

Joel Mendenhall
Allyson Edwards (Owner)

This is our home and the mess we have to deal with. It was only a matter of a few days after we had the graass taken out for it to look like this. We sould not have to deal with this, pay for cleaning and have our upcoming landsacpe be affected by these trees.

Our brand new $20k driveway constantly looks like this! All of the joints get packed with with brush droppings. Again... we should not have to be resposble to clean this up non stop. Nor is it something we should have to pay for to be dealt with. We simply want them removed.

More mess we have to deal with

Our side of Westmoreland Place is an eyesore. These trees do nothing but detract from the appeal of the street and pollute with dirt. This pic clearly demonstrates that fact. In addition, the city is forced to sweep the streets to deal with this issue. In turn, the city uses gas trucks that cause further pollution from the truck exhaust as well as just kicking up more dirt in the process of "sweeping". This is also an unecesary cost that the city could allocate to things that make more sense overall.

This side of Westmorteland has about 4 or 5 Bottlebrush trees left. Notice how clean and open it looks? No dirt or debris all over the street and sidewalks. There is still plenty of greenery and trees for wildlife. Also see the open space with the tall trees in the background...

The home with the green turf and palms is what we are aiming for with our house.. Open & inviting free from dirt. Dirt that gets tracked into the home....

For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500|
Email: rstough@cityofgoleta.org

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: 9.22.20

Requestor's Information

Patrick
Last Name

Joel
First Name

6226 Westmoreland Pl
Mailing Address

Goleta
City

CA
State

93117
Zip Code

(805) 350-9950
Telephone

Not given
Email Address

Tree Information

Not specified
Number of Trees

6226 Westmoreland Pl - By Driveway
Address/Location of Tree(s)

Bottlebrush
Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal.

Reason for Tree Removal Request

☐ Dead ☐ Dying ☐ Safety Hazard
☑ Other Description: Bees and allergies

I. Tree Removal:

Under the Goleta Urban Forest Management Plan guidelines, no healthy trees shall be removed from public right of ways and all efforts will be made to retain healthy trees whenever possible. Public trees shall only be removed for the protection, public health and safety of citizens. At the discretion of City staff, removal of a public tree shall be considered if the following has occurred:

a. Tree is dead, dying or hazardous
b. Tree is imminent sidewalk and other hardscape damages from roots
c. Tree is causing imminent hazards such as being situated under a power line

(Urban Forest Management Plan Section 4.12 – Tree Risk Management and Removal)

II. Removal of Heritage Tree:

A Heritage Tree shall not be removed unless it is dead, dying, or dangerous, subject to prior Public Tree Advisory Commission (PTAC) notification unless the hazardous condition of the tree is deemed an emergency warranting swift action. An emergency is when the failure of a major limb(s) or the entire tree is imminent and a threat to public safety, homes, or structures. In the event of an emergency, the Public Works Director or his/her designee may order a limb(s) or the entire tree to be removed without scheduling a hearing with the PTAC. However, PTAC commissioners shall be informed as soon as practical.

(Urban Forest Management Plan Section 4.14- Removal of Heritage Trees)

III. Appeal to Public Tree Advisory Commission:

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

(Goleta Municipal Code Section 2.11.090- Appeal to Public Tree Advisory Commission)

IV. Appeal to City Council:

Any persons may appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing.

(Goleta Municipal Code Section 2.11.100- Appeal to City Council)

ATTACHMENT 5

Jose Martinez – 6163 Braeburn Drive

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	January 3, 2022
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Lemon bottlebrush (Callistemon citrinus) at 6163 Braeburn Drive

Address: 6163 Braeburn Drive

Appeal Filed: August 3, 2021

Tree Species: Lemon bottlebrush (Callistemon citrinus)

Reason: Tree roots are breaking into the sewer line and have broken the water meter.

Appeal Summary: Remove two bottlebrush trees because they are attracting bees and requester has a fear of bee stings; trees are messy.

Observations Summary: Bottlebrush trees are in good health. Approximately 8 and 9-inch DBH and approximately 15 feet in height. No apparent deformities and have good physical structure. Not causing impacts to surrounding hardscape

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. There are numerous bottlebrush trees that exist along the sidewalk on both sides of Westmorland Place. Based on historic aerial imagery, it appears the trees have been

present since at least the mid-1990's. The trees attract bees that are beneficial pollinators. Unless agitated, bees are generally not a threat.

Tree should be retained, and this appeal denied.

City of Goleta
Public Tree Advisory Commission
130 Cremona Drive
Goleta, CA 93117

RE: Street Tree Removal Requests for 6163 Braeburn Drive

To whom it may concern:

I'm writing to appeal PTAC's recent decision on my street tree removal request. I recognize and appreciate Goleta's commitment to community forestry.

Unfortunately, the two trees in the parkway at my property pose a safety hazard to my kids and neighbors due to their bee infestations. These high-density trees allow the bees to hover low over the sidewalk, front yard, and driveway. It's difficult to maintain my yard with frequent buzzing next to my ears and fear of bee stings. Further fueling the bee threat, these trees are rarely trimmed. The quality of maintenance is not great, and a neighbor observed as much. These trees also leave a big mess due to their red "flowers" and take additional effort to clean.

It would be most ideal if they can be removed or replaced with trees that do not attract so many bees. I recognize these trees may have been aesthetic when first planted, but they are currently a big nuisance and safety hazard. A neighbor had the same type of tree removed and was never replaced. I've seen trees in the neighborhood be removed or replaced, and strongly believe there will be no impact to aesthetic. There are also other types of trees in my street, such as palm trees, which further supports that removal or replacement is feasible without impacting our Urban Forest.

I make this plea as a father who would like to see his daughters not be afraid to go outside due to fear of bees.

Thank you for your time and consideration in reviewing my request.

Sincerely,

Jose Omar Martinez
6163 Braeburn Drive
Goleta, CA 93117
805-844-2630
JOMartinez6@gmail.com

For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500|
Email: rstough@cityofgoleta.org

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: 9.9.20

Requestor's Information

Martinez
Last Name

Jose
First Name

6163 Braeburn Dr.
Mailing Address

Goleta
City

CA
State

93117
Zip Code

(805) 844-2630
Telephone

Not given
Email Address

Tree Information

Not specified
Number of Trees

6163 Braeburn Dr.
Address/Location of Tree(s)

Not specified
Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal.

Reason for Tree Removal Request

☐ Dead ☐ Dying ☐ Safety Hazard

☑ Other Description: No reason given

I. Tree Removal:

Under the Goleta Urban Forest Management Plan guidelines, no healthy trees shall be removed from public right of ways and all efforts will be made to retain healthy trees whenever possible. Public trees shall only be removed for the protection, public health and safety of citizens. At the discretion of City staff, removal of a public tree shall be considered if the following has occurred:

a. Tree is dead, dying or hazardous
b. Tree is imminent sidewalk and other hardscape damages from roots
c. Tree is causing imminent hazards such as being situated under a power line

(Urban Forest Management Plan Section 4.12 – Tree Risk Management and Removal)

II. Removal of Heritage Tree:

A Heritage Tree shall not be removed unless it is dead, dying, or dangerous, subject to prior Public Tree Advisory Commission (PTAC) notification unless the hazardous condition of the tree is deemed an emergency warranting swift action. An emergency is when the failure of a major limb(s) or the entire tree is imminent and a threat to public safety, homes, or structures. In the event of an emergency, the Public Works Director or his/her designee may order a limb(s) or the entire tree to be removed without scheduling a hearing with the PTAC. However, PTAC commissioners shall be informed as soon as practical.

(Urban Forest Management Plan Section 4.14- Removal of Heritage Trees)

III. Appeal to Public Tree Advisory Commission:

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

(Goleta Municipal Code Section 2.11.090- Appeal to Public Tree Advisory Commission)

IV. Appeal to City Council:

Any persons may appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing.

(Goleta Municipal Code Section 2.11.100- Appeal to City Council)

ATTACHMENT 6

Katherine Legros – 428 Valdez Avenue

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	January 3, 2022
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Sweetgum (Liquidambar styraciflua) at 428 Valdez Ave

Address: 428 Valdez Avenue

Appeal Filed: August 9, 2021

Tree Species: Sweetgum (Liquidambar styraciflua)

Reason: Tree roots are breaking into the sewer line and have broken the water meter.

Appeal Summary: Requesting removal of mature sweetgum tree because of history of branch failure, growing into powerlines causing sparks, concern over seed pods on sidewalk causing tripping hazard, and potential damage of pipes in front yard from roots.

Observations Summary: The sweetgum tree has an approximate 18 inches DBH and is approximately 60 feet tall with an approximate 30-foot canopy spread. The tree is in good health and has good form (symmetrical) but has overextended limbs hanging downward that are likely weighing down larger branches. There are codominant stems, but no apparent sign of decay or disease. The tree's canopy is growing through utility lines, none of which appear to be entangled or rubbing heavily on the lines; however, the lines are in contact with some branches. One two-inch broken limb is hanging in the canopy that will likely fall and could strike vehicles or pedestrians. The tree's roots are lifting the sidewalk and gutter by no more than one inch. The tree's fruit were observed to be scattered

throughout the yard and driveway. The tree has similar issues to adjacent sweetgum trees in the immediate vicinity, with utility lines running through the canopy, abundant fruit drop, and minor sidewalk cracking and lifting.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. Maintenance pruning should be conducted that includes reduction cuts of overextended limbs to reduce end weight on branches and to minimize the likelihood of branch failure. The tree should be pruned around the utility line to provide no less than 5-feet of line clearance. No more than 20 percent of the tree's canopy should be pruned in one growing season. Sidewalk lift that is one inch or greater should be ground down to eliminate tripping hazard.

Tree should be retained and pruned in accordance with ANSI A300 pruning standards.

Subject: re: Street Tree removal requests
From: Kathryn Legross <klegrossfsl@gmail.com>
Date: 8/4/2021, 7:14 PM
To: pmedel@cityofgoleta.org
CC: "klegros >> Kathryn Legros" <klegrossfsl@gmail.com>

Dear Mr. Medel,

I would like to appeal the Public Tree Advisory Commission's (PTAC) failure to approve the removal of a tree that is in front of my house.

As stated in the letter dated for July 23, 2021 the tree is not considered to pose a threat to public health and safety.

Here are the reasons why this is incorrect:

I have lived here for 20 years (since 2001) and during that time we have called the Fire department at least 6 times to come because the tree was rubbing up against the power lines and creating sparks that were flying in our yard, and up into the air. I'm not sure who is in charge of this risk, but it is not properly maintained. It is a serious fire hazard which, I believe, is the City's liability.

When my son turned 5 we had a small gathering of people and there was a wind storm. Again the tree, not properly cared for, was rubbing against the power line and it ripped through the line which then fell onto our property. This was a live electrical wire lose during a small party of 5 year olds and their parents. I have pictures of the firefighters in my house and wishing my son a happy birthday as they monitored this problem. Additionally, one of the branches fell on a guests SUV. It was a heavy branch, denting right through the top of her robust car, smashing the windshield and deeming the car unmovable. This could have fallen on a person. I can locate pictures of this incident too, if needed.

In September 2019 the tree lost branches again during another wind storm and landed on the neighbors car, with a little dent, this time. See attached pictures of the City Tree removal clearing these branches. This is an example of what happens each time we have high winds. I have gone to sleep many nights worried about the sparks that are coming from the branches scratching the wires. I have an old roof with brittle shingles and this is quite worrisome.

The tree is not properly maintained and it's branches are fragile. During a wind storm we go out and watch the tree to make sure it is safe, this is not our responsibility.

These liquid amber trees have seed pods that fall during the winter. I have watched countless people trip on them over the years. I used to try to clear them up for safe sidewalks but now I am too busy and it's not my responsibility.

I work out of my house and my work is with people who have physical challenges. These guests in my home, who have physical disabilities, trip and sprang ankles (nothing long lasting) while trying to get into my driveway and while walking toward my door. I must walk people out to their cars and hold onto them so they do not trip on these seed pods.

Also, the roots on the tree are ruining my front yard pipes and our plumber has told me that we will need to replace the pipes due to tree roots to the cost of nearly $6000.

Perhaps you would consider taking the tree down if I pay some small portion of this? $1500, maybe? I am happy to also plant another tree if that is needed. One that is smaller and safer.

Please let me know your thoughts.

Kathryn Legros

Attachments:

KL September 13, 2019 3.jpg	4.3 MB
KL September 13, 2019.jpg	2.8 MB
September 13, 2019.jpg	2.9 MB


428

For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500| Email: llarovere@cityofgoleta.org

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: _____

Requestor's Information

Legros
Last Name

Katherine
First Name

428 Valdez Ave.
Mailing Address

Goleta
City

CA
State

93117
Zip Code

(805) 967-5649
Telephone

hailusktij@gmail.com
Email Address

Tree Information

1
Number of Trees

Parkway in front of property
Address/Location of Tree(s)

Liquid Amber
Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal.

Reason for Tree Removal Request

☐ Dead ☐ Dying ☑ Safety Hazard

☑ Other Description: branches rub against live wires and create sparks, sewer issues and branches have fallen on vehicles

I. Tree Removal:

Under the Goleta Urban Forest Management Plan guidelines, no healthy trees shall be removed from public right of ways and all efforts will be made to retain healthy trees whenever possible. Public trees shall only be removed for the protection, public health and safety of citizens. At the discretion of City staff, removal of a public tree shall be considered if the following has occurred:

a. Tree is dead, dying or hazardous
b. Tree is imminent sidewalk and other hardscape damages from roots
c. Tree is causing imminent hazards such as being situated under a power line

(Urban Forest Management Plan Section 4.12 – Tree Risk Management and Removal)

II. Removal of Heritage Tree:

A Heritage Tree shall not be removed unless it is dead, dying, or dangerous, subject to prior Public Tree Advisory Commission (PTAC) notification unless the hazardous condition of the tree is deemed an emergency warranting swift action. An emergency is when the failure of a major limb(s) or the entire tree is imminent and a threat to public safety, homes, or structures. In the event of an emergency, the Public Works Director or his/her designee may order a limb(s) or the entire tree to be removed without scheduling a hearing with the PTAC. However, PTAC commissioners shall be informed as soon as practical.

(Urban Forest Management Plan Section 4.14- Removal of Heritage Trees)

III. Appeal to Public Tree Advisory Commission:

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

(Goleta Municipal Code Section 2.11.090- Appeal to Public Tree Advisory Commission)

IV. Appeal to City Council:

Any persons may appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing.

(Goleta Municipal Code Section 2.11.100- Appeal to City Council)

ATTACHMENT 7

Shirley Luna – 7195 Tuolumne

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	January 3, 2022
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Shamel ash (Fraxinus udhei) at 7195 Tuolumne Dr

Address: 7195 Tuolumne

Appeal Filed: August 3, 2021

Tree Species: Shamel ash (Fraxinus udhei)

Reason: Tree roots are breaking into the sewer line and have broken the water meter.

Appeal Summary: Request to remove tree because roots are damaging the cement foundation of the house. The roots are protruding through the foundation and are so large that they can be felt while walking. Tree is damaging driveway, sewer, garage, and foundation of home.

Observations Summary: The Shamel ash tree has a 30-inch DBH and is approximately 50 feet tall, with a canopy spread of 40 feet. The tree is in good health with a balanced form. The root crown is bulging over the parkway; however, no surface roots are visible beyond the sidewalk. The tree roots are causing and approximate 2-inch lift of the curb at the driveway and near the trunk. Previous sidewalk grinding was observed. The tree is in a similar condition to other Shamel ash trees in the neighborhood. Tree damage to the property's cement foundation was not visible as it is allegedly within the home.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. Further documentation should be provided demonstrating root damage caused to driveway, sewer, garage, and foundation of home. If roots are determined to be present underneath the house's foundation, the roots should be pruned, and a root barrier installed to prevent roots from growing in that direction. Selective root pruning and installing a root barrier would help prevent future intrusion of leaking lateral lines and foundation. Roots that are severed at a distance of three to five times the diameter of the trunk (approximately 7 to 12 feet for this tree) from the trunk can affect the stability of the tree. However, the closest portion of the house is greater than 12 feet from the trunk; therefore, root pruning and installing a root barrier is not anticipated to cause the tree to become structurally unstable. The lifted sidewalk adjacent to the tree may be grinded to the point that it is level with the adjacent panels.

July 27, 2921

City of Goleta

Paul Medel

Public Works

130 Cremona Dr

Goleta, CA 93117

RE: Tree Removal Request

Dear Paul Medel,

Public Works Dept.

I received your letter today denying our request to have the tree in front of our house removed.

Although we have delt with it for the past 55 years it has come to a point that removal is the on recourse we have. The roots are now damaging the Cement foundation of our house. We have tree roots coming up through the foundation into our home. They are now so large we can feel them when walking on the carpet. The lumps have gone from just the front hall but are now moving into our den and living room. We tried to fix this latest "tree" problem by contacting the company that replaced our garage foundation hoping there was another solution. Unfortunately, our only recourse is to have the tree removed.

I so understand that trees are a valuable resource but, in this instance, it is not just the damage to our driveway, sewer and garage but our home.

I am asking you to reconsider your denial of our request for removal.

Thank you for your consideration,

Shirley Luna

Frank and Shirley Luna

7195 Tuolumne Dr.

Goleta, CA 93117

H 805 968-9416

C 605 403-5451

7195 Tuolumne
Tree growth & damage

main sewer line replacement

CITY OF GOLETA
CALIFORNIA

APR 19 2021

RECEIVED

CITY OF GOLETA

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500| Email: llarovere@cityofgoleta.org

For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: 04/15/21

Requestor's Information

Luna
Last Name

Shirley
First Name

7195 Tuolumne Dr.
Mailing Address

Goleta
City

CA
State

93117
Zip Code

805 403-5451
Telephone

wingnLunas@cox.net
Email Address

Tree Information

1
Number of Trees

7195 Tuolumne Dr.
Address/Location of Tree(s)

Ash
Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal. photos on file in your dept.

Reason for Tree Removal Request

☐ Dead ☐ Dying ☒ Safety Hazard

☐ Other Description: _____

ATTACHMENT 8

Sol Lonver – 442 Valdez Avenue

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	January 3, 2022
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Sweetgum (Liquidambar styraciflua) at 442 Valdez Avenue

Address: 442 Valdez Avenue

Appeal Filed: August 6, 2021

Tree Species: Paperbark tree (Melaleuca quinquenervia)

Reason: Tree roots are breaking into the sewer line and have broken the water meter.

Appeal Summary: Request to remove tree because the roots had broken the water line of the home about one year ago and are lifting the adjacent sidewalk, curb/gutter, and driveway

Observations Summary: The sweetgum tree has an approximate 18 inches DBH and is 50 feet tall, with a 35-foot canopy spread. The tree is in good health and has good form (symmetrical) with some overextended limbs. Utility lines are running through the canopy and do not appear to be entangled or rubbing heavily on the tree; however, the lines are in contact with some branches. Encircling roots are visible at root flare but do not appear to be girdling the trunk, and the tree has grown to maturity without being comprised by these roots. The tree roots are causing sidewalk and curb/gutter lifting of approximately 1 to 2 inches. Previous sidewalk grinding is evident. Surface roots are visible in the front yard across the sidewalk, indicating that the roots do extend onto the property, however damage to underground utilities is not visible. The tree has similar issues to adjacent sweetgum trees in the

immediate vicinity, with utility lines running through the canopy, abundant fruit drop, and sidewalk cracking and lifting

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The sidewalk and curb/gutter should be grinded where lifting by the tree's roots is one inch or greater to eliminate potential tripping hazards. The tree should be pruned to provide a minimum of 5 feet of clearance from power lines. Water line damage from the tree's roots is not visible. Further documentation should be provided, such as photographic evidence of roots damaging the sewer line, or a plumber's investigation report that clearly demonstrates that the tree's roots are causing ongoing damage. Selective root pruning and installing a root barrier would help prevent future intrusion of leaking lateral lines.

Sol Linver

442 Valdez Ave.

Goleta CA. 93117

To Whom it May Concern,

On July 28, 2021 my wife signed for a letter from Mr. Paul Medel dated July 23, 2021. This letter advised the tree removal decision had not been approved. I am writing this letter to appeal a decision made by City staff not to remove a tree on the City strip in front of my home.

In February of 2020 I had mentioned to Director Vyto Adomaitis that I had a tree in front of my house where the roots were causing issues. I told Mr. Adomaitis that due to proximity of the tree to my water line, the roots had broken the water line into my home about one year ago. The plumbers who repaired the line told me it would happen again due to the tree roots and I should have the tree removed.

In addition, the roots were pushing up the sidewalk causing uneven sections in the sidewalk as well as the concrete apron to my driveway. Mr. Adomaitis told me the tree roots were an issue and that he had spoken to Mr. Charlie Eberling. On March 9, 2020 Mr. Adomaitis emailed me that Mr. Charlie Eberling, the Public Works Director, would be contacting me. I noticed that shortly after the email from Mr. Adomaitis the sections raised by the roots of the sidewalk had been ground down for pedestrian safety.

Shortly after the email from Mr. Adomaitis the COVID-19 pandemic reached our local area. I later spoke to Mr. Adomaitis who mentioned the work had understandably been delayed due to the pandemic. The letter we received on July 28th was a surprise as I thought the tree would eventually be removed once the pandemic allowed.

Below are some photographs of the issues. I have outlined what is pictured;

This first image shows the proximity of the tree to our water line. One can see the roots that have surfaced close to the water valve.

This next photograph is taken from the front of our home toward the sidewalk and shows how the roots from the tree have lifted the sidewalk and the top of the apron to our driveway.

This image is of an angle next to the tree showing how the roots have pushed up on the apron separating it from the level of the sidewalk. While maybe a tripping hazard for only a small child now this will eventually become a more serious tripping hazard.

This photograph shows how the roots have pushed up on our driveway apron as well as the concrete curb and section of the roadway. This is already a tripping hazard for people parking on the street in front of our home and walking to the sidewalk. In the background, right of center, one can see where the sidewalk had been pushed up and the concrete had been ground down.

This image is of the sidewalk on the other side of the tree adjacent to our water valve. As you can see the sidewalk was raised by the tree root and needed to be ground down for safety.

While I understand and appreciate the need to maintain the beauty of the City's urban forest, I believe the tree does now and will continue to pose a threat to public safety. There already exists a tripping hazard in our driveway apron and the roots will continue to push up the sidewalk and apron. As it continues it will increase the separation from the top of the driveway apron to the sidewalk adding another tripping hazard. In addition, I would be in support of replacing the removed tree with another tree less likely to cause the root issues of this current tree.

In relation to the water line, the break that occurred a year ago was on the City side of the valve causing a great deal of water spillage and cost to the City. In either case I would not want a line break to occur now during this current drought.

I appreciate your time and attention to this issue. Should you have any further questions please feel free to contact us. My email address is soll@cox.net.

Respectfully,

Sol Linver

For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500|
Email: rstough@cityofgoleta.org

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: 9.23.20

Requestor's Information

Lonver
Last Name

Sol
First Name

442 Valdez Ave.
Mailing Address

Goleta
City

CA
State

93117
Zip Code

(805) 452-5248
Telephone

Not given
Email Address

Tree Information

Not specified
Number of Trees

442 Valdez Ave.
Address/Location of Tree(s)

Not specified
Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal.

Reason for Tree Removal Request

☐ Dead ☐ Dying ☐ Safety Hazard
☑ Other Description: Reason not given

I. Tree Removal:

Under the Goleta Urban Forest Management Plan guidelines, no healthy trees shall be removed from public right of ways and all efforts will be made to retain healthy trees whenever possible. Public trees shall only be removed for the protection, public health and safety of citizens. At the discretion of City staff, removal of a public tree shall be considered if the following has occurred:

a. Tree is dead, dying or hazardous
b. Tree is imminent sidewalk and other hardscape damages from roots
c. Tree is causing imminent hazards such as being situated under a power line

(Urban Forest Management Plan Section 4.12 – Tree Risk Management and Removal)

II. Removal of Heritage Tree:

A Heritage Tree shall not be removed unless it is dead, dying, or dangerous, subject to prior Public Tree Advisory Commission (PTAC) notification unless the hazardous condition of the tree is deemed an emergency warranting swift action. An emergency is when the failure of a major limb(s) or the entire tree is imminent and a threat to public safety, homes, or structures. In the event of an emergency, the Public Works Director or his/her designee may order a limb(s) or the entire tree to be removed without scheduling a hearing with the PTAC. However, PTAC commissioners shall be informed as soon as practical.

(Urban Forest Management Plan Section 4.14- Removal of Heritage Trees)

III. Appeal to Public Tree Advisory Commission:

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

(Goleta Municipal Code Section 2.11.090- Appeal to Public Tree Advisory Commission)

IV. Appeal to City Council:

Any persons may appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing.

(Goleta Municipal Code Section 2.11.100- Appeal to City Council)

ATTACHMENT 9

Nancy Gerh – 6597 Camino Venturoso

Arborist Assessment and Staff Recommendation Summary
Appeal Letter
Photograph(s)
Tree Removal Request Form

Rincon Consultants, Inc.

Environmental Scientists *Planners* *Engineers*

M E M O R A N D U M

■ **Santa Barbara**

209 East Victoria Street
Santa Barbara, California 93101
(805) 319 4092

Date:	December 27, 2021
To:	Public Tree Advisory Commission
Project:	Tree Removal Requests
From:	Greg Arborist, Rincon Consultants, Inc.
E-mail:	gainsworth@rinconconsultants.com
cc:	George Thomson, Parks and Open Space Manager
Re:	Paperbark tree (Melaleuca quinquenervia) at 6597 Camino Venturoso

Address: 6597 Camino Venturoso

Appeal Filed: August 3, 2021

Tree Species: Paperbark tree (Melaleuca quinquenervia)

Reason:

Appeal Summary: Request to remove tree because the tree has a history of damaging sewer line and water meter, and tree is lifting the adjacent sidewalk and street.

Observations Summary: The paperbark tree has an approximate 19-inch DBH and is 50 feet tall, with a 35-foot canopy spread. The tree is in good health and has good form (symmetrical). The root flare is encroaching the adjacent curb and sidewalk and it appears that the adjacent sidewalk panels have been replaced. The tree roots are pushing the curb outward by approximately 1.5 inches. Bulging of the asphalt in the adjacent street is visible and is cracking where building is present.

Staff Recommendation: The tree is an important part of the urban forest and does not meet the City's criteria for consideration of removal. The tree is not likely to become a hazard to vehicular or pedestrian travel on the road or sidewalk. The sidewalk and curb/gutter should be grinded where lifting by the

tree's roots is one inch or greater to eliminate potential tripping hazards. The tree should be pruned to provide a minimum of 5 feet of clearance from power lines. Water line damage from the tree's roots is not visible. Further documentation should be provided, such as photographic evidence of roots damaging the sewer line, or a plumber's investigation report that clearly demonstrates that the tree's roots are causing ongoing damage. Selective root pruning and installing a root barrier would help prevent future intrusion of leaking lateral lines.

Dale & Nancy Gehr (480-213-2555)
Sam & Kerri Maxwell
6597 Camino Venturoso
Goleta, Ca. 93117

August 2, 2021

ATTN: Deborah Lopez, CMC, City Clerk

We respectfully request to have our tree removal request included on the agenda for the Public Tree Commission meeting scheduled for August 18, 2021 at 5:30 PM. Please inform us if the meeting is delayed by e-mail, ngehr1@cox.net or telephone, 480-213-2555.

Sincerely, Mrs. & Mrs. Dale Gehr, Mrs. & Mrs. S. Maxwell

Dale & Nancy Gehr (480-213-2555)
Sam & Kerri Maxwell
6597 Camino Venturoso
Goleta, Ca. 93117

August 2, 2021

ATTN: Public Tree Advisory Commission

We are appealing the Public Tree Commission denial of our request for the public works department to remove the "paper tree" located in the parkway of 6597 Camino Venturoso, Goleta, California. This tree is over 55 years of age and has definitely overgrown its space in the parkway as is evident by the roots extending over the curb and sidewalk.

The previous homeowners have records dating from 2007 showing plumbing issues, cracked sewer lines with visible tree roots present in the lines. These records indicate they have consistently serviced the sewer lines with roto-router and in 2014 a PVC sewer line was installed from the house to the street, a distance of 60 feet, due to, again, cracks in the line. There was a total cost of approximately $9,880.00 for the replacement and the upkeep of this line from 2007 - 2013.

We, as the new homeowners, received a "Problem Notification" from Goleta West Sanitary District dated 3/19/2019, identifying a blockage in the mainline and deemed it as a potentially hazardous condition, thereby needing to be cleaned/fixed. This was due to the tree owned and maintain by the City of Goleta. In July 2018 a plumber cleared the mainline at a cost of $530.00. There is a Private Sewer Lateral inspection report confirming that the lateral line was replaced except for the city WYE, where the root intrusion is present.

Stewarts & Selzer Plumbing was called on 6/05/19/- 6/6/19 to scope the line and found from the clean out in the front yard to the city main tree roots again present from the "paper tree" in the front parkway. This was a cost of $207.00. The tree has also lifted the water meter and we had to have our service line from the meter to the house replaced due to up-lifting from the roots at the meter. Additionally, the street is lifted by the tree roots and causing the water at the curb to divert to the center of the street and continues all the way to the opposite side of the street. Also, the street shows up-lifting where the root goes from the tree to the area of the sewer line where the roots intrude into our sewer line as well as lifting of the curb apron and curb protrusion into the street which could cause damage to vehicle wheels.

Copies of invoices, videos and pictures were included in our letter to Charles Ebeling, Public Works Director/City Engineer, dated June 14, 2019, and should be found in your files.

In 2020, we were told by Charles Ebeling that the Tree Advisory Committee would have to review our case and we would have an opportunity to explain our concerns in person. That never occurred. On July 6, 2020, we notified Mr. Ebeling that a large branch had fallen from this tree nearly striking our next door neighbor while she was walking her dogs. This was witnessed

by another neighbor who advised she would be happy to make a statement. Within a couple of weeks, a crew from Mark Crane's Tree Service arrived and trimmed the tree. This tree presents a hazard to anyone walking on the sidewalk or driving on the street as branches drop frequently especially when windy.

Now, after over 2 years delay, we have received notification that our request to remove the tree was denied without any input from us. It seems now our only recourse is to appeal this decision as per Goleta Municipal Code 2.11.090. We would look forward to the opportunity to meet with the committee and have an open conversation with the parties involved with making this decision.

The city of Goleta should be responsible for damages caused to vehicles from the curb offset, flooding due to improper street grade as well as any expense caused by hazardous root intrusion into the sewer line under the public street caused by the tree owned by the city of Goleta as well as any injuries caused by falling branches from said tree.

In order to mitigate additional cost to the city of Goleta and us, the homeowners, we propose to cover the cost of the tree removal and plant a replacement tree as per the city of Goleta acceptable tree guide.

After reviewing all the evidence, we ask you to support our petition to remove this huge hazardous tree which has and will continue to cause further expense and ongoing problems to the street, water meter and sewer lines and presents an injury hazard to anyone walking on the sidewalk or driving in the street. Please note that after repeated attempts to present our case to the Public Works Department and the Public Tree Commission with the only action being a denial with no input from us, we may be forced to seek the advice of an attorney. We have been reasonable, and patient and we believe our request and offer is fair and reasonable.

Sincerely,

Mrs. & Mrs. Dale Gehr, Mrs. & Mrs. S. Maxwell

Dale & Nancy Gehr (480-213-2555)
Sam & Kerri Maxwell
6597 Camino Venturoso
Goleta, Ca. 93117

July 6, 2020

ATTN: Charlie Ebeling, Director of Public Works, Goleta, CA.

Mr. Ebeling,

We have had an ongoing, unresolved issue regarding our request for removal of the tree along the curb in front of our property with our first contact in person at the Goleta City offices in February of 2019. Subsequently, we received a receipt of claim from Carl Warren Company (third party claims administrator for the city of Goleta) dated 3/19/2019 with file #1992483 - LFM. After 3 months with no action, we were advised by Public Works Director Paul Medel to send a letter to your attention with full documentation as well as a CD video showing root intrusion into our line from the tree (please see attached documentation that was sent to you on June 14th, 2019) and you could personally make a decision to authorize removal. Why has this taken so long?

I do understand that the city was going through changes on how tree claims are handled and that a new "Tree Committee" was being formed and trained. Also delays caused by Covid-19 are understandable. However, a decision should have been made well prior to over a year and a half after we started this process and now the tree is becoming a liability issue. Our next door neighbor is a nice 80+ year old woman who enjoys walking her dogs. Several weeks ago a large branch fell onto the sidewalk just moments after she passed. I do not want to speculate as the what her chances of survival would have been if she had been hit by this branch. Additionally, during a windy day several months ago a large branch fell onto a truck parked to the curb by the tree. Fortunately the truck had a substantial lumbar rack which prevented damage to the truck body. In both cases I cut up and disposed of the branches as I try to keep my yard in good order. I do have a picture of the branch across the sidewalk if needed.

We believe that almost a year and a half and still no action is totally unacceptable. Currently, due to the disregard for expediting this tree removal, it has become a liability issue. Since the tree is the property of the City of Goleta we would like the tree removed or a complete release of any liability for any injury or property damage caused by the tree. Please be aware we will also see legal counsel if this is not handled in a timely manner. **We expect a reply with-in the next 2 weeks of receipt of this e-mail.**

Sincerely,

Mrs. & Mrs. Dale Gehr, Mrs. & Mrs. S. Maxwell

Dale & Nancy Gehr (480-213-2555)
Sam & Kerri Maxwell
6597 Camino Venturoso
Goleta, Ca. 93117

June 14, 2019

ATTN: Charlie Ebeling, Director of Public Works, Goleta, CA.

We are petitioning for the public works department to remove the "paper tree" located in the parkway of 6597 Camino Venturoso, Goleta, California. This tree is over 55 years of age and has definitely overgrown its space in the parkway.

The previous homeowners have records dating from 2007 showing plumbing issues, cracked sewer lines with visible tree roots present in the lines. These records indicate they have consistently serviced the sewer lines with roto-router and in 2014 a PVC sewer line was installed from the house to the street, a distance of 60 feet. due to, again, cracks in the line. There was a total cost of approximately $9,880.00 for the replacement and the upkeep of this line from 2007 - 2013.

We, as the new homeowners, received a 'Problem Notification" from Goleta West Sanitary District identifying a blockage in the mainline and deemed it as a potentially hazardous condition, thereby needing to be cleaned/fixed. In July, 2018 a plumber cleared the mainline (see attached invoice from Hahka Kitchens)at a cost of $530.00. There is a Private Sewer Lateral inspection report confirming that the lateral line was replaced except for the city WYE, where the root intrusion is present. (see attached report)

Stewarts & Selzer Plumbing was called on 6/05/19/- 6/6/19 to scope the line and found from the clean out in the front yard to the city main tree roots again present from the "paper tree" in the front yard (paper invoice, pictures and CD of scope attached). This was a cost of $207.00. The tree has also lifted the water meter and will likely cause a break in that line resulting in loss of water service. Additionally, the street is lifted by the tree roots and causing the water at the curb to divert to the center of the street and continues all the way to the opposite side of the street. Also, the street shows up-lifting where the root goes from the tree to the area of the sewer line where the roots intrude into our sewer line.

After reviewing all the evidence we ask you to support our petition to remove this huge hazardous tree which has and will continue to cause further expense and ongoing problems to the street, water meter and sewer lines to our residence.

Sincerely,

Mrs. & Mrs. Dale Gehr, Mrs. & Mrs. S. Maxwell

GOLETA WEST SANITARY DISTRICT
Problem Notification

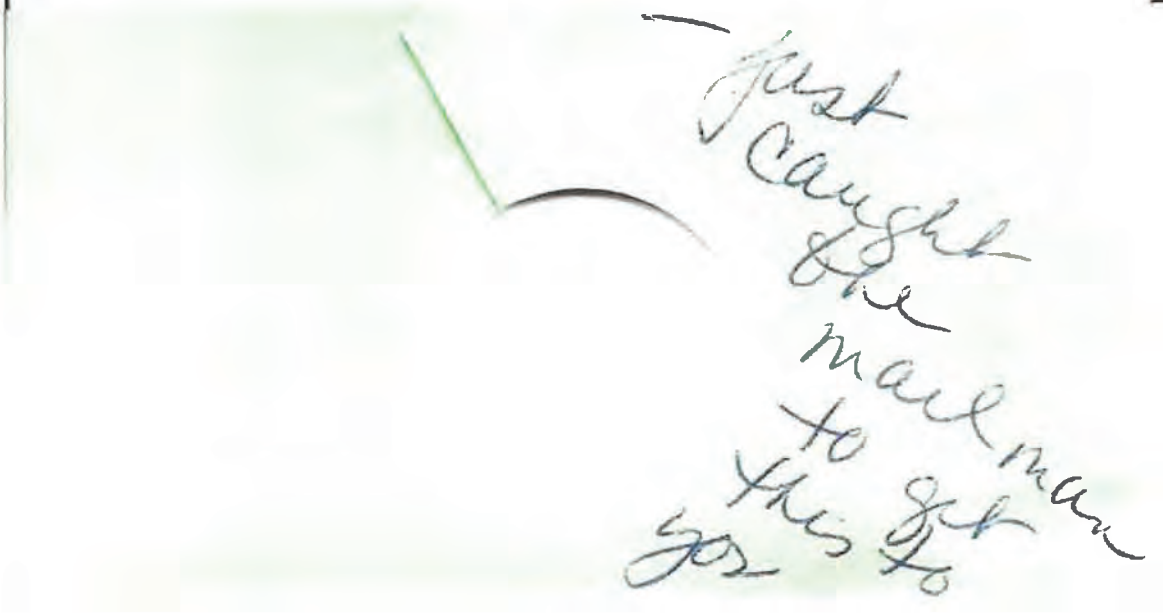
The Goleta West Sanitary District provides sewer service to you. The District has been conducting sewer mainline inspections using closed circuit television (CCTV). The inspections are being performed as part of the District's routine preventative maintenance program. The CCTV equipment is capable of inspecting a privately owned side sewer ("lateral") at the point where it connects to the sewer mainline in the street.

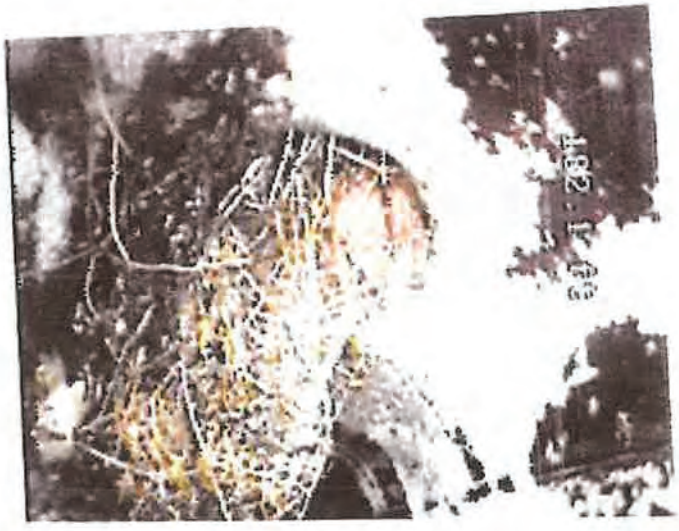
A RECENT INSPECTION HAS IDENTIFIED A BLOCKAGE IN THE PRIVATELY-OWNED SIDE SEWER SERVING YOUR PROPERTY. THIS IS A POTENTIALLY HAZARDOUS CONDITION.

Attached is an image showing your property's privately-owned sewer connection partially blocked with roots or other debris. **This blockage could cause a sewer backup overflow if not promptly addressed.** We recommend that your sewer lateral be cleaned by a **licensed plumber** as soon as possible. Please notify the District when your sewer lateral is being cleaned so we can take steps to handle any debris from your side sewer being pushed into the sewer main.

If you have any questions or concerns, please call

the District office at (805) 968-2617.





PRIVATE SEWER LATERAL INSPECTION REPORT FORM

To be completed by **Certified Inspector** and submitted to City prior to any repair work.

Customer Name: Sam + Kerri Maxwell Address: 6597 Camino Ventoso Phone: _____

Mailing Address: 2602 Daylily Ct., Westfield, IN 46074
Street Address / City / State / Zipcode

Company Name: Channel Plumbing Inspector's Name: Tom Phone: (805) 682-0855

Sewer Usage: ☒ Residential ☐ Commercial ☐ Condo Pipe Size: 4" Pipe Material: ABS / SDR 11

CCTV Date: 8-17-15 Time: 9:00 A.M. Camera Direction: ☒ With Flow ☐ Against Flow Total Length: 100'

Please be sure to answer all of the questions below:

Yes X	No ____	Cleanout is accessible outside of building.
Yes ____	No X	There is a sewer ejector pump at this property.
Yes ____	No X	Private sewer lateral crosses neighboring private property.
Yes X	No ____	Private sewer lateral connects to City sewer in public right of way.
Yes ____	No X	There is more than one structure at this address served by the private sewer lateral.
Yes X	No ____	Property has been verified as not requiring a backwater valve.
Yes ____	No X	Property has been verified as having a working backwater valve.
Yes ____	No X	Property needs a backwater valve.
Yes X	No ____	Property has been verified as having no outside drains connected to the sewer system.

Method used to verify no outside drains connected to the sewer system: Visual & Camera Inspection

I certify that the information and video recording I have provided with this form are true and correct.

Inspector's signature: _____ Date: 8-17-15

The information submitted herewith complies with all requirements set forth by the City of Santa Barbara Municipal Code 14.46 inclusive. I declare under penalty of perjury that all information submitted here applies to the listed address only.

Plumber's signature: _____ Date: 8-17-15 License # 802985

*Forms available on line at www.santabarbara.ca.gov/lateral

COPY TO: ☐ BUILDING & SAFETY ☐ OWNER/SITE ADDRESS (rev 07/22/14)

OBSERVATION CODES

B	BROKEN	I	INFILTRATION	R	ROOTS: 25% 50% 75%
C	CRACK	O	OFFSET	CP	CHANGE IN PIPE
F	FRACTURE	S	SAG	OR	OUT OF ROUND

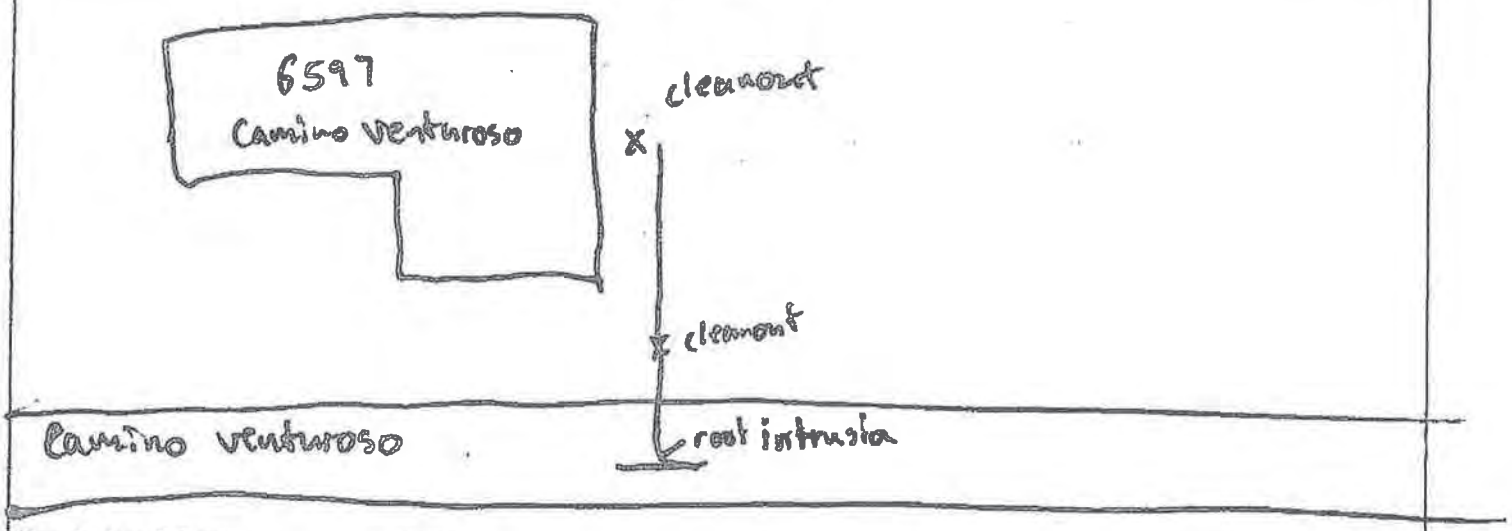
LATERAL INSPECTION LOG

DISTANCE	OBSERVATION CODE	REMARKS
1. 97'-100'	R 25%	all of lateral was replaced except city WYE, where root intrusion is
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

BRIEF SUMMARY OF WORK PERFORMED

camera inspection of sewer lateral from cleanout in sideyard to city main

DRAWING



Show footage distance from C.O. to City sewer main.
Also please indicate street name(s) and show relationship of building to the lateral(s) and the main in the street.

STEWART'S & SELZER PLUMBING

PO BOX 820, SUMMERLAND, CA 93067
805/965-8813 or 805/963-4987 FAX: 805/966-9715
EMAIL: DISPATCH@STEWARTSDEROOTING.COM
CA LIC #375514

INVOICE # 51710

SERVICE TECHNICIAN EL

Job Address : 6597 Ruhnke Ventura

DATE 6/5/19

Customer Information: ☐ Charge Account ☐ Payment at time

Job Name: Nancy Cohn

Contact Name:

Billing Address:

Contact #

Contact Email:

Tenant Name:

Tenant Phone:

Work ordered description :

Work Performed: CAMERA LINE FROM C/O IN YARD TO CITY MAIN. FOUND ROOTS IN LINE COMING FROM TREE IN FRONT YARD

Follow up:

Roof Vent: We are not responsible for any damage arising from the access of your sewer line through a roof vent. Proper plumbing should have a cleanout access for proper service. _____ Initial
Toilet: If we have to pull the toilet to access the mainline please be aware that we are not responsible for damage to the toilet or its components. There should be a cleanout to access the line for proper cleaning.
_____ Initial

Material Description	QTY	Price	Total

Date	Name	HRS	Rate	Total

Total Materials	$
Tax	$
Total Labor	$
Line Clearing	$
Inside Line	$
Outside Line	$
Hydrojetting	$
Camera	$ 200
Backflow Test	$
RootX Treatment	$
Trip	$ 7.
Other	$
Other	$
Discount	$
Total Due	$ 207

Payment: Cash / Check # _____

Credit Card# 4266-8415-7157-1529

Exp 6-23 CVC 788

Billing Address: SAME

Billing Zipcode: 93117

Service personal are required to have this work order signed. This is done to protect you, the worker, ourselves, and to give absolute satisfactory service. You are respectfully requested to examine material and labor statement before service personal leave the jobsite. If you find everything satisfactory please okay the ticket by signing below. Should there anything you feel is unsatisfactory please discuss with our service technician. If you still feel it is unsatisfactory after speaking with the technician please call our office to discuss.

Signature _____ Date _____

TH 1 PIC COC

2.

$9,880.00

$6,339. total cost (re,

72 Santa Felicia Dr
Goleta, CA 93117
office 805-964-8555

Invoice

DATE	INVOICE #
7/28/2018	5077

Hahka Kitchens

BILL TO	SHIP TO
Sam & Kerri Maxwell 6 Queensbury Ct. Algonquin, IL 60102	6597 Camino Venturoso Goleta, CA 93117

P.O. NO.	TERMS	PROJECT

DESCRIPTION	Est Amt	Prior %	Total % Billed	Prior Amt	Curr %	Current Amt
Extra Work #41 Glass						
Glass	935.00		100.00%		100.00%	935.00
Subtotal	935.00		100.00%		100.00%	935.00
CO # 42 Paint						
Extra Work #43 Niche Ledge						
Supply and install niche bottom ledge, for downstairs guest bathroom. "Fresh Concrete" to be fabricated from 3 small pieces of the Quartz.	227.00		0.00%		0.00%	0.00
Subtotal	227.00		0.00%		0.00%	0.00
CO #44 Plumbing, clear main line						
Plumbing Subcontractor	530.00		100.00%		100.00%	530.00
				Total		$31,532.00

E-mail
office@hahkakitchens.com

Main TOC - New Search

Search Results

Terms entered: +2.11.090

No topics were found matching your search terms.

2.11.010 Purpose of Public Tree Advisory Commission.

The purpose of the Public Tree Advisory Commission shall be to provide advice to staff and the City Council in developing plans and goals for the Goleta Urban Forest, represent the interests of the community and inform the community of the Urban Forestry Program as directed by the City Council. (Ord. 12-16 § 2)

View the mobile version.

2.11.070 Appeal to Public Tree Advisory Commission.

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day. (Ord. 20-12 § 8; Ord. 12-16 § 2)

View the mobile version.

2.11.080 Appeal to City Council.

Any persons my appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing. (Ord. 20-12 § 8; Ord. 12-16 § 2)

March 15, 2019

Dale Gehr and Kerri Maxwell
6597 Camino Venturoso
Goleta, CA 93117-1525

RE:	Claimant	:	Dale Gehr and Kerri Maxwell
	Member	:	City of Goleta
	Date of Event	:	3/14/19 (Assigned)
	CW File Number	:	1992483

Please be advised the above-referenced claim was referred to our office for investigation. We are the liability Claims administrators for the City of Goleta.

This matter is being handled under the file number provided above and is being investigated by our Claims Adjuster Lisa Frye (805) 586-3694.

Upon completion of the investigation, we will contact you concerning our determination of liability.

Very Truly Yours,
CARL WARREN & CO.

George J. Mankiewicz
Claims Supervisor

March 19, 2019

Dale Gehr and Kerri Maxwell
6597 Camino Venturoso
Goleta, CA 93117

RE:	Principal:	CJPIA
	Member:	City of Goleta
	Claimant:	Dale Gehr and Kerri Maxwell
	Date of Event:	3/14/2019 (date reported)
	Our File:	1992483 - LFM

Dear Mr. Gehr and Ms. Maxwell:

Carl Warren & Company is the third party claims administrator for the City of Goleta.

We are in receipt of the claim you filed against the City and our investigation into this matter is underway. You did not provide a telephone number on the claim form; therefore, I am unable to contact you.

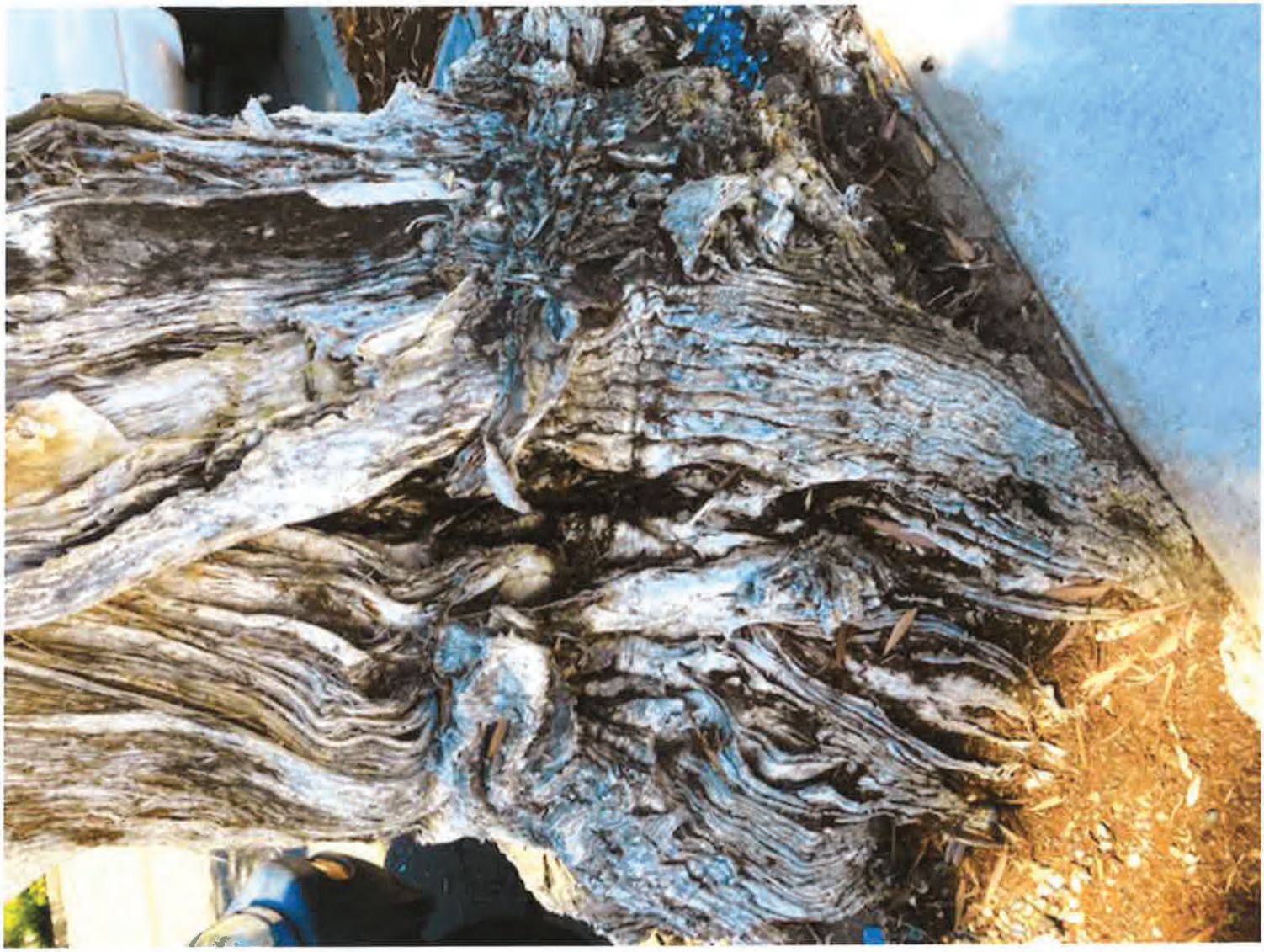
Please contact me at (805) 586-3694 at your earliest opportunity so we can discuss this matter.

Thank you for your cooperation.

Sincerely,

CARL WARREN & COMPANY

Lisa Frye
Claims Examiner II
lfrye@carlwarren.com
(805) 586-3694



For Official Use Only

Document #: _____-_____
Received by: _____
Time stamped by: _____
Date: _____
Approved: ___ Denied ____

Tree Removal Request

Public Works Department
130 Cremona Dr. Ste B, Goleta, CA 93117
Phone: (805) 961-7500| Email: llarovere@cityofgoleta.org

Please submit the completed Tree Removal Request form for removal of tree(s) located in the public-right-of way.

Date Request Submitted: 6/24/2019

Requestor's Information

Gehr (Maxwell) — Last Name
Nancy — First Name

6597 Camino Venturoso — Mailing Address

Goleta — City
CA — State
93117 — Zip Code

_____ — Telephone
_____ — Email Address

Tree Information

1 — Number of Trees
Parkway in front of property — Address/Location of Tree(s)

Paper tree — Species of Tree(s), if known

Tree Location Documentation: Please attach a satellite overhead map or street view map (Google Map or other comparable map), or you may provide a clear photo in lieu of a map image. The map image/photo must clearly and explicitly indicate which tree(s) you are requesting for removal.

Reason for Tree Removal Request

☐ Dead ☐ Dying ☑ Safety Hazard
☑ Other Description: Tree has overgrown its space in the parkway and poses a safety hazard

I. Tree Removal:

Under the Goleta Urban Forest Management Plan guidelines, no healthy trees shall be removed from public right of ways and all efforts will be made to retain healthy trees whenever possible. Public trees shall only be removed for the protection, public health and safety of citizens. At the discretion of City staff, removal of a public tree shall be considered if the following has occurred:

a. Tree is dead, dying or hazardous
b. Tree is imminent sidewalk and other hardscape damages from roots
c. Tree is causing imminent hazards such as being situated under a power line

(Urban Forest Management Plan Section 4.12 – Tree Risk Management and Removal)

II. Removal of Heritage Tree:

A Heritage Tree shall not be removed unless it is dead, dying, or dangerous, subject to prior Public Tree Advisory Commission (PTAC) notification unless the hazardous condition of the tree is deemed an emergency warranting swift action. An emergency is when the failure of a major limb(s) or the entire tree is imminent and a threat to public safety, homes, or structures. In the event of an emergency, the Public Works Director or his/her designee may order a limb(s) or the entire tree to be removed without scheduling a hearing with the PTAC. However, PTAC commissioners shall be informed as soon as practical.

(Urban Forest Management Plan Section 4.14- Removal of Heritage Trees)

III. Appeal to Public Tree Advisory Commission:

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

(Goleta Municipal Code Section 2.11.090- Appeal to Public Tree Advisory Commission)

IV. Appeal to City Council:

Any persons may appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing.

(Goleta Municipal Code Section 2.11.100- Appeal to City Council)

ATTACHMENT 10

2.11.070 Appeal to Public Tree Advisory Commission

2.11.070 Appeal to Public Tree Advisory Commission.

A decision made by City staff related to the planting and removal of trees may be appealed to the Public Tree Advisory Commission. However any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal. A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day. (Ord. 20-12 § 8; Ord. 12-16 § 2)

ATTACHMENT 11

2.11.080 Appeal to City Council

2.11.080 Appeal to City Council.

Any persons my appeal a final decision by the Public Tree Advisory Commission to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within that period, the decision cannot be appealed. The Public Works Department will notify the Public Tree Advisory Commission as to the scheduled date of the appeal hearing. The Public Tree Advisory Commission will designate a member to attend an appeal hearing. (Ord. 20-12 § 8; Ord. 12-16 § 2)

Attachment 11

PowerPoint Presentation

Street Tree Removal Request Appeals

Public Tree Advisory Commission

May 18, 2022

Municipal Code

Section 2.11.070: Appeal to Public Tree Advisory Commission
A decision made by City staff related to the planting and removal of trees may be appealed to the PTAC. **However, any decision made by City staff for the protection of the public health and safety of the citizens shall not be subject to appeal.** A letter stating the reasons for the appeal, along with the appropriate fee, must be filed with the Public Works Department within the 10 days following the staff decision. If the 10th day falls on a day that the Public Works Department offices are closed, the appeal period is extended until 5:00 p.m. on the following business day.

Section 2.11.080: Appeal to City Council
Any persons may appeal a final decision by the PTAC to the City Council within 10 days of the decision becoming final. If a decision is not appealed to the City Council within 10 that period, the decision cannot be appealed. The Public Works Department will notify the PTAC as to the scheduled date of the appeal hearing. **The PTAC will designate a member to attend an appeal hearing.**

Urban Forest Management Plan Guideline 4.12.4

Considerations for Tree Risk Management and Removal:

(1) is the tree dead, dying, or hazardous?

(2) if there is an imminent threat to sidewalk and other hardscape damages from roots?

(3) are there other imminent threats to public safety?

Can any of these issues be addressed by pruning, pest control, or other tree care methods rather than full removal?

CELEBRATING 20 YEARS
CITY OF GOLETA

Street Tree Removal Request Appeals

Attachment 1

Tree Species: Paperbark tree
(*Melaleuca quinquenervia*)
Address: 6513 Camino Venturoso

Requester's Name: Aggie T. Arias

Reason for Tree Removal Request: Tree roots damaging sewer line and water meter.

Arborist Observations:

- 0.5-1-inch sidewalk lift
- Water meter and sewer line damage not visible
- Trees are in good health
- Trees do not present a public hazard

Street Tree Removal Request Appeals

Attachment 2

Tree Species: Bottlebrush (*Callistemon sp.)*

Address: 6227 Westmoreland Place

Requester's Name: Bonnie Dahlke

Reason for Tree Removal Request: Bottlebrush attracts bees during blooming period; homeowner is allergic to bees.

Arborist Observations:

- Tree in good health
- Does not present a public hazard

Street Tree Removal Request Appeals

Attachment 3

Tree Species: Queen palm (*Syagrus romanzoffnia*)

Address: 7656 Dartmoor Avenue

Requester's Name: Jeanne and Eric White

Reason for Tree Removal Request: Four Queen palms cracking sidewalk and curb. Dead husks could fall on pedestrians and cars. Termite infestation in one tree.

Arborist Observations:

- Queen palms in fair to good health
- One palm tree just north of the driveway has termite damage at the base, may be structurally compromised.
- Slight sidewalk cracks, but no uplifting.
- Trees do not present a public hazard.

Street Tree Removal Request Appeals

Attachment 4

Tree Species: Bottlebrush (*Callistemon sp.*)

Address: 6226 Westmoreland Place

Requester's Name: Joel Patrick

Reason for Tree Removal Request:
Two bottlebrush trees attracting bees. Roots may damage water main to house and are preventing improvements to landscaping.

Arborist Observations:
- Bottlebrush trees are in good health
- Trees do not present a public hazard

Street Tree Removal Request Appeals

Attachment 5

Tree Species: Bottlebrush (*Callistemon sp.*)

Address: 6163 Braeburn Drive

Requester's Name: Jose Martinez

Reason for Tree Removal Request: Two bottlebrush trees are attracting bees; trees are messy.

Arborist Observations:

- Bottlebrush tree in good health
- Tree does not present a public hazard

Street Tree Removal Request Appeals

Attachment 6
Tree Species: Sweetgum (*Liquidambar styraciflua*)
Address: 428 Valdez Avenue

Requester's Name: Katherine Legros

Reason for Tree Removal Request: History of branch failure, growing into powerlines, seed pods on sidewalk causing tripping hazard, and potential damage of pipes in front yard from roots.

Arborist Observations:

- Tree in good health
- Canopy growing through utility lines
- 1-inch sidewalk lift
- Tree does not present a public hazard

Street Tree Removal Request Appeals

Attachment 7

Tree Species: Shamel ash (*Fraxinus uhdei*)
Address: 7195 Tuolumne Dr.

Requester's Name: Shirley Luna

Reason for Tree Removal Request: Roots damaging foundation of house, driveway, sewer, and garage

Arborist Observations:

- Tree in good health
- Root crown bulging , but not over sidewalk
- Approximate 2-inch lift of the curb
- Tree does not present a public hazard

Street Tree Removal Request Appeals

Attachment 8

Tree Species: Sweetgum (*Liquidambar styraciflua*)
Address: 442 Valdez Ave

Requester's Name: Sol Linver

Reason for Tree Removal Request: Roots damaging water line and lifting sidewalk, curb/gutter and driveway.

Arborist Observations:

- Tree in good health
- Utility lines extend through the canopy and are in contact with some branches
- 1-2-inch sidewalk and curb/gutter lift. Previous sidewalk grinding is evident.
- Surface roots are visible in the front yard of property
- Tree does not present a public hazard

Street Tree Removal Request Appeals

Attachment 9
Address: 6597 Camino Venturoso
Tree Species: Paperbark tree (*Melaleuca quinquenervia*)

Requester's Name: Nancy Gehr

Reason for Tree Removal Request: Roots damaging sewer line and water meter and lifting sidewalk and street.

Arborist Observations:
- Tree in good health
- 1.5-inch curb lift (outward)
- Sidewalk panels previously repaired
- Bulging of street asphalt is visible and cracking
- Tree does not present a public hazard