

**Town of Atherton  
Planning Department  
80 Fair Oaks Lane  
Atherton, California 94027  
Phone: (650) 752-0544  
Planningdept@ci.atherton.ca.us**

## **TOWN OF ATHERTON PLANNING COMMISSION HERITAGE TREE REMOVAL PERMIT CERTIFICATE**

THIS IS TO CERTIFY THAT the Atherton Planning Commission at a regular meeting thereof, held on Wednesday, September 27<sup>th</sup> 2023, **APPROVED** an exception the Tree Protection Zone Permit (PTPZ23-00008) ranging from 6x-10x the tree diameter for the construction of an accessory structure (outdoor athletic court), at **89 Douglass Way**, to Nic and Denise Persson, applicants and property owners, pursuant to Atherton Municipal Code Section 8.10 to allow the tree protection zone exception of four tree exceptions:

- A. Tree #5- 41.5” Coast Live Oak up to 6x for a proposed outdoor athletic court
- B. Tree #6 – 31.5” Coast Live Oak up to 6x for a proposed outdoor athletic court
- C. Tree #10 – 20.5” Coast Live Oak up to 8x for a proposed outdoor athletic court
- D. Tree #12 – 28.5” Coast Live Oak up to 6x for a proposed outdoor athletic court

The proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) to CEQA Section 15304, Minor Alterations to Land.

The Permit was approved subject to the following conditions.

1. Tree Protection Zone Exception for Three Redwood Trees and One Silver Maple as described above and shown on the plans published and reviewed by the Planning Commission at its September 27, 2023 meeting. Any substantive changes to the plans shall be reviewed by the Planning Commission.
2. All recommendations of the Project Arborists shall be followed, as outlined in the arborist report prepared by Kielty Arborist Services, LLC dated August 24, 2023, and confirmed by the Town Arborist on August 30, 2023.
3. All excavation is to be done by hand under the Project Arborist supervision when within 10x the tree's diameter.
4. Piers to be placed strategically to avoid roots through hand excavation under the Project Arborist's supervision
5. All roots encountered measuring 1” in diameter or larger will need to be documented in the required monthly inspections. Encountered roots are recommended to be cleanly cut with cut root ends on the tree side covered in layers of wetted down burlap. Roots over 2” shall not be cut.
6. Soaker hoses to be installed within the tree protection zone fencing as close to the excavation as possible (edge of fencing). Soaker hoses to be turned on every other week during the dry season until the top foot of the soil is saturated. During early spring of 2024, all 3 trees to be deep water fertilized with 300 gallons of water mixed with Nutri Root fertilizer. Add to monthly reports.
7. Sufficient tree protection installed.
8. The Permit is valid for one year from the effective date.
9. Applicant shall defend, indemnify, and hold harmless the Town of Atherton and its agents, officers, and employees from any claim, action or proceeding against the Town, or its agents, officers, and employees to attach, set aside, void, or annul, an approval of the Planning Commission, or City Council concerning this project.

Effective Date: \_\_\_\_\_  
Atherton, CA

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Radha Hayagreev  
Senior Planner